

**TOWN COUNCIL MEETING - WEDNESDAY EVENING
SEPTEMBER 28, 2011**

PRESENT: Marshall, Barboza, Teixeira, Herreshoff, and Parella

ALSO PRESENT: Michael A. Ursillo, Esq., Town Solicitor
Marshall J. Netto, Town Sergeant

ABSENT: Diane C. Mederos, Town Administrator

A4

The Council met in regular session on Wednesday evening, September 28, 2011, in the Town Hall, Council Chambers, beginning at 7:11 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, the Clerk reported that the petitioner for agenda item B2 has requested a continuance. The discussion and action regarding this matter appears in place below.

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall noted for the record that the Town of Bristol was awarded \$3 million in flood mitigation funds for the repair of the Tanyard Brook. Council Chairman Marshall also observed that these funds became available through the efforts of Director of Community Development Williamson and also that these funds represent a total of twenty percent (20%) of the funds allocated to the State.

Council Chairman Marshall also observed that Board and Commission members should be "advocates of the Town." He expressed concern that negative publicity detracts from the Town's "assets" and that those wishing to make public comments that are potentially erroneous should consider same carefully before speaking.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Teixeira - Voted
unanimously to approve the Consent
Agenda, withholding agenda items
AA11, AA12, R8 and R16 for further
discussion and action.

Prior to the vote taken, Councilman Teixeira asked to withhold agenda items AA11, AA12, and R8, and Council Chairman Marshall asked to withhold agenda item R16.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - August 17, 2011

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Barboza/Teixeira - Voted
unanimously to approve these
minutes as prepared and presented.

2. Town Council Meeting - September 7, 2011
(action items)

Barboza/Teixeira - Voted
unanimously to approve these
minutes as prepared and presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place
these items on file."**

1. Historic District Commission - August 4, 2011
2. Board of Fire Engineers - September 6, 2011
3. Bristol County Water Authority - Board of
Directors, August 10, 2011
4. Bristol County Water Authority - Public
Relations/Personnel Committee, September 7,
2011
5. Bristol County Water Authority - Audit
Finance Committee, September 7, 2011
6. Bristol County Water Authority - Engineering
Committee, September 7, 2011
7. Bristol County Water Authority - Ad Hoc
Committee, September 7, 2011
8. Bristol County Water Authority - Special
Board Meeting, September 7, 2011
9. Zoning Board of Review - July 11, 2011
10. Planning Board - June 14, 2011
11. Bristol Housing Authority - July 21, 2011

Barboza/Herreshoff - Voted
unanimously to receive and place
this matter on file.

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Prior to the vote taken, Councilman Teixeira asked to know if the Town has jurisdiction over the pension of Housing Authority employees.

Town Treasurer Goucher stated that she believes that the employee insurance is obtained through the Town and agreed to check on the details of the Town's arrangement with the Housing Authority concerning employee benefits and report back to the Council at a later date.

12. Post Retirement Benefits Fund - Board of Trustees, August 3, 2011

Teixeira/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Teixeira asked to know the circumstances concerning the resignation of Mr. George with Town Treasurer Goucher reporting that the Board of Trustees requested benchmarking, etc., and that Mr. George did not appear to have time available to provide this data.

Town Treasurer Goucher added that the Board of Trustees interviewed five (5) potential advisors and that the new advisor will be compensated within the already established fee structure.

13. Post Retirement Benefits Fund - Board of Trustees, September 1, 2011

B. OLD BUSINESS

1. RFP #737 - Pre-Construction/Construction Management Services for New Animal Shelter Project, **continued from September 7, 2011**

Barboza/Teixeira - Voted
unanimously to authorize the
Capital Project Committee to engage
Farrar & Associates for "Pre-
construction Services" for an
amount not to exceed \$8558.

Prior to the vote taken, John Lannan, a member of the Capital Project Committee provided the Council with a handout and an invitation to attend the architect's presentation scheduled for October 6, 2011 beginning at 4:30 o'clock PM.

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Mr. Lannan also informed the Council that the Committee interviewed the three lowest-cost applicants for the construction manager position. He added that the interviews were lengthy and part of the Committee's "due diligence."

Mr. Lannan stated that he is representing the Committee to request the Council's "blessing" on the Committee's choice for the manager.

Mr. Lannan reported that the Committee expects to have a "bottom line price" and also that the contractor must price-out the project as an "open book." Mr. Lannan also reported that the Committee expects to have "no surprises" and that the project will be built within the available \$2 million funds.

Mr. Lannan informed the Council that Assistant Town Solicitor Ritch was most helpful in this process as was Town Administrator Mederos and other Town departments.

Mr. Lannan also informed the Council that the Committee has been supported in its efforts by the "Friends" group and also that the project thus far has been a "team effort."

Mr. Lannan reported that Farrar & Associates of Newport "hit a home run" in the interview process and also quoted the lowest price. He added that he was pleased that the project manager is planned to be a Bristol resident, Robert Murgo.

Mr. Lannan informed the Council that the Town's commitment with Farrar will be for Phase I only and that this phase will require Farrar to work with the architect to assure that the building plan will be buildable within the available funds. He added that the Farrar organization may be "rolled into" the construction management phase if the Committee is satisfied with the result of Phase 1. He added that there is no commitment whatsoever to hire Farrar if the Committee is disappointed with the result of the first phase and also that the cost of the first phase will be \$8,558.

Council Chairman Marshall stated that the Committee's "approach" to the project is a good one.

Councilwoman Parella stated that she remembers the Farrar organization from the past and also that she was impressed by it.

Councilman Herreshoff stated that he was pleased to learn that the Committee had good interviews with the candidates. He asked to know if Farrar has experience with animal

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shelters with Mr. Lannan responding that the architect is the expert in the field of animal shelters but also that Farrar has run large projects in the past - some of these for the Town.

Councilman Herreshoff stated that the argument makes sense and also that the first phase is critical since it will result in the plans. Councilman Herreshoff also observed that he did not believe that hiring a construction manager on a "royalty" based upon the total cost was wise since this provides little incentive for the manager to build the project under budget. He suggested that a fixed price would be more advisable and further suggested that the Committee should negotiate a fixed price for the second phase.

Mr. Lannan noted that the Committee is considering providing a bonus to the construction manager if the building is completed under the budgeted amount.

Councilman Herreshoff asked to know if the Council should post a meeting for the presentation scheduled for October 6 as noted above with Town Solicitor Ursillo stating that it would not be necessary to do so if the Council members plan to attend as observers and not make decisions or transact business.

Councilman Herreshoff asked to know about the plans for the site. He suggested that the Committee should plan to repair the existing road and not construct a new road.

Mr. Lannan noted that the plans will include a new road but also that the Committee does not plan to build this road with Town funds. He added that the road may be built if the funds become available through the efforts of the "Friends" organization.

Councilman Herreshoff noted that the Committee seems to have a "good beginning" and also that the new road should be considered as a low priority.

Councilman Herreshoff added that the Committee should plan to "get rid of" the old shelter building and that this building should not be converted to some new use.

Councilman Teixeira stated that he observed the construction manager interviews and that all three (3) applicants appeared to be acceptable. He added that he was pleased to learn that the Committee recommends Farrar.

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Council Chairman Marshall suggested that the Committee should publish quarterly reports and also that it should provide regular schedules of financial requirements.

Councilman Herreshoff suggested that the Committee should return to the Council at anytime should there be an immediate need.

2. Rev. Daniel Randall, First Congregational Church, 281 High Street - request for a mid-block crosswalk and warning signs

Barboza/Teixeira - Voted
unanimously to continue this matter
until the meeting of October 19,
2011 and to also request a report
from the Police Department
concerning this matter.

Prior to the vote taken, the Clerk noted that representatives of the petitioner called the office earlier this date and informed the Clerk that they could not be in attendance and requested a continuance.

3. Administrative report re Midland Farms signage, **continued from September 7, 2011**
 - a. Oryann Lima, Chairman, Historic District Commission to Uzma Baig and Zaheer Abbas re violation of HDC decision

Herreshoff/Barboza - Voted
unanimously to continue this matter
until the meeting of October 19,
2011 for review.

Prior to the vote taken, Director of Community Development Williamson reported that she and Susan Church met with Joe Lawson, attorney for Midland Farms, to discuss the matter. Director of Community Development Williamson reported that Mr. Lawson agreed with the Historic District Commission findings and explained that a new sign has been ordered.

Director of Community Development Williamson also reported that Midland Farms has agreed to remove the words "cigarettes" and "cigars" from their banner sign.

Councilman Barboza asked to know the planned date for compliance with Director of Community Development Williamson responding that the meeting occurred yesterday and that she

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(Director of Community Development Williamson) will have to advise the Council of the date of compliance. She added that Midland Farms will be returning to the Historic District Commission for consideration of the permanent sign and that this sign will be superior to the one currently appearing on the back side of the cooler in the window of the store.

Councilman Barboza asked to know where the licensee plans to place the permanent sign with Director of Community Development Williamson reporting that she was not yet certain of its location.

Councilman Herreshoff suggested that Director of Community Development Williamson should remind the licensee of the Council's concerns.

Councilman Barboza suggested that the licensee should also be reminded that the license will be shortly considered for renewal.

Director of Community Development Williamson reported that the licensee's attorney is aware of the Council's concerns and that she will provide a report on the matter.

4. Director of Community Development Williamson re comparison of Historic District Commission and Advisory Committee recommendations

Herreshoff/Barboza - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Herreshoff asked for an explanation of the "no" comments with Director of Community Development Williamson reporting that these indicate areas where the Historic District Commission did not wish to implement the Committee's recommendations fully.

Councilwoman Parella expressed disappointment with the "no" comments and also thanked Director of Community Development Williamson for her report saying that the report was very useful.

Councilman Herreshoff expressed concern that the provision allowing temporary tents was too lenient. He also brought attention to the provision concerning air conditioning units and stated that he would prefer if homeowners were discouraged from placing these in front-facing windows since the units are unsightly.

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Councilwoman Parella expressed concern that dealing with air conditioning units would add to the Historic District Commission's burden.

Councilman Herreshoff suggested that the air conditioner placement should be a matter of policy and not necessarily regulation. He also suggested that if a property owner has the ability to place an air conditioning unit in a side window versus a front window he or she should be encouraged to do so.

Councilwoman Parella stated that she thought the policy was potentially burdensome and suggested that the Town may wish to establish a grant program to defray the cost of ductless air conditioning systems.

Councilman Barboza asked to know if Councilman Herreshoff intended for his proposed air conditioner policy as a "suggestion" only and not a regulation with Councilman Herreshoff responding affirmatively.

Council Chairman Marshall stated that the concern of the Historic District Commission should be focused upon permanent non-reversible changes. He added that the new regulations are a marked improvement over the previous ones toward making the Historic District Commission more "user friendly."

Council Chairman Marshall again thanked the various parties for their work toward completing the improvement process.

Councilman Teixeira asked to know if the changes will be merged into the Town Code with Town Solicitor Ursillo stating that he would work with Director of Community Development Williamson concerning any required amendments to the Code.

5. Councilwoman Parella re Garfield Avenue (Mary Gaspar), **continued from September 7, 2011**

Teixeira/Barboza - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Town Solicitor Ursillo reported that he met with Ms. Gaspar and also her son Robert, who owns the property, concerning an easement. He further reported that the matter of the conditions of acquisition of the easement would be discussed later in executive session.

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6. Christine Frizzell, 15 Sandy Lane - request to reduce the Zoning Board of Review application fee for certain special use permits, **continued from September 7, 2011**

LATE ITEM

- a. Director of Community Development Williamson re recommendation

Barboza/Herreshoff - Voted unanimously to refer this matter to the Town Solicitor so that he may draft the proper ordinance language to amend the comprehensive fee schedule and the Town Code as required.

Prior to the vote taken, a discussion ensued regarding the keeping of chickens.

Councilman Barboza asked to know if the keeping of a small amount of chickens might be exempt from the Zoning Code.

Director of Community Development Williamson stated that she and the Principal Planner had a "philosophical discussion" concerning this matter. She noted that the special use permit assures reasonable placement of the cages, etc. and establishes certain standards and controls to protect neighbors.

Councilman Herreshoff asked to know if the fee for the special use permit was a one-time fee with Director of Community Development Williamson responding that it was a one-time fee and that this fee essentially covers the Town's cost for advertising and the stenographic record of the Zoning Board's decision.

Director of Community Development Williamson added that her office recommends that the one-time fee should be reduced to \$125 for the purpose of considering the keeping of chickens.

Councilman Barboza expressed concern that this action may be burdensome for the Zoning Board of Review.

Town Solicitor Ursillo explained that he was experienced with the matter of keeping chickens and that this became problematic in other towns. He noted that the regulations allowing for a special use permit allows for notice to neighbors and discussion concerning the sanitation issues, etc. He also reported that in his experience the keeping of

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chickens may be extremely problematic and likened this to the Town's consideration of wood-burning boilers.

Director of Community Development Williamson reported that the ordinance was enacted in the first place due to problems experienced with the keeping of chickens.

Town Solicitor Ursillo suggested that the Council's debate at this juncture should consider the cost of applying for the permit and that the jurisdiction should remain with the Zoning Board of Review.

7. Town Administrator Mederos re recommendations concerning request of Stone Harbour Condominium Association for "no parking" signs adjacent to entrances

Barboza/Herreshoff - Voted
unanimously to deny the petition.

Prior to the vote taken, Police Chief Canario reported that he received advice from the State concerning this issue and found that the Department of Transportation would recommend against making the change as proposed. He added that he is also concerned that parking in the downtown area is at a premium and elimination of parking spaces for any reason should be carefully considered. Police Chief Canario also reported that there have been no reports of traffic accidents in the area.

Police Chief Canario also stated that eliminating parking adjacent to driveways could have a "ripple effect" and this would carry the potential loss of twenty-five (25) parking spaces along Thames Street.

A discussion ensued regarding traffic patterns in the area and proper travel along Thames Street.

Councilwoman Parella suggested that "compact car only" signs might be placed in the problem areas thus eliminating the difficulty caused by larger vehicles.

Police Chief Canario again noted a possible "ripple effect" and suggested that the enforcement of same would be a potential "nightmare."

Stan Dimock, a resident of the area, explained that those making a left hand turn out of the driveway do so "blindly."

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He added that this particular "driveway" serves 40-50 vehicles. He suggested that a convex mirror might be placed opposite the driveway to provide a view to the motorists.

Mr. Dimock also reported that he believes the Town should consider a speed study since automobiles "fly down the street."

Councilman Barboza noted that there is a convex mirror on Mt. Hope Avenue and that it appears to be effective.

8. Councilman Herreshoff re Bristol County Water Authority memorandum of April 13, 2011

Barboza/Herreshoff - Voted
unanimously to refer this matter to
the next Tri-town Council meeting
with a date TBD.

Prior to the vote taken, Councilman Herreshoff stated that he appreciates Council reconsideration of this memorandum. He expressed concern that Water Authority projects remain incomplete. He noted the impending retirement of Pasquale DeLise and recommended that the Council should encourage its appointed directors to "get things done."

Council Chairman Marshall noted that the Water Authority has begun to react to the various "directives" as voted by the three town councils.

Councilman Teixeira agreed to follow this matter and provide a report concerning same for the meeting of October 19, 2011.

It is hereby noted for the record that the Council discussed the matter of Consent Agenda item R16 at this time and the discussion and action appears, in-place, below.

9. Councilman Teixeira re entertainment license and bar stool seating

Barboza/Teixeira - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Teixeira stated that he was confused that the Council was concerned about bar seating and recently approved an entertainment license. He also stated that the entertainment license would appear to be more problematic than the type of seating provided since

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entertainment would likely cause patrons to remain in an establishment where alcoholic beverages were served beyond the hours when the food is served.

Councilman Teixeira provided a spreadsheet of establishments having liquor licenses which included the number of seats provided by each establishment having bars with seating for customers.

Councilman Herreshoff viewed the information provided on the spreadsheet and observed that Bristol is a "drinking town."

Councilman Barboza explained that those establishments with Class B Victualler and Class B Limited Victualler liquor licenses must have food service available whenever the drinks are sold.

Councilwoman Parella stated that she was acceptable to the Council's adoption of new rules for liquor licenses at the time the license is created. She added that she is concerned that a reversion clause does not prevent the holder of a particular license to change the complexion of his or her establishment from a "restaurant" to something else.

Councilwoman Parella reminded the Council that she would prefer if entertainment licenses had "different classes" thus allowing the Council to grant a license for low impact entertainment if it so chooses.

Councilman Barboza agreed that the Council should endeavor to restrict and/or limit entertainment licenses.

10. Councilman Teixeira re post storm Irene suggestions

Barboza/Herreshoff - Voted
unanimously to refer this matter to
the Town Administrator.

Prior to the vote taken, Councilman Teixeira stated that he believes the Town had good preparation and planning for storm emergencies. He added that he is concerned that Public Works employees did not utilize safety equipment such as hard hats.

Councilman Teixeira also expressed concern that "communication" was lacking.

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Councilman Herreshoff commended the various Town departments concerning Hurricane Irene. He noted the removal of tree limbs appears to be taking an inordinate amount of time and that this should have been accomplished more quickly.

Council Chairman Marshall suggested that the Council may hold a workshop to discuss what was accomplished well and what may have been accomplished differently.

Councilwoman Parella noted that the school department uses "broadcast calling" to inform school personnel. She suggested that the Town may wish to provide information similarly.

Council Chairman Marshall suggested that the Town might wish to send post cards to residents when telephone service is unavailable.

Councilman Teixeira stated that the Town's "readiness was wonderful" but that the "follow-up" is of concern to him.

Councilman Teixeira suggested that students might be mobilized to help with clean-up activities after storms.

Council Chairman Marshall noted that Roger Williams University students are required to participate in "civic engagement." He added that some students help Recreation Director Burke with projects already.

Council Chairman Marshall added his compliments to the performance of the new Fire Department headquarters. He explained that this building became a "response center" for the region.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Rizwan Ahmed, The Hourglass, Inc., d/b/a The Hourglass Brasserie, 382 Thames Street - request for a Class B-V alcoholic beverage license

It is hereby noted for the record that the Council considered agenda items D2, D3, D4, and D5 (Ordinance #2011-14, 15, 16, and 17) as noted below, prior to consideration of this agenda item. The Council also considered agenda item G1 concurrently with this agenda item.

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Barboza/Herreshoff - Voted
unanimously to close the public
hearing.

Barboza/Teixeira - Voted
unanimously to grant this license
per the petition received and
subject to conformance to all laws
and ordinances and payment of all
fees, taxes, and levies.

Prior to the votes taken, Council Chairman Marshall opened the public hearing.

Speaking in favor of the petition was Stephan Brigidi of 93 Highland Road. Mr. Brigidi explained that he is a close business neighbor of the petitioner and also that he represents the Newport and Bristol County Convention and Visitors Bureau as the Town's representative.

Mr. Brigidi called the Hourglass Brasserie a "first-rate establishment" and commended Mr. Ahmed and also Mr. Almeida (the landlord) for the building's appearance.

Mr. Brigidi described the business as a "high-quality destination restaurant" and that Mr. Ahmed is "a renowned artist who is a credit to the community."

Mr. Brigidi announced that Mr. Ahmed will close his doors before becoming a "drinking establishment."

Mr. Brigidi informed the Council that he fully supports Mr. Ahmed as both a representative to the Convention and Visitors Bureau and also as a neighbor.

E. Keith Maloney of 60 Van Wickle Lane informed the Council that he agreed with the comments made by Mr. Brigidi. He added that he urges the Council to grant this license so that Mr. Ahmed may "compete."

Stan Dimock of 341 Thames Street informed the Council that he favors the petition. He added that the bar seating will allow for him to be a better customer of the Hourglass.

There was no remonstrance presented in opposition to the petition.

Councilman Barboza noted "for the record" that there should be no misunderstanding that should this business close the liquor license would automatically revert to the Town.

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Mr. Ahmed asked for a clarification to know if his previous limited license would remain with the property. It was noted for the record that the previous license has been eliminated.

Councilman Barboza explained, again, that the new license would revert to the Town. Councilwoman Parella stated that a new owner could ask to have the license but the reversion clause removes the guarantee that the Council would transfer the license at the request of the buyer and seller.

After the votes taken, Councilwoman Parella stated that she has no difficulty with the granting of a full liquor license but that she is disappointed about the change in policy.

D. ORDINANCES

1. Ordinance #2011-09 as amended, CHAPTER 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, (43) Mooring and docking fees, and (new) (76) Recreation department summer camp fee, **2nd reading for adoption (continued from July 27, 2011 concerning Section 11-1 (43), Mooring and docking fees)**
 - a. Domenic Franco, Chairman, Harbor Commission re proposed mooring and dock fees for 2012

Herreshoff/Barboza - Voted unanimously to refer this matter to Town Treasurer Goucher for financial analysis and also to continue said matter to the meeting of October 19, 2011.

Prior to the vote taken, Jim Dollins, a member of the Harbor Commission, explained that the Commission held a public hearing regarding the fees and that the Commission is recommending the changes as provided.

Council Chairman Marshall suggested that the matter should be continued to allow Town Treasurer Goucher to provide an analysis of the revenue since the Council considered this total as part of this year's budget.

Councilman Herreshoff stated that the budget for the upcoming year will be a challenge. He added that the Town

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can expect a modest amount from fees but also that these fees should not be inordinately high.

Councilman Herreshoff also suggested that the original amount proposed for a mooring inspector official of \$100 may be excessive but that \$0 may be impractical. He suggested that the fee might be \$10.

Councilman Teixeira asked to know how the originally proposed fees were derived with Town Treasurer Goucher reporting that these were recommended by the Harbor Master's office based upon conversations which took place during budget deliberations. She also reminded the Council that the various departments were charged to examine the various fee structures to determine if adjustments could or should be made.

Town Treasurer Goucher also stated that the amount budgeted was not 100% of the fees as proposed. She suggested that some compromise may be possible.

Councilman Teixeira noted that some of the fees appeared to be unusually structured.

Councilman Barboza informed the Council that the Harbor Master commented that the Town's fees were apparently low as compared to those charged in other communities.

Mr. Dollins informed the Council that the Harbor Commission reviewed the fee study and found it to be inaccurate. He added that the Town of Portsmouth was not considered as part of the study. He also reported that the Commission asked for the Harbor Master to be present when the fees were discussed and that the Harbor Master did not attend the meeting. He added that he was concerned that the fee increases were recommended with a "shotgun" approach.

Councilwoman Parella asked for a copy of the Harbor Commission's fee analysis with Mr. Dollins stating that it was difficult to compare fees across town lines. He added that he did not wish to provide a spreadsheet to examine dock fees.

Councilman Herreshoff stated that the Council does not wish to "kill" the boat industry.

Harold Tucker of 10 Noyes Avenue informed the Council that he opposes all fee increases. He also stated that the Harbor Master's department generates a \$50,000 surplus and

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that the Town should not expect beyond that amount. He added that citizens cannot afford any fee increases.

2. Ordinance #2011-14, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (increase B-V licenses from 28 to 29), **2nd reading for adoption**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-14. Advertise in local newspaper.

3. Ordinance #2011-15, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (reduce B limited licenses from 7 to 6), **2nd reading for adoption**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-15. Advertise in local newspaper.

4. Ordinance #2011-16, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (allow a maximum of 6 bar seats for B-V licenses), **2nd reading for adoption**

Barboza/Herreshoff - Voted to consider this action to constitute the second reading for adoption of Ordinance #2011-16. Advertise in local newspaper. Voting in favor of this motion were Council Chairman Marshall, Councilman Barboza, Councilman Teixeira and Councilman Herreshoff. Voting opposed was Councilwoman Parella.

Prior to the vote taken, Councilman Herreshoff asked to know if the allowance of six (6) bar stools was practical.

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Councilman Teixeira noted, per his prepared spreadsheet, that thirteen (13) bar stools appear to be average but also that he does not recommend as many as that.

Councilman Barboza stated that he was of the opinion that the ordinance amendments offer a "good compromise."

Councilwoman Parella stated that she was disappointed that the Council did not keep the pre-determined balance. She also stated that some of the new licensees, although they agreed to the no-bar seating initially in order to obtain a license, did not respect the Council's decision.

Councilwoman Parella reminded the Council that the reversion clause would only apply if the licensee went out of business and that the Town cannot "do a whole heck of a lot" to prevent the business morphing into something potentially undesirable.

The Clerk asked to know if those licenses obtained with the no-bar-seating restriction remained in place with Town Solicitor Ursillo stating that the licenses remain as granted. Town Solicitor Ursillo added that the licensees may come forward to request for their circumstances to be amended to comply with the new ordinance and that the Council must approve this request.

A discussion ensued regarding the transfer of licenses with Town Solicitor Ursillo noting that despite the reversion clause, the Council may find a successor proprietor acceptable to receive a license but it also has the optional right to eliminate the license should it so choose.

Councilwoman Parella stated that the reversion clause does not appear to be in the best interest of the license holder since it devalues the business.

Town Solicitor Ursillo stated that the Council should address the matter of entertainment licenses.

Councilwoman Parella stated that her concern may be a business taking a "gradual slide" toward an undesirable format and that this may not be apparent until it is too late.

5. Ordinance #2011-17, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division

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2, License, (new) Section 17-93, Reversion of licenses, **2nd reading for adoption**

Barboza/Herreshoff - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2011-17. Advertise in local newspaper.

6. Ordinance #2011-18, CHAPTER 16, Motor Vehicles and Traffic, Article IV, Operation of Vehicles, Section 16-111, Speed limits (Platt Street, 15 mph), **1st reading**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the first reading of Ordinance #2011-18. Advertise in local newspaper.

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for September 2011

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments
 - a. Board of Tenants' Affairs (to fill term to expire in January 2013)
 1. Sandra Carlin McCormack, 1 Reilly Lane - interest/appointment
 2. Martha Reed, 21 Sunset Road - interest/appointment

Councilman Barboza nominated Ms. Reed for appointment.
Councilman Teixeira nominated Ms. McCormack for appointment.

There were no additional nominations.

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Barboza/Teixeira - Voted
unanimously to close nominations.

Voting in favor of Ms. Reed were Council Chairman Marshall and Councilman Barboza.

Voting in favor of Ms. McCormack were Councilman Teixeira, Councilman Herreshoff and Councilwoman Parella.

Council Chairman Marshall declared that Ms. McCormack was duly appointed with term to expire in January of 2013.

- b. Economic Development Commission -
Alternate Members (2) (to fill terms to
expire in September 2014)
 - 1. Jerry W. Dauterive, 4 Liberty Lane
- interest/appointment
 - 2. Jaimie Russell, 9 Easterbrooks
Avenue - interest/appointment

Councilman Herreshoff nominated Mr. Dauterive for first alternate member.

There were no counter-nominations.

Herreshoff/Teixeira - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Mr.
Dauterive with term to expire in
September 2014.

Councilman Barboza nominated Ms. Russell for second alternate member.

There were no counter-nominations.

Barboza/Teixeira - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Ms. Russell
with term to expire in September
2014.

- c. Juvenile Hearing Board - Alternate
Member (to fill unexpired term to expire
in December 2011)

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1. Marjorie J. McBride, 3 Avenir Court
- interest/appointment
2. Donna R. Larson, 32 Birchwood Drive
-interest/appointment

Councilman Herreshoff nominated Ms. McBride for appointment.

There were no counter-nominations.

Herreshoff/Barboza - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Ms. McBride
with term to expire in December
2011.

- d. Citizens Property Revaluation Advisory
Committee (5 to 7 members)
 1. James W. Casalegno, 15 Acacia Road
- interest/appointment
 2. Fred Eichmann, 123 Fales Road -
interest/appointment
 3. Ann S. Gardner, 17 Acacia Road -
interest/appointment

Councilman Barboza nominated Mr. Casalegno, Mr. Eichmann,
and Ms. Gardner for appointment.

There were no counter-nominations.

Barboza/Teixeira - Voted
unanimously to instruct the Clerk
to cast one ballot each in favor of
Mr. Casalegno, Mr. Eichmann, and
Ms. Gardner to serve at the
pleasure of the Council and also to
instruct the Clerk to arrange an
inaugural meeting for this body and
to allow the body to function with
three (3) members only until which
time additional members are
appointed by the Council.

Prior to the vote taken, Council Chairman Marshall stated
that, notwithstanding the lack of a full complement of
appointees, the Committee should begin its work.

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The Council also agreed by consensus to continue advertising for additional members.

- e. Newport and Bristol County Convention and Visitors' Bureau (to fill term to expire in September 2013)
 - 1. Stephan Brigidi, 93 Highland Road - interest/reappointment
 - 2. Tony M. Brum, 240 Franklin Street - interest/appointment

Councilman Herreshoff nominated Mr. Brigidi for reappointment.

Councilman Barboza nominated Mr. Brum for appointment.

There were no counter-nominations.

Barboza/Herreshoff - Voted
unanimously to close nominations.

Voting in favor of Mr. Brigidi were Councilman Teixeira, Councilman Herreshoff and Councilwoman Parella.

Voting in favor of Mr. Brum were Council Chairman Marshall and Councilman Barboza.

Council Chairman Marshall declared that Mr. Brigidi was duly reappointed with term to expire in September 2013.

N.B. Upon review of the applicable statute (RIGL § 42-105-2)(6) the appointee shall serve a second term of three (3) years thus making this appointment for term to expire in September 2014. Appointment will be continued to October 19, for Council to ratify.

- f. Bristol County Water Authority - Board of Directors (2) (to fill a term to expire in February 2014 and an unexpired term to expire in 2013)
 - 1. Joseph S. DeMelo, 3 Roosevelt Drive - interest/appointment
 - 2. Gerald A. Mederos, 382 Wood Street - interest/appointment

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LATE ITEM

- a. John E. Faria, (Chairman, Democrat Town Committee) re withdrawal of recommended applicant, Gerald Mederos

- 3. Paul L. Bishop, 66 Franklin Street - interest/appointment

Councilman Herreshoff nominated Dr. Bishop for appointment to the term to expire in February 2014.

There were no counter-nominations.

Herreshoff/Barboza - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Dr. Bishop
with term to expire in February
2014.

Councilwoman Parella nominated Mr. DeMelo for appointment to the term to expire in February 2013.

There were no counter-nominations.

Herreshoff/Parella - Voted
unanimously to close nominations.

Council Chairman Marshall called for a vote with Councilman Teixeira, Councilman Herreshoff and Councilwoman Parella voting in favor of Mr. DeMelo.

Council Chairman Marshall and Councilman Barboza are recorded as present and not voting.

Council Chairman Marshall declared that Mr. DeMelo was duly appointed with term to expire in February 2013.

After the vote taken, Councilwoman Parella stated that the appointees should consider their responsibility of importance and also that the Council has great hopes in their abilities to work together for the benefit of the Town.

It was also suggested that the letter of appointment should suggest that the individuals take time to speak to ongoing Director Frank J. Sylvia and that this should be included in the appointment letter.

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Council Chairman Marshall reminded appointees that they should be cognizant that their appointment is an "extension of the Council" and should consider their public comments carefully.

(CA) 2. Public Service Appointments (October)

G. LICENSING BOARD - NEW PETITIONS

1. Rizwan Ahmed, The Hourglass, Inc., d/b/a The Hourglass Brasserie, 382 Thames Street - request for a Class B-V alcoholic beverage license (see agenda item C1 also)

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item C1 and is recorded above.

2. Marie Mauricio for St. Elizabeth Church/Holy Ghost, 577 Wood Street - request for a One-Day Dancing and Entertainment License, October 1, 2011

LATE ITEM

- a. Recommendation - Chief of Police

Teixeira/Parella - Voted unanimously to grant this license based upon the recommendation received and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

3. Michael J. Ferreira, d/b/a Gillary's, 198 Thames Street - request for a One-Day Sunday Dancing and Entertainment License (October 9, 2011)

Teixeira/Parella - Voted unanimously to grant this license subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

4. Tess M. Riley and Liz Lombardi, d/b/a Boutique at 346, 346 Wood Street - request for a Junk and Second Hand Dealer's License (call for public hearing October 19, 2011)

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Barboza/Teixeira - Voted
unanimously to call for a public
hearing to be held on Wednesday,
October 19, 2011 beginning at 7:00
o'clock PM. Advertise in local
newspaper.

H. LICENSING BOARD - RENEWALS

1. Ardy Jagne, d/b/a My Shisha Café, 261 Wood Street - six (6) month review of Victualling License (license issued on March 31, 2011)

LATE ITEM

- a. Recommendation - Chief of Police

Herreshoff/Teixeira - Voted to
grant this license for a full-term
to expire on November 30, 2011
based upon the recommendation
received and subject to conformance
to all laws and ordinances and
payment of all fees, taxes, and
levies. Voting in favor of this
motion were Council Chairman
Marshall, Councilman Barboza,
Councilman Herreshoff, and
Councilman Teixeira. Councilwoman
Parella abstained from the vote.

After the vote taken, Councilman Teixeira asked to know what a "building check" was on the report as provided by the Police Department with Police Chief Canario responding that this was a "security check" for fire exits, etc.

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. Director of Public Works - Road Cut Permits

J. PETITIONS - OTHER

1. Henry Sousa, 147 Bay Spring Avenue, Barrington re pension request for years of service on the Board of Canvassers

Barboza/Herreshoff - Voted
unanimously to send Mr. Sousa an

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additional copy of the Solicitor's memorandum concerning pensions.

Prior to the vote taken, Council Chairman Marshall asked for a financial report from the Treasurer concerning the total value of this request.

Councilman Barboza stated that Mr. Sousa does not appear to qualify for a pension. He expressed concern that the awarding of a pension would create "the wrong precedent."

Town Solicitor Ursillo stated that the Town has no legal obligation to provide a pension in this case.

2. Lynn M. Shaw, d/b/a Harbor Bath & Body, on behalf of the Downtown Bristol Merchants Association, et al - request for permission to hold a sidewalk sale event (October 7, 8 and 9, 2011) in the downtown district (as noted on petition)

Barboza/Teixeira - Voted unanimously to grant the request based upon the receipt of a positive recommendation and subject to conformance to all laws and ordinances and payment of all applicable fees, taxes, and levies.

3. Anthony Micheletti, 28 Lisa Lane, re claim for property damage

Barboza/Teixeira - Voted unanimously to refer this matter to Town Solicitor Ursillo and the Insurance Committee.

4. Matthew Dunham, President, Clear Carbon & Components, Inc. to Town Administrator Mederos re tax stabilization request for property located at 108 Tupelo Street

Herreshoff/Barboza - Voted to accept the proposal as presented in compliance with the applicable Town Ordinance. Voting in favor of this motion were Council Chairman Marshall, Councilman Barboza, Councilman Herreshoff, and

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Councilwoman Parella. Councilman
Teixeira abstained from the vote.

Prior to the vote taken, Council Chairman Marshall noted that he and Town Administrator Mederos met with Mr. Dunham and that Mr. Dunham is currently in the process of acquiring property to expand his business. He added that the tax stabilization is in place to assist economic development and that the provision is governed by Town Ordinance.

Councilman Herreshoff noted that the practice has been successful in the past but asked to know what will become of the special tax arrangement were the business to close.

Town Solicitor Ursillo reported that the tax arrangement would not be automatically transferred to a new owner and that the new owner would have to also conform to the provisions of the ordinance and seek permission for a tax stabilization from the Council.

Town Solicitor Ursillo added that the tax stabilization agreement would "go away" were the business to close.

Council Chairman Marshall noted that the business produces cellos from carbon fiber materials and also that the business would like to expand its product line to include carbon-fiber sailboards.

Councilman Teixeira stated that he would like to determine if any of the employees at this company are residents of Bristol.

Councilwoman Parella asked to know the company's projection for new employees with Council Chairman Marshall stating that he believes that the company plans to hire ten (10) new employees. He added that the company also plans to hire an engineer to work on turbines. Council Chairman Marshall also stated that the work accomplished by this company is "unique."

Councilman Teixeira stated that he would prefer to have more information regarding how the Town is "investing its money" in this case and predicted that the tax stabilization could cost the Town many thousands of dollars. He added that the proposal seems to be factually insufficient.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Department of Environmental Management,
Office of Water Resources, Water Quality

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Certification Program re notice of proposed project located at Colt State Park

Barboza/Teixeira - Voted
unanimously to receive and place
this matter on file.

2. Marion Gold, Director of Outreach Center/Land Grant Energy Programs, URI, and Jennifer McCann, Director of Extension Programs for RI Sea Grant College Program, URI, re Municipal Working Group Invitation to the Rhode Island Renewable Energy Siting Partnership (RESP)

Teixeira/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Council Chairman Marshall reported that he attended the inaugural meeting and commended the East Bay Energy Consortium upon its wind-power project in Tiverton. He noted that the subject correspondence is an extension of the Consortium to consider a larger project.

Councilman Herreshoff offered his congratulations to Director of Community Development Williamson and Council Chairman Marshall concerning the Tiverton project and stated that the best sites for wind turbines are in industrial parks and perhaps in landfills. He added that he has mixed feelings about the planned offshore windmill projects and stated that the cost-benefit of these does not appear to make financial sense. He also added that the government will likely pay too much for these projects.

Councilman Herreshoff explained that these projects should have a business plan with an appropriate level of payback. He also informed the Council that he believes that solar energy is more appealing.

A discussion ensued regarding the large wind turbine in Portsmouth which is reported as troublesome.

Council Chairman Marshall stated that programs similar to that of the East Bay Energy Consortium are "the way to go" and that the Tiverton installation is sensible. He also observed that renewable energy possibilities for the transfer station remain under consideration.

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3. Director of Community Development Williamson re proposed plan for reuse of Walley School as an arts center

Barboza/Teixeira - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Director of Community Development Williamson reported that the proposal considers partnering with Roger Williams University and the Anthony Quinn Foundation to reuse the Walley School. She added that Roger Williams University students under the direction of Arnold Robinson along with a Boston architectural firm will provide a comprehensive schematic and cost estimate.

Director of Community Development Williamson also reported that there will be an opportunity for programming input on October 4, 2011 beginning at 7:00 o'clock PM. She further reported that there will be tours of the site and a focus group. The Council is invited to participate.

Councilman Teixeira asked to know who will be responsible for "oversight" of the property with Director of Community Development Williamson reporting that this consideration will be part of the feasibility study. She added that since the building is located on the Town Common it must remain as Town property and that the Town must seek the "best occupancy."

Director of Community Development Williamson also reported that the Quinn Foundation people like the building and that the Foundation is working with the University.

4. Dan Beardsley, Executive Director, Rhode Island League of Cities and Towns, re R.I. Energy Aggregation Program (REAP)

Barboza/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Council Chairman Marshall reported that participation in this program provides favorable energy rates.

Councilman Herreshoff asked to know if the rates are available beyond the various cities and towns with Town Solicitor Ursillo stating that he believes the rates are available only to municipalities.

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Council Chairman Marshall added that school departments may also derive this benefit.

5. Council Chairman Marshall re review current ordinance concerning tree trimming in collaboration with Administration, National Grid and the Bristol Conservation Commission
 - a. Town Code Section 25-29 and 25-30

Parella/Teixeira - Voted unanimously to refer this matter to a workshop with the date to be determined.

Prior to the vote taken, Council Chairman Marshall suggested that the Council may wish to have a workshop with the Conservation Commission and other interested parties concerning the Town's tree policies. He added that he spoke to the leadership at National Grid who reported that the Town's tree policies are the "most difficult" for them.

Councilwoman Parella noted that National Grid was previously trimming trees too aggressively; making "Vs" out of them. Councilman Barboza agreed with Councilwoman Parella and stated that the utilities were "butchering" the Town's trees.

Councilman Herreshoff agreed with Councilwoman Parella and Councilman Barboza and stated that the utilities removed one-half of the trees along Ferry Road.

Council Chairman Marshall suggested that the Tree Warden should be invited to the proposed workshop.

Councilman Teixeira stated that the he examined the recently completed tree trimming and that the work was satisfactory to him.

Councilman Teixeira also reported that there are tree branches touching wires nearby 1285 Hope Street and a similar situation appears on Union Street in the block between High and Wood Streets.

Council Chairman Marshall noted that there is a tree resting on wires nearby the Payson home on Ferry Road.

Councilman Herreshoff noted that tree trimming must be done "surgically" so as not to devastate the trees.

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Council Chairman Marshall suggested that the Public Works managers, Town Administrator Mederos, and Director of Community Development Williamson should also coordinate/attend this workshop.

L. BILLS & EXPENDITURES

1. Bid #738 - Improvements to State Street Dock

Herreshoff/Barboza - Voted
unanimously to refer this matter to
the Town Administrator to act in
the best interest of the Town.

Prior to the vote taken, the Clerk read the following bids as received:

Landscaping Services, Inc.	Bristol	\$182,487
HK & S Construction Holding	Newport	\$190,749
Cardi Corporation	Warwick	\$354,000

2. Councilman Barboza re request appropriation in support of 9/11 Candlelight Vigil

Barboza/Herreshoff - Voted
unanimously to approve this
appropriation as requested.

3. Town Treasurer Goucher re request approval for Bristol Redevelopment Agency funds from prior year to be carried forward to FY12 budget

Barboza/Parella - Voted unanimously
to authorize this carry forward of
funds as requested.

Prior to the vote taken, Councilman Herreshoff asked to know the "rationale" for this action with Director of Community Development Williamson stating that the funds will be used to study a subdivision of the Town-owned industrial park lands.

She added that the available funds may be insufficient to complete the study and also that the Redevelopment Agency may have to reduce the scope of the project.

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, September 23, 2011

P. PROCLAMATIONS & CITATIONS

1. Proclamation - First Baptist Church, Bicentennial Celebration

Teixeira/Herreshoff - Voted
unanimously to adopt this
Proclamation as prepared and
presented.

(CA) Q. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

Approval of consent agenda="Motion to receive and place these items on file."

1. Louise R. Phanuef, Burrillville Town Clerk - resolution requesting General Assembly consideration re RIPTA funding; to address the pension crisis and also adopt funding mechanisms
2. Steven A. Sette, Richmond Town Administrator, re request for support opposing the implementation of tolls on Interstate Route 95

(CA) R. DISTRIBUTIONS/COMMUNICATIONS

Approval of consent agenda="Motion to receive and place these items on file."

1. Marie Mauricio, on behalf of St. Elizabeth Church/Holy Ghost, 577 Wood Street - Class F License petition for event to be held on October 1, 2011 (approved August September 2, 2011)
2. Marie Mauricio, on behalf of St. Elizabeth Church/CCO, 577 Wood Street - Class F License petition for event to be held on October 29, 2011 (approved August September 2, 2011)

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3. Recommendation of Police Chief Canario re request of Richard Chartier, 36 Platt Street, et al to reduce the speed limit on Platt Street from 25 to 15 mph (referred to Town Solicitor to draft ordinance September 7, 2011)
4. Recommendation of Police Chief Canario re request for removal of handicap parking space at 19 Baker Street, (granted September 7, 2011)
5. Recommendation of Public Works Director Serbst re request of National Grid to install a joint owned pole on Tupelo Street (approved September 7, 2011)
6. Council Clerk Cirillo to E. Keith Maloney - thank you for service
7. (Bristol County Water Authority) re BCWA in the News, miscellaneous correspondence September 2011
8. Director of Community Development Williamson re cancellation of DCS Energy solar panel project

Herreshoff/Barboza - Voted
unanimously to continue this matter
under Old Business to the meeting
of October 19, 2011.

Prior to the vote taken, Director of Community Development Williamson reviewed the letter as provided. She noted that the matter only concerns those panels which were to be provided to flat-roofed structures and does not include those to be mounted on angled roofs.

Director of Community Development Williamson added that she was uncertain if the Water Pollution Control Department wishes to go forward with their project. She also added that the various department heads plan to meet and review the options.

Council Chairman Marshall stated that it was important that the Town should complete its due diligence with Councilman Herreshoff in agreement adding that the Town will be best served to complete the project well rather than too-quickly.

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Director of Community Development Williamson agreed to report back to the Council regarding this matter at a later date.

9. Deborah A. Gatta, Director of Finance, Newport Convention & Visitors' Bureau re Independent Auditors' Report for year ending March 31, 2011
10. Council Clerk Cirillo to Director of Public Works re removal of handicap parking space in front of 19 Baker Street
11. Council Clerk Cirillo to Director of Public Works re handicap parking space added in vicinity of 8 Bay View Avenue
12. Council Clerk Cirillo to Director of Public Works re removal of handicap parking space in front of 116 State Street
13. State Planning Council - Public Notice re Transportation Improvement Program FY 2013-2016
14. RIDOT - Community Update re Hope Street Project, September 12 - 30, 2011
15. Coastal Resources Management Council - semi-Monthly meeting, September 27, 2011
16. P. DeLise, P.E., Executive Director, Bristol County Water Authority to Board of Directors re J & J Black

Barboza/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Council Chairman Marshall noted the memorandum as provided by Pasquale DeLise concerning the charges of open meeting violations alleged by Mr. and Mrs. Black.

Council Chairman Marshall read from Mr. DeLise's letter and observed that there was no fine levied against the Authority and also observed that Mr. DeLise described the violations as "few, minimal," and "infinitesimal."

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Council Chairman Marshall also explained that the Attorney General closed the file on the allegations and that reacting to the allegations was costly to the Water Authority's rate payers and diminished the value of the rate payers' "asset."

Council Chairman Marshall observed that the charges of violations appeared in the media in "bold, black, print" and he was certain that the minimal findings would receive less attention. He also added that any allegations of wrongdoing are difficult to retract.

Council Chairman Marshall also stated that he did not totally dismiss the problems of the Water Authority but rather expects that the Authority can do its business more efficiently and effectively.

Councilman Barboza agreed with Council Chairman Marshall and noted that Mr. and Mrs. Black's complaint to the Attorney General appears to be the "tool du jour."

Councilman Teixeira agreed to work on a report concerning the implementation of action items as proposed by the three town councils by the Water Authority as noted above.

It is hereby noted for the record that this matter was considered concurrently with agenda item B8 above.

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(Office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Bristol Warren Regional School District - schedule of meetings, week of September 5, 2011
2. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, September 8, 2011
3. Board of Tax Assessment Review - September 14, 2011
4. Board of Tax Assessment Review - September 21, 2011
5. Christmas Festival Committee - September 8, 2011

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6. Bristol County Water Authority - Public Relations/Personnel Committee, September 7, 2011
7. Bristol County Water Authority - Audit Finance Committee, September 7, 2011
8. Bristol County Water Authority - Engineering Committee, September 7, 2011
9. Bristol County Water Authority - Ad Hoc Committee, September 7, 2011
10. Bristol County Water Authority - Special Board Meeting, September 7, 2011
11. Bristol County Water Authority - Board of Directors, September 14, 2011
12. Bristol County Water Authority - Board of Directors, September 14, 2011 (revised)
13. Bristol Warren Regional School District - schedule of meetings, week of September 12, 2011
14. Bristol Warren Regional School Committee - BWEA Contract Negotiation Subcommittee, September 12, 2011
15. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, September 19, 2011
16. Bristol Warren Regional School Committee - special meeting, September 19, 2011
17. Harbor Commission - September 12, 2011
18. Recreation Board - September 13, 2011 (cancelled)
19. Bristol Warren Regional School District - schedule of meetings, week of September 19, 2011
20. Bristol County Water Authority - October 2011 Meeting

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21. Board of Tax Assessment Review - October 5, 2011
22. Bristol Warren Regional School District - schedule of meetings, week of September 26, 2011
23. Bristol Warren Regional School Committee - September 26, 2011

LATE ITEM

- a. Bristol Warren Regional School Committee - September 26, 2011 (revised agenda)

S. TOWN SOLICITOR

1. Request for Executive Session pursuant to RIGL § 42-46-5(a)(5) Acquisition of Property (easements) - Tanyard Brook

Barboza/Teixeira - Voted unanimously to adjourn into Executive Session pursuant to RIGL § 42-46-5(a)(5) at 10:23 o'clock PM.

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

- a. Thank You Mike Davis - Council Chairman
Marshall thanked Mr. Davis for taping this evening's meeting.
- b. Tanyard Brook Phase I - Council Chairman
Marshall recognized the efforts of Director of Community Development Williamson toward obtaining the grant funding for the Tanyard Brook project.
- c. High School "scare" - Council Chairman
Marshall recognized the efforts of Police Chief Canario and Fire Chief Martin in resolving today's bomb alert at Mt. Hope High School.

2. BARBOZA

- a. Rosh Hashanah - Councilman Barboza noted the observance of the Jewish holiday of Rosh Hashanah and extended the Council's best wishes in consideration of the holiday.

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b. First Baptist Church Bi-centennial - Councilman Barboza extended the Council's best wishes to the First Baptist Church in recognition of the Church's Bi-centennial celebration.

3. TEIXEIRA

a. Man of the Year - Councilman Teixeira announced that Police Chief Canario will be recognized by the Bristol Sports Club as "Man of the Year" on October 29, 2011.

4. HERRESHOFF

a. Parking Realignment - Councilman Herreshoff recalled that he earlier suggested a realignment of the parking along Thames Street at Independence Park. He suggested that he and Police Chief Canario might have a "site visit" to review the current and possible future parking plan.

Director of Community Development Williamson agreed to contact Police Chief Canario and Councilman Herreshoff to arrange the site visit.

b. Street Signs - Councilman Herreshoff noted that some of the Historic District street signs were damaged and/or missing. He also noted a previous request to provide additional signage in the area.

Director of Community Development Williamson explained that an inventory of the existing signs including a plan for additional signage was complete and awaiting the necessary financing.

c. National Grid - Councilman Herreshoff asked Town Solicitor Ursillo if a utility may be compelled to have an in-state office with Town Solicitor Ursillo responding that the General Assembly may pass a bill to require same.

Councilman Herreshoff expressed concern that National Grid, although a large supplier of utilities in the State, seems to have a rather shallow presence. He added that it appears to be very difficult to locate a person to speak with at the company and also that customers are typically directed to answering machines.

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Town Solicitor Ursillo added that he believes that National Grid has established offices in the State.

Council Chairman Marshall reported that the gas service within the Bristol Industrial Park (Kaiser Complex) was returned through the efforts of Rep. Gallison.

Councilman Herreshoff agreed to speak to Rep. Gallison concerning customer communication with National Grid.

5. PARELLA

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

Herreshoff/Parella - Voted
unanimously to resume open session
at 10:52 o'clock PM and seal the
minutes of the Executive Session.

There being no further business, upon a motion by Councilman Herreshoff, seconded by Councilwoman Parella and voted unanimously, the Chairman declared this meeting to be adjourned at 10:53 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk