

**TOWN COUNCIL SPECIAL MEETING - MONDAY EVENING - JUNE 11, 2012**

PRESENT: Marshall (arrived at 7:23 o'clock PM), Barboza (arrived at 7:21 o'clock PM), Teixeira, Herreshoff (arrived at 7:15 o'clock PM) and Parella

ALSO PRESENT: Diane C. Mederos, Town Administrator

The Council met in special session on Monday evening, June 11, 2012 in the Town Hall, Council Chambers.

At 7:10 o'clock PM, the Clerk noted the absence of a quorum and suggested, for the sake of expediency, that Councilman Teixeira and Councilwoman Parella, who were present at this time, might informally begin with the interviews.

1. Interviews/Appointments - Economic Development Commission (2) (to fill unexpired terms to expire in September 2012)
  - a. Patricia McLaughlin, 35 Pearse Avenue - interest/appointment

Ms. McLaughlin informed the Council that she possesses forty (40) years of experience in the real estate business and that she moved to Bristol one year ago.

Councilwoman Parella noted that one of the responsibilities of the Economic Development Commission (EDC) is to attract new business to Bristol and asked to know how Ms. McLaughlin might wish to help in this endeavor.

Ms. McLaughlin stated that she is concerned that there are many empty storefronts and that her strength might be in her role as a "new Bristolian."

Responding to a question posed by Councilman Teixeira, Ms. McLaughlin thinks the waterfront is beautiful and that she "fell in love" with Bristol when she first came here. She added that the Town should promote and expand its "maritime" business explaining that people from all over the world have boats built here and that this association could be further enhanced.

Councilwoman Parella asked to know if Ms. McLaughlin was aware of the Town's new marketing initiative with Ms. McLaughlin responding that she is aware of "Explore Bristol."

Councilwoman Parella stated that she hopes that new appointees to the Economic Development Commission will be committed to service since the Board needs some longevity.

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Councilman Herreshoff arrived at this point in the meeting (7:15 o'clock PM) and the Council recognized the presence of a quorum.

Councilman Herreshoff asked if Ms. McLaughlin has time to devote to the position with Ms. McLaughlin responding that she is retired and has time available.

Council members thanked Ms. McLaughlin for her interest.

- b. Pamela D. Delaney, 133 Ferry Road - interest/appointment

Ms. Delaney informed the Council that she was originally from Bristol, went to college in New York and "commuted" between Bristol and New York for forty (40) years.

Ms. Delaney also informed the Council that she purchased a second home in Bristol in 1983 and moved back permanently two years ago and is now working as a consultant "happily back."

Councilwoman Parella asked to know why Ms. Delaney was interested in the EDC with Ms. Delaney responding that she has experience building private/public partnerships with police departments in particular and that this experience is adaptable to the mission of the EDC.

Councilman Barboza arrived at this point in the meeting (7:21 o'clock PM).

Ms. Delaney informed the Council that she worked at Mount Hope Farm as an interim executive director and understands the wedding business and its related businesses. She also stated that she does not wish for Bristol to become a "Newport-lite." She added that she may be able to bring some new interest to the Commission.

Councilman Teixeira asked to know if Ms. Delaney was familiar with the "Explore" program and her opinion of same.

Ms. Delaney reported that she was familiar with the program and finds that it brings good synergies especially in its association with Roger Williams University.

Council Chairman Marshall arrived at this point in the meeting (7:23 o'clock PM).

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Council Chairman Marshall thanked Ms. Delaney for her service at Mount Hope Farm.

Ms. Delaney thanked Council Chairman Marshall for his comments and informed the Council that this was a labor of love for her and that the Farm has great potential and its wedding business has rebounded, the farmer's market has become a success, and the country inn is also doing well.

Ms. Delaney also informed the Council that she served on a community board advisory group while living in New York and that this board considered land use and preservation issues.

Councilman Herreshoff asked to know how Ms. Delaney views Roger Williams University "combining with our efforts."

Ms. Delaney noted that the University has a "captive" population and that the University is interested in providing the Town with services to its population. She added that the University has a "vested interest" in the Town's success and also that it appears to be very willing to share resources in its business, architecture and historic preservation expertise.

Councilman Herreshoff stated that he believes that Ms. Delaney will serve as a catalyst for success.

Councilman Herreshoff asked to know if Ms. Delaney believes that the "Explore" program is positive with Ms. Delaney responding affirmatively. She added that she does not wish for Bristol to become Newport and that the Town should be maintained as a small town. Councilman Herreshoff agreed with Ms. Delaney

Council Chairman Marshall noted that the Council has another applicant (George Burman) and requested that the Clerk should attempt to set an interview for Mr. Burman prior to the next meeting.

2. Robert Morris, 93 Kickemuit Avenue re dock at Independence Park, **continued from June 6, 2012**

- a. State Street Dock related issues

Document received:

- Halsey C. Herreshoff re State Street Pier

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Council Chairman Marshall noted the presence of Town Administrator Mederos, Director of Community Development Williamson, Harbor Master Cabral and members of the State Street Dock Upgrade Committee.

Council Chairman Marshall noted that the Council members have viewed the condition of the Dock and Director of Community Development Williamson noted that the Upgrade Committee held a meeting adjourning only a short time earlier today.

Stephan Brigidi, Chairman of the State Street Dock Upgrade Committee, informed the Council that the Committee had a "good healthy discussion" with some temporary relief for the petitioner forthcoming. He added that the Committee's plan also includes boat and vehicle accommodation.

Mr. Brigidi reported that the plan includes a temporary ramp and a gate and that the Committee has a concern for public safety and also that the project engineer has a recommendation to protect the new pilings so that these will last longer.

Mr. Brigidi also reported that the Committee has a concern for aesthetics and that the repairs to the Dock are "Phase 1" with more forthcoming.

Mr. Brigidi informed the Council that the Committee will need \$1500-\$2000 for the temporary ramp and that the Committee is investigating a long-term remedy. He added that all appear to be in agreement that the Dock is for all residents and that the south portion is designated for "recreational" use. He also added that this is a "broad term" and is not intended for recreational boating.

Councilwoman Parella stated that she is concerned that Bristol has a large amount of shoreline and only a small amount of this is available to larger fishing vessels. She added that the accommodation of this industry should have been a priority since the industry "is in big trouble" and that the Town should not have created an impediment to these persons' livelihood. She also added that this accommodation is not a question of aesthetics and since the conventional wisdom is to consume locally sourced food, the accommodation of the fishermen should have been encouraged.

Councilwoman Parella also stated that she assumed that the State Street Dock would be improved so as to keep its traditional use.

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Mr. Brigidi stated that the Committee's plan is to allow all uses to coexist. He added that the Committee plans to have eleven (11) parking spaces available to vehicles with trailers attached.

Councilwoman Parella stated that she was not speaking about accommodating trailers but rather the accommodation of the larger fishing boats.

Mr. Brigidi replied that the Town appears to have a workable solution and noted that only some of the larger boats have docking permits. He added that Assistant Harbor Master Calouro explained to him that there are larger slips available near the Rockwell Dock and that these may have to be somewhat modified.

Councilman Teixeira asked to know about the planned gate with Mr. Brigidi responding that this gate will be fabricated from pressure treated material and that the gate will be opened to accommodate vehicles used for unloading a catch.

Councilman Teixeira questioned the need for a gate and suggested that this gate was unnecessary.

Mr. Brigidi stated that the gate was needed as a barrier to pedestrians.

Council Chairman Marshall agreed that the gate may not be necessary with Director of Community Development Williamson reporting that the Committee has a concern for liability.

Councilman Teixeira noted that there is no gate at the present time and that the Dock is wide open. Director of Community Development Williamson suggested that the Town might ask for an opinion from the Town Solicitor and that she would speak to the Solicitor tomorrow.

A discussion ensued regarding the proposed hoist and gate. Councilwoman Parella asked to know who would be responsible to open and secure the gate. Councilman Herreshoff suggested that the gate was unnecessary and that a curbing might be more advisable.

Mr. Brigidi stated that a curbing would prevent fishermen from moving their trucks close enough to unload their catch. Councilman Herreshoff suggested that there could be a gap in the curbing to allow for vehicles to load.

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Mr. Brigidi suggested that the Committee might be allowed to work on a permanent accommodation after the temporary solution is put in place.

Councilwoman Parella asked to know where the fishermen would unload with Mr. Brigidi responding that the plan is to have these fishermen unload along the westerly side of the Dock in the "transient" area. Mr. Brigidi added that the Harbor Commission will make a recommendation and also that electricity should be made available on the Dock.

Mr. Daniel Egan, a commercial fisherman, informed the Council that problems exist with loading and unloading and also that parking on weekends is difficult.

Councilman Barboza noted that there is a loading dock behind the Ever-Ready fire station on Thames Street and asked if this might be used.

Mr. Eagan replied that the dock is inaccessible to him at low tide.

Council Chairman Marshall asked to know if the plans for State Street Dock will be satisfactory to Mr. Eagan with Mr. Eagan responding that he is concerned that a portion of the dock will be solely for recreational use.

Council Chairman Marshall stated that the Council's intention is to keep the State Street Dock a "working pier."

Andrew Noronha of Monroe Avenue informed the Council that he regularly visits the Dock. He added that he believes many motorists park their cars on the Dock without a dock sticker. He suggested that the Town might increase its enforcement of the sticker requirement.

Councilman Barboza asked to know when the "sticker required" signs would be returned since these were removed during the construction.

Director of Community Development Williamson explained that there must be a coordinated effort for the signs, stickers, and striping of parking places.

Councilman Herreshoff noted that the Council approved the plan for the Dock.

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Councilman Barboza stated that it was impossible to enforce the sticker rules without appropriate signage.

Director of Community Development Williamson suggested that Public Works Director Galuska and Principal Planner Tanner should coordinate the signs and striping.

Matthew White of Overlook Drive questioned the need for barriers. He added that he considered it important that the signs should be returned and that this should be accomplished before the July 4<sup>th</sup> festivities begin.

Council Chairman Marshall asked to know when the signs and striping might be installed with Principal Planner Tanner responding that he has the striping plan and that he can work with Public Works Director Galuska on the signs and making these more visible.

Councilman Barboza suggested that the signs should be installed first.

Principal Planner Tanner explained that the recently installed wooden posts are to support a guard rail. He added that the posts will be trimmed to a knee-high height after the rail is installed.

Shadow Morris of Mulberry Road noted that the issues appear to be the parking of trailers, a no-parking "loading zone" for fishermen and others, use of the west side of the Dock for commercial fishermen only, dock stickers for vehicles allowed to park, and enforcement for those who do not display a valid sticker. Ms. Morris added that the current situation is a "free for all."

Councilman Barboza noted that dock stickers are provided only to Bristol residents.

Ms. Morris emphasized the need to have no parking in the designated loading zone. She suggested that the Council might also consider 6-8 parking spaces along the west side of the Dock for commercial users only.

Councilwoman Parella suggested that parking enforcement might be "stepped-up" and that this is particularly important after Memorial Day through the summer months.

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Town Administrator Mederos agreed to follow-up on this matter with Police Chief Canario.

Mr. Morris stated that the motives of all involved appear to be sincere but cautioned that some of the decisions regarding the State Street Dock are being made by those with limited experience. He added that he wishes to peacefully coexist and again asked for the opportunity to install pilings to accommodate his vessel.

Councilwoman Parella asked to know if the pilings might be installed further south of the State Street Dock with Mr. Morris responding that the water is deep enough in that area also.

Councilwoman Parella asked to know how many boats may be accommodated in this area with Mr. Morris responding that the number of boats would depend upon the size of these.

Councilman Barboza asked to know if the Town has access to this area with Harbor Master Cabral reporting that he believes the area in question is within Mr. Azevedo's riparian rights.

Councilman Herreshoff stated that perhaps the Town can negotiate the use of this area.

A discussion ensued regarding permitting, etc., with Harbor Master Cabral stating that the installation of a few pilings and no dock should be fairly uncomplicated.

Council Chairman Marshall suggested that Town Administrator Mederos might discuss the riparian rights issue with Town Solicitor Ursillo.

Council Chairman Marshall noted that vessels should not be allowed to lay alongside the Dock when not loading or unloading with Mr. Morris in agreement that vessels should not remain in the space designated for loading.

A discussion ensued regarding the temporary loading ramp with Councilman Herreshoff suggesting that this ramp might be made from plywood.

Council Chairman Marshall suggested that the engineer should design this ramp with Councilman Herreshoff suggesting that this should be done immediately.

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Kevin Harrop, dock engineer, agreed to design this ramp beginning tomorrow.

Mr. Morris agreed that there should be a designated space for loading and asked to know about the Town's plan for the remainder of the matters discussed.

Council Chairman Marshall suggested that anyone having dockage in Bristol should pay their fair share. He noted that some boats appear to be docked for free.

A discussion ensued regarding dock methods used in Europe with Councilwoman Parella asking to know if Mr. Morris discussed these methods with the Harbor Master or Harbor Commission.

Mr. Morris responded that he did not discuss these options with the Town.

Councilman Herreshoff stated that he was familiar with these methods and that he was uncertain as to whether or not this would be compatible in Bristol.

A discussion ensued regarding placement of the proposed loading crane.

John McDonald noted that three boats may be accommodated along the west side of the State Street Dock. He stated that the most important accommodation is truck access for loading. Mr. McDonald expressed concern that the eighteen foot boom might be excessively large.

Councilman Herreshoff suggested that the Committee might wish to rethink the size of the proposed boom.

Mr. White suggested that the Dock should have cleats with Councilman Herreshoff concurring with Mr. White.

Harbor Master Cabral explained that the Dock will have cleats and that these are on order.

Mr. Noronha asked to know when the parking restriction signs would be returned with Councilman Barboza suggesting that these signs should be given the highest priority.

Councilwoman Parella suggested that a police detail should be placed at the Dock to provide "educational" advice to motorists.

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Town Administrator Mederos agreed that the best first step would be to discourage the illegal parking practice.

Councilman Teixeira suggested that there may be ample space along the south end of the Dock to provide room for as many as three boats.

Harbor Master Cabral noted that Frank Andrews may be able to move up somewhat to allow for another boat but explained that it would be difficult, if not impossible, to accommodate three boats with the change of water depth due to tides.

Councilman Teixeira asked to know if one more spot could be created with Council Chairman Marshall asking if that particular spot is rented to Mr. Andrews.

Harbor Master Cabral stated that Mr. Andrews had rented that particular spot for twenty (20) years.

Councilwoman Parella noted that Mr. Morris suggested a certain type of mooring might be placed in the area to accommodate the fishing boats.

Councilman Herreshoff stated that the type of mooring that Mr. Morris suggested can be problematic since these are normally utilized in areas protected from the wind. He expressed concern that the wave action might be typically too rough for this type of mooring.

Harbor Master Cabral agreed with Councilman Herreshoff and stated that he was familiar with this type of mooring. He further stated that something similar was attempted in a harbor in St. Thomas and that the boats "took a serious banging."

Mr. Morris disagreed and explained that the wave action can be mitigated through the use of excessively heavy mooring equipment. He speculated that this equipment may weigh as much as two-thousand pounds.

Councilman Herreshoff suggested that Harbor Master Cabral might wish to experiment with a project as proposed by Mr. Morris utilizing the heavy equipment.

Mr. Morris further qualified his suggestion in that he would not consider the heavy equipment suitable during hurricane force winds and that anyone using this particular mooring should seek shelter elsewhere.

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Mr. Morris also noted that the proposed loading area might be unsuitable for smaller crafts in a west wind. He noted that the Harbor Commission may have approved the northwest corner of the Dock, "a little bit in the lee," as part of an unloading area.

Councilman Teixeira agreed that the boom appears to be too tall.

Mr. Morris speculated that no one will utilize the crane.

Harbor Master Cabral stated that he had a similar device installed at Church Street in the past and that it is never used. He informed the Council that he plans to remove it since it might constitute a safety hazard.

Council Chairman Marshall asked to know if the parties could agree to a timeline for the temporary improvements.

Regarding the parking regulation signage, Public Works Director Galuska noted that the signage could be installed within 4-5 days provided that the signs exist. He reminded the Council that the DPW is preparing for the Fourth of July and that much of the department's resources are devoted to this effort.

Regarding the off-loading ramp, Mr. Harrop stated that he would begin on the design of this ramp tomorrow.

Councilman Herreshoff suggested that the ramp should be made from plywood.

It was also suggested that the ramp might be made from diamond plate.

Council Chairman Marshall asked to know if the plans for this ramp were to be "quick and straightforward" with Mr. Harrop responding affirmatively.

Councilwoman Parella asked to know if this would be fabricated by a contractor with Public Works Director Galuska agreeing to determine if it may be fabricated by the DPW employees.

Councilwoman Parella asked to know if funds were available for the ramp with Director of Community Development Williamson responding that the Dock repairs are already close to the available budget. It was noted that the platform might cost \$1500-2000.

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Councilwoman Parella asked to know why this was not part of the plan with Director of Community Development Williamson responding that the irregular shape of the Dock, discovered during the rehabilitation work, caused the need for the ramp and that this was not initially anticipated.

Councilman Teixeira asked to know why the pilings were not installed at an angle to compensate for the irregular shape of the stone with Mr. Harrop stating that pilings installed at an angle may have worsened the problem.

Councilwoman Parella asked to know about the timeline for the striping with Council Chairman Marshall noting that the Council approved the original drawings and that the Dock could be striped per these drawings.

The Council, by consensus, agreed that the Dock could be striped per the drawings originally provided.

Mr. Noronha suggested that signage should clearly state that only resident parking is allowed.

Mr. White stated that those with trailers should be accommodated.

Council Chairman Marshall suggested that a life ring should be installed near the water.

Councilwoman Parella noted that enforcement of the parking rules is important.

Mr. Dollins asked to know if electricity can be provided for all Dock users with Town Administrator Mederos stating that this issue would be examined after the Fourth of July projects and activities were complete.

Councilman Teixeira noted the previous suggestion for ladders with Council Chairman Marshall asking if ladders are planned as part of the overall improvements. Mr. Brigidi reported that ladders are part of the plan and that these have not yet been installed.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Teixeira and voted unanimously, the Chairman declared this meeting to be adjourned at 8:55 o'clock PM.

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Louis P. Cirillo, CMC, Council Clerk