

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

A2

PRESENT: Marshall, Barboza, Teixeira, Herreshoff, and Parella (arrived at 7:35 o'clock PM)

ALSO PRESENT: Diane C. Mederos, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor

ABSENT: Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening, July 18, 2012 in the Town Hall, Council Chambers beginning at 7:14 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Marshall noted the letter appearing in the *Bristol Phoenix* as written by Town Administrator Mederos. He explained that he was in agreement with the sentiments expressed in the letter and that he, too, thanked Town employees for their extraordinary efforts during the Fourth of July celebration.

Council Chairman Marshall also noted the passing of long-time veterans advocate S. Michael Minutelli. The assembly observed a moment of silence in memory of Mr. Minutelli.

Council Chairman Marshall also noted that the Town's "first responders" provided aid for the birth of a child.

Councilman Barboza added that the prospective mother appeared at Paramedic Systems headquarters at 10:45 o'clock AM and that the child was born sixteen minutes later.

Councilman Barboza noted those who aided in the emergency and congratulated the participants on behalf of the Town.

Fire Chief Martin added his comments, noting that the incident was a "great team effort."

Council Chairman Marshall noted his attendance at a ceremony held July 2, 2012 at which time the new police station sign was unveiled.

Council Chairman Marshall announced that the sign was most-satisfactory. Council Chairman Marshall offered his congratulations to all of those who worked on the sign in order to have it ready by the Fourth of July holiday. He also congratulated Police Chief Canario on the completed sign on behalf of the Council.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

David Silvia, Representative of RI Boys State Program re accomplishments of Boys State participants

Also prior to the commencement of this evening's regular agenda, Council Chairman Marshall recognized Mr. David Silvia who provided information regarding this year's Boys State program to the Council.

Mr. Silvia thanked the Council for its financial support of the program and introduced Devin Costa, a senior at Mt. Hope High School who participated this past spring.

Mr. Costa informed the Council that he was nominated to attend the program and was able to learn how the government legislative process works. He added that a highlight for him was being able to register to vote and that the program, overall, meant a great deal to him. He added that he may participate next year as a junior counselor.

Also prior to the commencement of this evening's regular agenda, Councilman Teixeira noted that the Columban Fathers Annual Bazaar will be held on July 29, 2012 on the Columban property on Ferry Road.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Barboza/Teixeira - Voted
unanimously to approve the Consent
Agenda withholding agenda item AA1
for further consideration.

Prior to the vote taken, Councilman Teixeira asked that agenda item A1 might be withheld for further consideration.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - April 18, 2012

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

2. Town Council Meeting - May 2, 2012 (final version)

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

3. Town Council Meeting - June 27, 2012

Teixeira/Herreshoff - 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. Animal Shelter Capital Project Committee -
June 7, 2012

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

Prior to the vote taken, Councilman Teixeira asked to know if the Council might be provided with a status report on the animal shelter project for the next meeting.

Police Chief Canario, Capital Project Committee Chairman, agreed to provide this report.

Councilman Herreshoff asked to know if the Committee was scaling-back the size of the proposed building in order to save costs with Police Chief Canario responding affirmatively.

Councilman Herreshoff also asked to know if the proposed scaled-back building will contain all of the necessary facilities with Police Chief Canario responding that it would.

2. Bristol Housing Authority - June 7, 2012
3. North and East Burial Grounds Commission -
February 27, 2012
4. North and East Burial Grounds Commission -
April 2, 2012
5. Bristol Warren Regional School Committee -
March 26, 2012 (bi-monthly meeting)
6. Bristol Warren Regional School Committee -
April 9, 2012 (bi-monthly meeting)
7. Bristol Warren Regional School Committee -
April 23, 2012 (bi-monthly meeting)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

8. Bristol Warren Regional School Committee - May 14, 2012 (bi-monthly meeting)
9. Bristol Warren Regional School Committee - May 29, 2012 (bi-monthly meeting)
10. Bristol Warren Regional School Committee - June 11, 2012 (bi-monthly meeting)
11. Bristol Warren Regional School Committee - June 18, 2012 (special meeting)
12. Bristol Warren Regional School Committee - June 18, 2012 (special meeting)
13. Post Retirement Benefits Fund Board of Trustees - February 15, 2012
14. Police Pension Fund Board of Trustees - February 23, 2012
15. Historic District Commission - June 7, 2012
16. Joint Finance Committee Subcommittee - April 19, 2012

B. OLD BUSINESS

1. Allan Klepper, Barrington Director, Bristol County Water Authority re Monthly Report, June 29, 2012

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

Prior to the vote taken, Councilman Herreshoff stated that he believes these periodic reports to be helpful. He added that he remains alarmed about the organization since he is uncertain as to how much may have changed. He also added that he was pleased to hear that the engineering for a connection to the East Providence water supply is planned but also that he is disappointed to learn that East Providence is not enthusiastic regarding same.

Councilman Herreshoff also stated that he is concerned to learn that the BCWA is contemplating a fee increase since its debt service is coming to an end. Councilman Herreshoff

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

questioned the need to raise rates and fees when the BCWA will be spending considerably less on debt service.

Councilman Herreshoff asked the Council to be alert to this plan to increase fees and also that the Council should raise issues relating to the B&E report.

Council Chairman Marshall stated that one of the issues brought forward by B&E was the need for BCWA to conduct a rate study and that this rate study is underway.

Councilwoman Parella arrived at this point in the meeting (7:35 o'clock PM).

Council Chairman Marshall also informed the Council that he attended the most recent BCWA Board of Directors meeting and that he was pleased to see that the Board meetings are now being filmed for television.

Council Chairman Marshall suggested that the public at large should attend BCWA meetings or watch these on television since the interaction at the meeting was "eye opening" to him.

Council Chairman Marshall observed that seven (7) of the nine (9) BCWA directors are newly appointed. He added that water is important to the county's economic vitality and that citizens should remain vigilant concerning the BCWA and hopefully that BCWA directors will work in everyone's best interest.

Councilman Teixeira noted that the BCWA OPEB liability is \$400,000-\$500,000 and growing and that the comments made by the legal counsel raised his concerns.

Councilman Herreshoff stated that he questioned that statement also.

Council Chairman Marshall stated that the legal requirement is being met and that the BCWA is in compliance.

Councilman Herreshoff stated that the document was misleading.

Councilwoman Parella stated that the matter comes back to the rates charged to the rate payers. She asked to know if the member communities would be liable in a bankruptcy with Town Solicitor Ursillo responding that he was unfamiliar with OPEBs. He added, however, the fact that the matter was on the (BCWA) agenda for consideration. He also added that

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

the only place which the BCWA may derive funding is from the rate payers and that he did not believe that the member towns would have a liability.

Council Chairman Marshall noted that the BCWA will have a meeting with their actuaries.

2. Councilman Herreshoff re State Street Pier,
continued from June 27, 2012

- a. Councilman Herreshoff re State Street Pier - implementation of outer planking and ladders

Herreshoff/Teixeira - Voted unanimously to continue this matter until the meeting of August 8, 2012.

Prior to the vote taken, Councilman Herreshoff stated that he believes that the additional work must be completed and asked Public Works Director Galuska to comment on the matter.

Public Works Director Galuska reported that the work completed thus-far was to his satisfaction and that he was getting pricing from contractor Booth for both the steel and wood deck options.

Councilman Herreshoff asked to know when the project would begin with Public Works Director Galuska responding that the cost must be evaluated and that there must be a decision made to either add to the current contract or regroup.

Councilman Herreshoff asked to know when the decision would be made with Public Works Director Galuska repeating that the Town must first determine the pricing.

Councilman Barboza stated that Mr. Andrews will pay for the damage he imposed.

Council Chairman Marshall stated that the work completed thus-far was to his satisfaction. He reminded those present that the main purpose for the project was to "shore-up" the dock and to improve safety.

Town Administrator Mederos agreed with Council Chairman Marshall and stated that the Committee worked very hard to assure that this would be done.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Councilman Herreshoff reminded those present of the need to install ladders with Town Administrator Mederos responding that the various parties were aware of this need.

3. Councilman Herreshoff re two-way or one-way traffic (Hope and Thames Streets), **continued from June 27, 2012**

- a. Director of Community Development Williamson re traffic pattern study - Hope and Thames Streets
- LATE ITEM** b. Elizabeth Zelinger, 431 Thames Street - e-mail re request to return two-way traffic on Hope Street
- LATE ITEM** c. Robert C. and Diane M. Holt, 12 Constitution Street - e-mail re concerns related to Hope Street/Thames Street traffic pattern
- LATE ITEM** d. Marissa Castigliero et al re petition requesting return of original two-way traffic pattern on Route 114 (Hope Street)
- LATE ITEM** e. Paul Maraghy, 345 Thames Street - e-mail re request one-way traffic not be permanent on Thames and Hope Streets

Herreshoff/Barboza - Voted unanimously to reestablish two-way traffic on Hope and Thames Streets as scheduled by the State Department of Transportation.

Prior to the vote taken, Councilman Herreshoff observed that the matter received a good "airing" and that both the public and businesses appear to be generally in favor of returning to the traditional two-way traffic pattern.

Paula Martel of 1059 Hope Street stated that she disagreed with Councilman Herreshoff and stated that she believed that the matter requires further study.

Councilman Barboza stated that he and Councilman Herreshoff have considered the matter and also that the Police and Fire Departments concur that a one-way traffic pattern brings safety concerns. Councilman Barboza added that Thames Street

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

is generally not suitable to serve as a State highway and the temporary arrangement has required additional police.

Councilman Barboza also noted that Thames Street is currently under Town control and by placing it under the control of the State the Town would lose some of its power over the scenic waterfront street.

Councilman Barboza also expressed concern that were the many signs put in place to direct traffic flow, Hope Street "would become (Interstate) 95."

Councilman Barboza also noted that State officials suggest a traffic island at Constitution and Hope Streets were the traffic pattern to change and that noise and speeding have been transferred to the more residential High Street during the temporary traffic pattern period.

Councilman Barboza also observed that the movement of the fire truck located at the Ever Ready Fire Station on Thames Street is problematic with one-way traffic and that many cities which introduced one-way traffic during the 1950s and 1960s have re-introduced two-way traffic for a variety of reasons.

Councilman Barboza stated that the movement of RIPTA buses has been particularly difficult due to the need to make sharp turns at Constitution Street.

Ms. Martel stated that she would like to inform the Council that many people prefer the one-way traffic.

Councilman Teixeira thanked Ms. Martel for taking the time to speak to citizens concerning the traffic issue.

Councilman Teixeira stated that he conducted his own survey and contacted 53 businesses and found 27 interested in keeping the two-way traffic and 24 preferring one-way. He added that two of the businesses he contacted were indifferent.

Councilman Teixeira also noted that some of these business owners indicated that no one from the Town surveyed them previously and that he was disappointed to hear this.

Councilman Teixeira provided his personal opinion that the consensus was that two-way traffic should be restored.

Councilman Teixeira added that he believes that this decision also considers the character of the Town.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Councilwoman Parella stated that she is a resident of High Street and is familiar with traffic problems. She added that she does not have a strong opinion either way but that some persons who indicated to her that they preferred the one-way traffic initially have now told her they have changed their minds.

Councilwoman Parella stated that any change to the business climate as a result of the temporary traffic pattern change, good and bad, depends specifically upon the location of the business.

Councilwoman Parella added that this type of issue is usually split very closely pro and con and that a survey does not necessarily provide the whole picture. She added that the Council should consider preservation, planning, economic development and these factors seem to indicate that a two-way traffic pattern brings more vibrancy to both streets.

Council Chairman Marshall asked to hear from the Police and Fire Chiefs.

Police Chief Canario stated that his command staff, senior officers, RIPTA, and DOT officials arrived at the conclusion that two-way traffic is easier to control for traffic and emergencies.

He added that a one way traffic pattern would make it very difficult to divert traffic in the case of an emergency or a road closure due to special events. He added that one small recent automobile accident caused gridlock for 45 minutes. He added that there is much school related traffic along High Street from 1:30 until 3:30 during the school year and that this would be further complicated by the one-way traffic pattern one street over since High Street becomes the street upon which many motorists will change direction.

Police Chief Canario added that the current temporary one-way traffic pattern requires more police personnel and that a permanent change may also require additional officers.

Town Administrator Mederos stated that she has full faith and confidence in the observations and recommendation of Director of Community Development Williamson and the Planning Department and asked Councilman Teixeira to share his data with Director of Community Development Williamson. She added that she supports the Planning Department recommendation that the streets remain two-way.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Fire Chief Martin stated that he prefers two-way traffic since a one-way plan makes emergency response much more difficult. He noted that the location of apparatus, laying of hose, etc., are a concern to him with one-way traffic patterns.

Fire Chief Martin also stated that occasional flooding at the junction of Hope and Thames Street is also a concern since this can be more easily dissipated with two, two-way streets since one can be closed while the other remains open.

Fire Chief Martin stated that he recommends that the two-way pattern should be restored.

Councilman Herreshoff stated that the reports of the chiefs appear to be "great" and even-handed. He added that the opinion on this matter will never be unanimous but he believes that the department heads have thought well through the issue.

Councilman Herreshoff added that some business owners confided in him that they prefer the two-way traffic.

Marina Peterson, a resident of Thompson Avenue, stated that she believes the decision should have a voter referendum.

Councilman Barboza noted that the State needs a final answer in two weeks and that there would be insufficient time for a referendum.

Robert Holt, a resident of Constitution Street, stated that he has been a resident of the Town for 35 years and a volunteer firefighter for 33 years and that his family has owned three houses on Constitution Street for many years.

He added that he has tenants who rent some of his property who are complaining about the increased traffic and RIPTA busses "gunning it" to climb the Constitution Street hill. He added that the street is unsuitable for truck traffic.

Mr. Holt reported that he, his family, and his tenants agreed to make the sacrifice of the one-way traffic pattern during the construction project for the better good but wishes for the traditional traffic pattern to return. He added that the chiefs and planners also agree with him.

Stan Dimock, a resident of Thames Street, informed the Council that he and Hope Street resident Cara Cromwell collected 180 signatures in a short while in favor of returning to a two-way traffic pattern.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Councilman Barboza noted for the record that he received an e-mail from Thomas Brown of Virginia indicating that Mr. Brown favors the one-way pattern.

Mr. Dimock reported that the residents of the Stone Harbour Condominiums unanimously agree that two-way traffic should be restored and that the residents are concerned about automobiles passing each other unsafely on the one-way streets.

Mr. Dimock reported that the owner of the Pick & Pay convenience store complains that his business is down over 40% since the traffic pattern was changed.

Edward P. Stuart, Jr., a resident of Birchwood Road, stated that the number of cones and police patrols have added a certain "calmness" during the heavy traffic periods. He stated that he is concerned that absent the police and the cones traffic safety may be a larger problem.

Mr. Stuart also noted that the one-way traffic is a problem for the Robin Rug factory since it receives deliveries in the street. He added that the planned development of the property may also be negatively impacted by one-way traffic.

Town Administrator Mederos agreed with Mr. Stuart and informed the Council that Mr. Karian, the property owner, has significant concerns.

Council Chairman Marshall stated that the traditional two-way grid pattern of Bristol, in place since Colonial times, is often the envy of other New England communities without the benefit of this organized pattern.

Council Chairman Marshall added that he heard the testimony and the reports of administration and that he believes the return to two-way is the best possible decision.

4. Councilman Herreshoff re East Bay Energy Consortium (EBEC) costs, **continued from June 27, 2012**
 - a. Councilman Herreshoff re EBEC expenditure report
 - b. Director of Community Development Williamson re EBEC report

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Teixeira/Barboza - Voted unanimously to request from Director of Community Development Williamson, in time for the Town Council meeting of August 8, 2012, information concerning the "future programs and initiatives" as discussed at the EBEC meeting held on July 16, 2012.

Prior to the vote taken, Councilman Herreshoff stated that he was pleased to receive the "white paper." He noted that the Town contributed \$2000 to the effort and asked to know if there were further assessments.

Town Administrator Mederos responded that there were no further funds contributed by the Town.

Councilman Herreshoff noted that that the EBEC received \$300,000 in funding and asked the source of these funds.

Town Treasurer Goucher reported that some of the funds were provided by the State Economic Development Commission and also that some funding came from the Rhode Island Foundation.

Councilman Herreshoff asked if the Tiverton wind data was complete with Town Administrator Mederos responding that she believes that the study will be complete and the final data available after one year.

Councilman Herreshoff stated that he would like to receive the final report.

Peter Hewett, of 11 Wendy Drive, stated that the televising of the BCWA meetings has been accomplished by Marina Peterson at her expense.

Mr. Hewett informed the Council for the record that when making his comments regarding EBEC he did not criticize Director of Community Development Williamson.

Mr. Hewett also asked to have a copy of the feasibility study when this is completed.

Councilman Herreshoff asked to know if the EBEC funds were held in the Town accounts with Town Treasurer Goucher responding that the funds are held in a restricted account and that the Town is the fiscal agent for the Consortium.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Council Chairman Marshall noted that the State funds are "renewable energy" funds with Councilman Herreshoff suggesting that the renewable energy authorities should take over as fiscal agent.

Councilwoman Parella noted that some entity must be the fiscal agent with Mr. Hewett noting that the Town agreed to be fiscal agent in the 2009 memorandum of agreement.

Councilman Herreshoff urged the parties to modify the process and name a new fiscal agent.

Councilwoman Parella suggested that it may not be practical to change the process in the middle of the project.

Councilman Barboza asked to know how much time Town Treasurer Goucher is spending on this "fiscal agent" responsibility.

Town Treasurer Goucher responded that the time required is minimal. She added that she would turn over the responsibility should the Town leave the entity.

Council Chairman Marshall noted that the EBEC may be forming a type of 501(c) (3) organization.

Mr. Hewett asked the status of the legislation. He noted that there is a proposal to spend an additional \$895,000 and suggested that the Council should place a "cease and desist" order on this spending.

Mr. Hewett expressed additional concern that EBEC appears to be "an open-ended, non-entity" and that the Town Councils are not monitoring it. He added that the members appear to be well intentioned but suggested that these intentions have gone awry.

Mr. Hewett suggested that the Council should "put a hold on EBEC" and not spend any additional money on the EBEC projects.

Council Chairman Marshall asked to know if Mr. Hewett offers any options to EBEC with Mr. Hewett responding that he believes that Apex is an option.

Council Chairman Marshall stated that he believes that a private entity is acceptable but cautioned that one of the reasons for EBEC was to assure that wind turbines would not be placed "helter-skelter" in the towns.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

A discussion ensued regarding renewable energy projects.

Councilman Herreshoff stated that he believes that these are solely the responsibility of private enterprise.

5. Councilman Herreshoff re Industrial Park expansion and golf course, **continued from June 27, 2012**

Herreshoff/Barboza - Voted unanimously to continue this matter until the meeting of August 8, 2012 and to anticipate a report from Town Solicitor Ursillo at that time.

Prior to the vote taken, Councilman Herreshoff noted that he just recently received the information prepared by Principal Planner Tanner and asked for some time to review this information.

6. Councilman Barboza re re-appropriation of Council Contingency funds, **continued from June 27, 2012**

Barboza/Herreshoff - Voted unanimously to carry forward any unexpended/uncommitted funds from the 2011-2012 Town Council Contingency account and to re-appropriate these funds to the Human Services emergency fund account for 2012-2013. (N.B. the amount remaining in the Contingency account was \$1,125.00)

Prior to the vote taken, Councilman Barboza noted that, in consideration of unemployment levels and the generally poor condition of the economy, the Human Services Department was likely in need of additional funds for emergencies.

Councilman Barboza suggested that the remainder of the Town Council Contingency account might be re-appropriated to supplement the Human Services Emergency Fund account. Councilman Barboza added that this re-appropriation would likely be valuable to the operation of the Human Services Department.

7. Thomas F. Kogut, Associate Administrator (Cable TV), Legislative Liaison/Chief of

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Information, RI Division of Public Utilities
and Carriers re proposed regulation
amendments - public hearing August 9, 2012

LATE ITEM

- a. Thomas F. Kogut re supplemental
correspondence directed to Area 5
Producers

Barboza/Teixeira - Voted
unanimously to refer this matter to
the Town Solicitor so that he may
send a letter objecting to the loss
of PEG presence in Bristol County
and to also suggest that the RIPTA
might work with Town Administrator
Mederos to find a new and less
costly location for the facility.

Prior to the vote taken, Council Chairman Marshall explained
that the financial support of this studio is paid for by the
subscribers from a fund derived from a portion of the
subscribers' cable television bill.

Anthony Arico, of Barrington, stressed that the Town Council
has already indicated to Mr. Piccerelli that the studio
should remain open for the benefit of the subscribers. He
noted that the studio provides an important "drop off" point
for tapes made by those who produce programs for public
access.

Mr. Arico suggested that the Council should send a
representative to the meeting when the fate of the studio
will be decided. He also noted that the Gooding Avenue
studio is "a great facility."

Mr. Arico explained that many producers utilize the studio
belonging to Full Channel TV in Warren and that Full Channel
has no obligation to keep this studio open and may choose to
"pull the plug" on the studio leaving Bristol County without
one.

Councilman Barboza agreed that Full Channel provides its
studio as a service without any obligation to do so.

Mr. Arico reminded the Council that it was its position to
require a studio when the license to provide local cable
service was granted to Cox Communications some time ago.

Councilman Barboza noted that there appears to be evidence
that there has been little use of the studio during the past

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

year. He asked to know what argument might be used to keep it open.

Mr. Arico stated that it would be unfortunate for the studio to close since it is a valuable, albeit seldom used, asset for the community.

Councilman Barboza stated that the Council may be in a difficult situation in attempting to make a case to keep the studio open.

Mr. Arico stated that a valuable use of the studio is that of a convenient drop-off point for tapes from Bristol County producers of television programs.

Councilman Barboza stated that he was certain that the Council would provide a letter supporting keeping the studio open.

Mr. Arico noted that there were very few studios in the State and that the complement of these was at this time "bare bones."

Councilman Barboza suggested that the Town may wish to contact its legislators and perhaps the funds collected via the subscribers' monthly cable television bills could be diverted to subsidize the Full Channel TV studio in Warren.

Mr. Arico suggested that if the studio is being closed due to its cost that a less-expensive rental unit may be pursued.

Councilman Teixeira stated that he was sympathetic to the concerns of Mr. Arico. He added that the High School is self-sufficient and not in need of a studio. He added that the School simply drops-off its tapes to the studio.

Council Chairman Marshall asked to know if the studio might be provided low-cost space at the John Post Reynolds School building.

Town Administrator Mederos agreed to discuss this matter with Recreation Director Burke.

Mark Bucolo of 2 Karen Ann Drive stated that he received his training at the Bristol public access studio and that he considers the studio an asset that the County should not lose.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Councilman Teixeira stated that he wished to clarify that the studio does not provide production services staff and that those wishing to produce programs must do so themselves or with their own staff.

Mr. Bucolo expressed concern that the available hours of the studio can be difficult for some would-be users.

Council Chairman Marshall noted that the availability of cable public access provides governmental "transparency."

Mike Davis informed the Council that the important factor to consider is that the "point of presence" for the statewide public access system will be going away from Bristol County. Mr. Davis suggested that the other studios are not used to capacity but that the only one considered for closure is the one in Bristol County. He also stated that it might be considered inequitable that Barrington residents will have to go to Portsmouth if the studio were to close.

Mr. Davis urged the Council to address the problem and noted that he believed that the closure would not be approved were the Towns to object to it.

Mr. Davis suggested that the Council should "demand a point of presence" within the County and that it would be acceptable for the RIPTA to maintain a smaller studio. Mr. Davis added that Full Channel TV gets the \$.50 it charges on its bill for its own studio.

Councilman Barboza suggested that the Town Solicitor should respond to Mr. Kogut's letter and include Mr. Davis's comment regarding "point of presence."

After the vote taken, Councilman Teixeira stated that he did not believe that the space or rental was the only issue.

Councilwoman Parella stated that a cost-concern was obvious.

Councilman Teixeira stated that the issue appears to be lack of use with Council Chairman Marshall stating that he would be concerned that the equipment normally lent from the studio would no longer be available to the public.

8. Council Clerk Cirillo re State Street Dock use

LATE ITEM

- a. Jim Dollins re Information concerning west side of State Street Dock

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Barboza/Herreshoff - Voted
unanimously to uphold the decision
of the Harbor Master.

Prior to the vote taken, Councilman Herreshoff stated that he believes that the Town should accommodate the fishermen and asked Harbor Master Cabral to comment.

Harbor Master Cabral reported that there are two fishing boats and that he "had to put them somewhere." He added that other dock space is unsuitable for these vessels.

Harbor Master Cabral stated that the issue was discussed at the Harbor Commission meeting and that Mr. Dollins suggested that there should be a new ordinance and that he was uncertain as to what to do if the west side of the dock was unavailable.

Councilman Barboza stated that it appeared possible for two boats to be located at the dock and allow the remainder to be usable for others. He suggested that the Council should vote to uphold the Harbor Master's decision if this was the case.

Councilman Teixeira asked why the Council should vote with Harbor Master Cabral stating that the vote would affirm the Council's support of the use of the dock as allowed by the Harbor Master.

Councilman Barboza agreed that the Council should affirm that the Harbor Master is "in charge" of this situation.

Councilman Herreshoff agreed that the parties should be aware that the Council supports the Harbor Master's management of this situation.

Council Chairman Marshall asked to know if the boat owners will pay dockage fees with Harbor Master Cabral stating that he will charge the appropriate fees. He added that the fee is \$40 per foot for the large boats and that others pay this same fee.

Council Chairman Marshall asked to be assured that the dock will continue to provide room for loading and off-loading with Harbor Master Cabral responding that there would be room for these activities.

Council Chairman Marshall asked to know if the Council was voting to affirm the ordinance with Town Solicitor Ursillo

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

stating the vote was to affirm the decision of the Harbor Master.

Councilman Teixeira asked for a confirmation that all will pay the dockage fee with Harbor Master Cabral responding that this would be the case.

Council Chairman Marshall stated that he wished to confirm that everyone "was on the same page."

Councilman Barboza thanked Harbor Master Cabral and Assistant Harbor Master Calouro for responding to this issue.

BB. SPECIAL /STATUS REPORTS

1. Bristol County Water Authority - 2012 annual report

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

Prior to the vote taken, Councilman Teixeira referred to Page 3 of the report and suggested that the Council should "stay tuned" since the next fiscal year promises to be "interesting" based upon the Chairman's Message.

Council Chairman Marshall stated that the citizens cannot live without water and that there are water service problems on Aquidneck Island. He added that the Aquidneck rate payers are facing an \$85 million bond and a rate increase of 27% per year for the next several years. He cautioned that the Town and other entities should endeavor to maintain their respective infrastructure or "get hit all at once" (with a large repair bill).

Councilman Barboza suggested that Council Chairman Marshall might take those words of wisdom to the legislature.

Councilman Herreshoff stated that he was pleased to learn that BCWA was considering the Pawtucket water supply.

2. Stephan Brigidi, Bristol Representative, Discover Newport re annual report of CVB, Newport & Bristol County hospitality and tourism, July 12, 2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

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

Prior to the vote taken, Mr. Brigidi reported "good news" that the Town led the state in tourist revenue increases and that this appears to be attributable to the "Discover Newport" system.

Mr. Brigidi reported that the new marketing format seems to be drawing more attention to the Town's "venues" and suggested that some analysis seems to indicate that a moderately sized hotel might be needed to fill the gap in rooms requested.

Councilwoman Parella asked how many rooms were needed overall with Mr. Brigidi suggesting that 100-120 total are needed throughout the Town. He also suggested that the gap should be filled through private investment.

Mr. Brigidi added that the Town should improve its signage and that better communication is also needed since the Police Department appears to be unaware of the location of certain tourist services.

Mr. Brigidi also suggested that the Town might provide some funding for Arts Night since Warren provided \$2,500 for this initiative. He added that he was embarrassed since Bristol did not provide a subsidy.

Council Chairman Marshall stated that Bristol pays for many things that Warren does not choose to pay for.

Council Chairman Marshall suggested that Mr. Brigidi should be an advocate for the Town so that it will receive its fair share and also that he was concerned that Bristol was losing its identity in the "Discover Newport" campaign.

Council Chairman Marshall also suggested that the Town has been "short changed" from the original intention of the Newport and Bristol County Convention and Visitors Bureau.

Mr. Brigidi stated that he was also disappointed that the name of Bristol was dropped from the bureau but argued that Newport is a stronger "brand" and that Bristol reaps many benefits and a larger draw due to the strength of the brand.

Mr. Brigidi stated that his support of the current identity is due to his position as a realist and that the Town is on the letterhead along with the names of the other member

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

communities and that each is treated as an equal partner by the bureau.

Mr. Brigidi agreed to "speak loudly" on behalf of the Town.

Councilwoman Parella stated that the local merchants and museum directors appear to agree that the joining with Newport County was of benefit to them.

Councilman Teixeira noted that Page 2 of the report indicates a 25% increase in visitors at the Visitor Center and that he has spoken to Victoria White who confirms that there has been a marked increase in visitors versus previous years.

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2012-04, Chapter 19, Peddlers, Hawkers and Itinerant Vendors, Article I, In General, (amended) Section 19-2 and (new) Sections 19-6 and 19-7, (rules governing peddlers), **2nd reading**

Barboza/Teixeira - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2012-04. Advertise in local newspaper.

(CA) E. BUDGET ADJUSTMENTS

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

F. APPOINTMENTS

1. Public Service Appointments
 - a. Historic District Commission (3) (terms to expire in July 2015)
 1. Oryann Lima, 73 Franklin Street - interest/reappointment
 2. John M. Allen, 60 Church Street - interest/reappointment

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

3. Reginald McCarthy, 34 First Street
- not seeking reappointment

Councilman Barboza nominated Ms. Lima and Mr. Allen for reappointment.

There were no counter-nominations.

Barboza/Teixeira - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of Ms. Lima and Mr. Allen with term to expire in July 2015 and to instruct the Clerk to send a letter of thanks for service to Mr. McCarthy.

- b. Planning Board - Auxiliary Members (2)
(terms to expire in July 2015)
 1. Nathan T. Calouro, 12 Fesser Avenue
- interest/reappointment
 2. Michael W. Rossi, 686 Hope Street -
interest/reappointment

Councilman Barboza nominated Messrs. Calouro and Rossi for reappointment.

There were no counter-nominations.

Barboza/Teixeira - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor Messrs. Calouro and Rossi with term to expire in July 2015.

- c. Economic Development Commission

1. Michael T. Byrnes, 224 Metacom Avenue - resignation

Herreshoff/Teixeira - Voted unanimously to instruct the Clerk to ask Mr. Byrnes to reconsider his decision to resign and also to speak to previous applicant, Patricia McLaughlin, 35 Pearse

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Avenue, so as to determine her continued interest.

Prior to the vote taken, it was suggested that the Clerk should speak to Mr. Byrnes and Ms. McLaughlin.

d. Christmas Festival Committee (term to expire in October 2012)

1. David Silvia, 503 Wood Street - interest/appointment

Councilman Barboza nominated Mr. Silvia for appointment.

There were no counter-nominations.

Barboza/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Silvia with term to expire in October 2012.

e. Zoning Board of Review (to fill unexpired term to expire in March 2016)

1. David P. Raposa, 6 Rego Avenue - interest/appointment (currently first alternate)

Councilman Barboza nominated Mr. Raposa for appointment.

There were no counter-nominations.

Barboza/Teixeira - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Raposa with term to expire in March 2016 and also to advertise for applicants to fill Mr. Raposa's unexpired term.

Prior to the vote taken Council Chairman Marshall suggested that Council members should seek qualified applicants. He expressed concern that lacking a full complement of membership; the Zoning Board of Review may not be able to complete its charge.

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

(CA) 2. Public Service Appointments - August 2012

G. LICENSING BOARD - NEW PETITIONS

1. Valerie Prader, Manager, d/b/a British Beer Company, 29 State Street - request for One-Day Dancing and Entertainment License, July 29, 2012

LATE ITEM

a. Recommendation - Town Administrator and Chief of Police (Note: Recommendation applies to agenda items G2 and G3 also)

Barboza/Herreshoff - Voted unanimously to consider agenda items G1, G2, and G3 simultaneously and to grant these petitions per the recommendation received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, the petitioner, responding to questions posed by Councilwoman Parella stated that she would like to have music until midnight and close overall at 1:00 o'clock AM.

A discussion ensued regarding Sunday entertainment.

Councilwoman Parella stated that she would not approve of entertainment for 52 weeks per year and that she hoped that the occasional Sunday licenses would not "become a habit."

The petitioner stated that she would like to provide entertainment on every Sunday.

Councilwoman Parella repeated that she did not think this would be a good idea. She added that Sunday entertainment licenses were traditionally granted for special occasions and fundraising events.

Councilman Barboza agreed that the Council should not offer a long-term Sunday entertainment license.

Councilman Herreshoff agreed that the requests should be "moderate."

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Councilwoman Parella asked to know if the Town could impose a specific limit with Town Solicitor Ursillo suggesting that the Council may wish to "work into" a limit.

2. Valerie Prader, Manager, d/b/a British Beer Company, 29 State Street - request for One-Day Dancing and Entertainment License, August 5, 2012

It is hereby noted for the record that this matter was discussed and action taken as part of agenda item G1 above.

3. Valerie Prader, Manager, d/b/a British Beer Company, 29 State Street - request for One-Day Dancing and Entertainment License, August 12, 2012

It is hereby noted for the record that this matter was discussed and action taken as part of agenda item G1 above.

4. Timothy M. Jackson, d/b/a D'Angelo Grilled Sandwich Shop, 576 Metacom Avenue - request for Victualling License (new ownership)

LATE ITEM

- a. Recommendation - Water Pollution Control Department

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

5. Vanderhoof-Myers, Inc., Robert Vanderhoof, d/b/a Roberto's, 450 Hope Street - request for expansion of Class BV Intoxicating Beverage License premises, **call for public hearing (August 8, 2012)**

LATE ITEM

- a. Recommendation - Water Pollution Control Department

Barboza/Herreshoff - Voted unanimously to call for a public hearing regarding this matter for Wednesday evening, August 8, 2012 in the Town Hall, Council Chambers beginning at 7:00 o'clock PM.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

H. LICENSING BOARD - RENEWALS

1. Private Investigators License renewals (2012-2013)

- a. Recommendation - Town Administrator and Chief of Police

Teixeira/Parella - Voted unanimously to grant renewal of these licenses per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

2. Rami Jenblat, d/b/a My Shisha Café, 261 Wood Street - six (6) month review re extended hours of Victualling License (granted, February 1, 2012)

- a. Recommendation - Town Administrator and Chief of Police (with conditions)

Barboza/Teixeira - Voted unanimously to extend the term of this license for a period of three (3) months only with the express stipulation that signage must be modified per the conditions suggested by the Chief of Police.

Prior to the vote taken, a discussion ensued regarding the signage with Councilman Teixeira suggesting that the Council may wish to approve the license for a three month period only.

Police Chief Canario indicated that he was also concerned about cleanliness of the sidewalk, etc., nearby the premises.

I. UTILITY PETITIONS

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

- (CA) 1. Department of Public Works - Road Cut Permits

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

2. National Grid and Verizon - petition to relocate pole on Peck Avenue

Herreshoff/Teixeira - Voted unanimously to approve this petition.

J. PETITIONS - OTHER

1. Clara Costa, 19 Franca Drive - claim for personal injury

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

2. Maria DaSilva, 113 Union Street - request for removal of handicapped parking space in front of residence, **1st reading**

Parella/Barboza - Voted unanimously to allow withdrawal of this petition without prejudice.

Prior to the vote taken, Police Chief Canario reported that he is informed that the petitioner has reconsidered and asked that the petition should be withdrawn.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Raymond S. DeLeo II, President, Gooding Realty Corporation re renewal of lease

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

2. Councilman Herreshoff re wind energy - government involvement

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

Prior to the vote taken, it was noted that discussion concerning this matter in general took place during consideration of agenda item B4 as found above.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, July 13, 2012

P. PROCLAMATIONS & CITATIONS

1. Proclamation - Antonio A. "Tony" Teixeira, Chief Marshal of 2012 Bristol Fourth of July Celebration

Barboza/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."

(CA) R. DISTRIBUTIONS/COMMUNICATIONS

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

1. Coastal Resources Management Council (CRMC) - June 26, 2012 (semi-monthly meeting)
2. Dancing and Entertainment License renewal petitions (The Lobster Pot, Common Pub, Judge Roy Bean Saloon, Aidan's Pub, Agave and Thames Waterside Bar & Grill - granted, June 27, 2012)
3. RIDOT re Community Update - Hope Street project (July 1-21, 2012)
4. CRMC - July 2012 Calendar

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

5. Warrant - Christy Nadalin, Economic Development Commission
6. Warrant - Special Constables, 2012 Fourth of July Celebration
7. Warrant - Joseph Kalen, Christmas Festival Committee
8. Warrant - Tanya Kieron, Christmas Festival Committee
9. Warrants - Special Constables/Fire Police (new members)
10. Council Clerk Cirillo to Jaimie Russell, 9 Easterbrooks Avenue re interest to continue service as Economic Development Commission member
11. Town Administrator Mederos to Peter J. Miniati, CFP, Esq., Vice President, Wealth Management, The Washington Trust Company re award of RFP #757 - Investment Management Services
12. Berta Raposo, Treasurer, Santo Cristo Committee, St. Elizabeth Church, 577 Wood Street - petition for Class F liquor license, July 14, 2012

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

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

1. Bristol County Water Authority (BCWA) Board of Directors - June 26, 2012 (amended)
2. North and East Burial Grounds Commission - September 24, 2012
3. Rogers Free Library Board of Trustees - July 12, 2012
4. BCWA - June 30, 2012 (workshop)
5. Citizens Property Revaluation Advisory Committee - July 10, 2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

6. State Street Dock Upgrade Committee - July 9, 2012
 7. Conservation Commission - July 9, 2012
 8. Bristol Warren Regional School District (BWRSD) - schedule of meetings, week of July 9, 2012
 9. Bristol Warren Regional School Committee Council 94 Contract Negotiation Team - July 10, 2012
 10. Harbor Commission - July 9, 2012
 11. BCWA Full Committee of the Board - July 11, 2012
 12. BCWA - July 14, 2012 (workshop)
 13. BWRSD - schedule of meetings, week of July 16, 2012
 14. Bristol Warren Regional School Committee Personnel/Contract Negotiation Subcommittee - July 16, 2012
 15. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - July 16, 2012
 16. Bristol Warren Regional School Committee - July 16, 2012
- S. TOWN SOLICITOR
- Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS
1. MARSHALL
 - a. Mike Davis - Council Chairman Marshall thanked Mr. Davis for providing his video services.
 - b. Passionate - Council Chairman Marshall stated that Council members should be passionate about their interests on behalf of the Town. He added that he considers himself an advocate for the Town and State and also stated that the EBEC was the

result of some ideas to address the State's inordinately high energy rates.

Council Chairman Marshall added that the utmost priority of the Council is to look for ideas to improve the quality of life and also that Council members should not be penalized for expressing their ideas.

Council Chairman Marshall also observed that the Council members have been collegial and proactive.

c. Thomas Gordon - Council Chairman Marshall extended the Council's congratulations to newly appointed Warren Town Manager Thomas Gordon.

d. Annual Meeting - Boards and Commissions - Council Chairman Marshall noted that since the Independence Day celebration has passed, it is now time to hold the annual meeting with Boards and Commissions.

Town Solicitor Ursillo suggested that the dates should be coordinated with Assistant Solicitor Teitz since he wishes to be present at the special meeting with the Boards and Commissions.

2. BARBOZA

a. Blog "bashing" - Councilman Barboza noted that Council members are often "bashed" in media blogs and that they should not take these criticisms too seriously.

b. 4th of July - Councilman Barboza noted a recent letter to the Editor appearing in the *Bristol Phoenix* by Town Administrator Mederos and echoed the Administrator's sentiments regarding the many Town employees who contribute behind the scenes to the success of the annual Independence Day festivities.

c. Bristol Rotary Club - Councilman Barboza announced that the Bristol Rotary Club will be holding a fundraising "pig roast" on August 4, 2012 at the Columban Father's grounds on Ferry Road. Councilman Barboza observed that Bristol Rotary contributed \$10,000 to local charities earlier this year.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

3. TEIXEIRA

a. 4th of July - Councilman Teixeira acknowledged the work of the "first responders" during 4th of July activities and also acknowledged the work of the 4th of July Committee and its volunteers.

4. HERRESHOFF

a. 4th of July Suggestions - Councilman Herreshoff observed that this year's 4th of July was "magnificent" and suggested that the fireworks should be held on July 4 and that the display should originate from a barge in the harbor.

b. Debate - Councilman Herreshoff noted that the Council meetings are often harmonious and that it is acceptable for members to disagree.

5. PARELLA

a. S. Michael Minutelli - Councilwoman Parella noted the earlier "moment of silence" in memory of Mr. Minutelli and added that Mr. Minutelli had been a staunch advocate for Veterans issues for most of his life. Councilwoman Parella observed that it is rare for someone to devote as many years to a cause as did Mr. Minutelli.

Councilwoman Parella also observed that she attended Mr. Minutelli's remembrance service and that the service was very moving.

b. 4th "magic" - Councilwoman Parella commended the Department of Public Works and other Town departments on their work during 4th of July activities and explained that it always appears "magical" when all of the rubbish is cleaned afterwards.

Councilwoman Parella noted that she is aware that much effort goes into the massive clean-up and that this would make an interesting story.

c. Handicap Access - Councilwoman Parella noted a conversation with Paul DeLuca who advocates for additional handicap parking downtown.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 18, 2012

Councilman Teixeira noted a similar discussion with Mr. DeLuca and suggested that he (Mr. DeLuca) might prepare a list of suggested places to have additional parking spaces designated.

Councilman Herreshoff noted that handicap access along the main streets can be problematic and potentially unsafe and that the Town might better investigate additional off-street parking spaces perhaps in the Library lot.

Councilwoman Parella noted that the path leading from the Library lot is not easy to traverse and suggested that the Town should speak to the DOT regarding this matter.

Town Administrator Mederos agreed to speak to Mr. DeLuca concerning his ideas.

Town Administrator Mederos also noted that Hope Street will be losing some crosswalks, also due to handicap access regulations.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

There being no further business, upon a motion by Councilman Barboza, seconded by Councilman Herreshoff and voted unanimously, the Chairman declared this meeting to be adjourned at 11:05 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk