

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

PRESENT: Parella, Herreshoff, Calouro, Stuart, and Sweeney

ALSO PRESENT: Antonio A. Teixeira, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor

ABSENT: Town Sergeant (vacant)

The Council met in regular session on Wednesday evening, January 2, 2013 in the Town Hall, Council Chambers, beginning at 7:05 o'clock PM, Council Chairman Parella presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Parella wished those present a Happy New Year. She also announced that the agenda/docket format had been reconfigured in an attempt to resolve some of those more matters such as those relating to the granting of licenses, etc. She added that both she and Town Administrator Teixeira were taking measures in an attempt to "move the agenda along."

Council Chairman Parella added the establishment of a new "rule" for submission to the Council docket, requiring that those items requiring a recommendation by the Police Department, Department of Water Pollution Control and/or Department of Public Works must be received at least one week and one day prior to the next Council meeting.

The Clerk clarified that the Chairman's rule is effective immediately and requires that these items must be received prior to noon on the Tuesday one week before the scheduled regular meetings.

PRESENTATION

Ms. M. Candace Pansa, Executive Director, Bristol Housing Authority - Presentation of PILOT Check

Ms. Pansa appeared before the Council and offered congratulations to the returning and new Town officials on behalf of the Housing Authority. She presented the annual payment in lieu of taxes check to Council Chairman Parella and informed the Council that the Authority was pleased with the services it receives from the Town.

Ms. Pansa also provided a flyer outlining the source of the PILOT payment and explained that the Bristol Housing Authority is considered to be a "high performing" housing authority and that it is in the process of rehabilitating 30

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kitchens, installing new fire alarms, and repairing sidewalks within its Benjamin Church Manor housing project.

Ms. Pansa extended an invitation for Council members to visit the Benjamin Church Manor to see the progress.

The check presented was in the amount of \$44,080.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Calouro - Voted
unanimously to approve the Consent
Agenda.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - November 14, 2012

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

2. Town Council Twenty-First Reorganizational
Meeting - December 5, 2012

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

3. Town Council Special Meeting - December 17,
2012 (action items only)

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

4. Town Council Special Meeting - October 2,
2012 (action items only)

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

5. Town Council Special Meeting - November 28,
2012 (action items only)

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

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B. PUBLIC HEARINGS

- **AMEND ITEM 1.** Ordinance #2012-08, Chapter 8, Boats, Docks and Waterways, Article I, In General, Section 8-4, Enforcement (harbor patrol and police department jurisdictions), **2nd reading for adoption; Town Solicitor recommends withdrawal** (combine with agenda item C2)

Herreshoff/Sweeney - Voted
unanimously to withdraw Ordinance
#2012-08.

Prior to the vote taken, a discussion ensued concerning the need to withdraw this ordinance since its adoption would have "bridged" two different Town Council terms.

The Clerk noted that the public hearing was scheduled based upon the receipt of a petition calling for a public hearing prior to adoption of the proposed ordinance and that due to the timing of the process required the withdrawal.

Town Solicitor Ursillo stated that any future ordinance would have to begin anew.

Councilman Herreshoff noted that the Harbormaster Search Committee will be recommending certain changes to the Harbor Ordinance in the near future based upon their findings concerning the duties and responsibilities of the Harbormaster.

The Clerk reported that he attempted to contact a majority of those who had signed the petition to inform them that the public hearing would not take place this evening and also of the possibility of a new ordinance version based upon the recommendations of the Search Committee.

C. ORDINANCES

1. Ordinance #2013-01, Chapter 27, Taxation, Article I, In General, Section 27-5, Tax stabilization incentive for industrial, commercial and manufacturing facilities, **1st reading** (Tax Stabilization #3)
 - a. Town Solicitor Ursillo re Tax Stabilization Ordinance
 1. Tax Stabilization #1

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2. Tax Stabilization #2

Herreshoff/Calouro - Voted unanimously to consider this action to constitute the first reading of Ordinance #2013-01. Advertise in local newspaper.

Prior to the vote taken, Town Solicitor Ursillo described the changes outlined in the newly proposed ordinance. He explained that the period covered goes back to January 1, 2009 and that the penalties, removed from the earlier versions, have been returned.

A discussion ensued regarding the Council's concern for tax stabilization "failures."

Councilwoman Parella suggested that the Council might review the failure experiences of other towns with tax stabilization ordinances.

Town Solicitor Ursillo agreed to investigate penalties regarding these failures.

Town Solicitor Ursillo noted that the five year time frame was added back into the proposed ordinance, that the Council may consider one or the other, and the threshold was reduced to \$500,000 versus \$1 million.

Councilman Stuart asked to know if this would impact multi-family residential "businesses" with Town Solicitor Ursillo responding that residential property is not included in this proposal.

- **AMEND ITEM 2.** Ordinance #2012-08, Chapter 8, Boats, Docks and Waterways, Article I, In General, Section 8-4, Enforcement (harbor patrol and police department jurisdictions), **2nd reading for adoption; Town Solicitor recommends withdrawal** (combined with agenda item B1)

It is hereby noted for the record that discussion and action concerning this agenda item took place concurrently with agenda item B1 above.

D. LICENSING BOARD - NEW PETITIONS

1. Yadira Alexander, d/b/a Spa Yadira, 182 High Street - Request for Holiday Sales License

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- a. Recommendation - Town Administrator and Chief of Police

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

2. Gina Perry, 47 Roosevelt Drive, d/b/a The Sweet Shoppe - Request for Hawkers and Peddlers License (resubmission)

- a. Town Administrator Teixeira - Pending Police Chief's Recommendation

Stuart/Calouro - Voted unanimously to continue this matter until the meeting of January 23, 2013.

Prior to the vote taken, the Clerk explained that the petitioner was advised that the requisite recommendation may not be available in time for this meeting.

The petitioner agreed to request a continuance since the issuance of the license is not time-sensitive.

E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

1. Michael B. Siino, d/b/a Nacho Mamma's, 76 State Street re Amendment to Liquor License - request to extend hours of liquor sales and service until 11:00 o'clock PM, Thursday-Saturday (conditions of granted license attached)

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

Calouro/Herreshoff - Voted unanimously to refer this matter to the Town Solicitor so that he might draft the proper language for ordinance amendment.

Prior to the vote taken, a discussion ensued regarding license restrictions.

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It was noted that the licensee agreed to the restrictions when the license was created.

Councilman Herreshoff expressed concern that licensees may agree to restrictions in order to obtain "a foot in the door."

Councilman Calouro asked Police Chief Canario if there have been any enforcement issues concerning this licensee with Police Chief Canario responding that there have been no issues.

2. Paul Andrus, 9 Michael Drive re Petition to Amend Vicious Dog Ordinance

Herreshoff/Stuart - Voted
unanimously to refer this matter to
the Town Administrator and Town
Solicitor for recommendation.

G. APPOINTMENTS

1. Town Sergeant (term to expire in December 2014)
 - a. A. Archie Martins, 50 Naomi Road - interest/appointment
 - b. James S. Medeiros, 43 Rosedale Drive - interest/appointment
 - c. Joseph M. Avila, 8 Edmund Lane - interest/appointment

Council Chairman Parella called for nominations for the position of Town Sergeant.

Councilman Sweeney nominated A. Archie Martins for appointment.

There were no counter-nominations.

Herreshoff/Calouro - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot in favor of Mr. Martins
for the ensuing term and at the
budgeted salary, subject to

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successful completion of a police background check.

2. Commissioners of the Cemeteries - Auxiliary Member (term to expire in January 2018)
 - a. Jacob Begin, 153 Mt. Hope Avenue - interest/appointment

Council Chairman Parella called for nominations.

Councilman Stuart nominated Mr. Begin for appointment.

There were no counter-nominations.

Stuart/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Begin with term to expire in January 2018.

3. Planning Board - Auxiliary Member (to fill unexpired term to expire in July 2015)
 - a. Paula J. Martel, 1059 Hope Street - interest/appointment
 - b. Michael J. Cabral, 7 Ursula Drive - interest/appointment
 - c. Stephen P. Katz, 42 River Street - interest/appointment

Council Chairman Parella called for nominations.

Councilman Herreshoff nominated Mr. Cabral for appointment.

Councilman Calouro nominated Mr. Katz for appointment.

Council Chairman Parella suggested that Mr. Katz might be better suited for the Economic Development Commission since he was professionally associated with the Rhode Island Economic Development Commission.

Councilman Calouro stated that he was of the opinion that Mr. Katz' qualifications also suited him well for the Planning Board.

Mr. Katz informed the Council that he would be pleased to serve in either capacity.

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Herreshoff/Calouro - Voted
unanimously to close nominations.

Voting in favor of Mr. Cabral was Council Chairman Parella
and Councilman Herreshoff.

Voting in favor of Mr. Katz was Councilman Calouro,
Councilman Stuart and Councilman Sweeney.

Council Chairman Parella declared that Mr. Katz had been
duly appointed to the unexpired term with term to expire in
July 2015.

4. Bristol Housing Authority
 - a. Gerald P. Romano, 24 Charlotte Drive -
resignation
 - b. Raymond Cordeiro, 73 Franklin Street -
interest/appointment

Herreshoff/Calouro - Voted
unanimously to accept this
resignation with regret and to
authorize the Clerk to prepare a
citation honoring Mr. Romano's
years of service.

Stuart/Calouro - Voted unanimously
to instruct the Clerk to set an
interview for Mr. Cordeiro at a
time convenient to the parties and
also to authorize advertising of
the vacancy.

5. State Street Dock Upgrade Committee
 - a. John McDonald, 15 Stephen Drive -
interest/appointment

Herreshoff/Stuart - Voted
unanimously to refer this matter to
the Town Administrator for a
recommendation.

Prior to the vote taken, a discussion ensued regarding the
need to add personnel to this Committee since the project is
nearly complete.

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It was noted that the project contains several phases and that only Phase I is nearly complete with the remainder of the phases still pending.

6. Bristol Warren Regional Joint Finance Committee

a. Council Clerk Cirillo re appointments

Council Chairman Parella called for nominations.

Councilman Herreshoff nominated the five Council members for appointment to the Joint Finance Committee.

There were no counter-nominations.

Herreshoff/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of the five Council members for the ensuing term.

1. Town Administrator Teixeira re Appointment

Herreshoff/Calouro - Voted unanimously to confirm the appointment of Town Administrator Teixeira to serve on the Joint Finance Committee.

7. Harbormaster

a. Thomas P. Koolen, 2 Old Orchard Farm Road - interest/appointment

Herreshoff/Calouro - Voted unanimously to extend the application deadline for the Harbormaster position to those received on December 31, 2012 and to refer all applications received within the extended deadline to the Search Committee.

Prior to the vote taken, Councilwoman Parella noted that the previous deadline was December 30th and that this date fell on a Sunday in 2012. She explained that it would be more equitable to extend the deadline to a regular business day.

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The Clerk reported the receipt of one additional application on December 31.

H. OLD BUSINESS

1. Councilman Barboza re Hope Street Business Signage, **continued from November 14, 2012**

Calouro/Sweeney - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Town Administrator Teixeira informed the Council that he intends to follow up with this proposal as part of the "way finding" project currently in process.

Director of Community Development Williamson added that the way finding project will be multi-faceted including, directional signage, cultural resources, museums, etc. She added that the proposal will eventually be discussed at a workshop and that there is an administrative committee in place to prepare for this.

Councilman Herreshoff asked to know if there was a report forthcoming with Director of Community Development Williamson responding that the contract runs through August.

Councilman Herreshoff stated that he would prefer to have an interim report with Director of Community Development Williamson responding that she will try to get the report sooner.

Councilman Sweeney asked to know if the way finding project covers only the downtown area with Director of Community Development Williamson responding that the entire Town will be considered.

2. Paula Butlin, 7 Old Ferry Road re Trespassing, etc., **continued from November 14, 2012**

Herreshoff/Sweeney - Voted unanimously to continue this matter until the meeting of January 23, 2013.

Prior to the vote taken, Town Administrator Teixeira reported that the project is ongoing and that the various

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parties (CRMC, DOT, RWU, etc.) have been meeting with Police Chief Canario.

Ms. Butlin reported that the Department of Transportation officials have measured the area and installed some signage.

3. Councilman Herreshoff re State Street Pier - outside decking project, **continued from November 14, 2012**

LATE ITEM

- a. Public Works Director Galuska re Status Update

Herreshoff/Sweeney - Voted unanimously to continue this matter until the meeting of January 23, 2013.

Prior to the vote taken, Town Administrator Teixeira noted the report as provided by Public Works Director Galuska.

4. Councilman Barboza re Tax Incentive for Firefighters, **continued from November 14, 2012**

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

Prior to the vote taken, Council Chairman Parella suggested that the matter might be referred to the Town Administrator and that he might return with a recommendation.

Town Solicitor Ursillo agreed to work with Town Administrator Teixeira on this issue.

5. Council Chairman Marshall re Flooding - Elmwood and Terrace Drive area, **continued from November 14, 2012**

LATE ITEM

- a. Public Works Director Galuska re Flooding

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

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Prior to the vote taken, Councilman Calouro stated that he spoke to Rep. Kenneth A. Marshall regarding this issue and that Rep. Marshall reports that the Town of Warren is "on board" with resolving their portion of the problem.

It was noted that the flooding is somewhat caused by blocked stream areas and that both towns are working toward the clearing of these.

6. Tanyard Brook Outlet, **continued from November 14, 2012**

LATE ITEM

a. Public Works Director Galuska re Tanyard Brook Outlet

Herreshoff/Stuart - Voted unanimously to continue this matter until the meeting of January 23, 2013.

Prior to the vote taken, Council Chairman Parella explained that the Town is investigating a safer arrangement for the outlet, namely a grate covering for the stream.

Town Administrator Teixeira reported that he is working on this issue with Public Works Director Galuska and considering options.

Councilman Sweeney noted that there was a great deal of flooding in the area and asked if this is going to be eventually rectified via the culvert.

Town Administrator Teixeira explained that the water found in the area may be unrelated to the brook and that it is believed to be caused by a water main leak in the area. He added that this is also being investigated.

Council Chairman Parella suggested that the Council might receive a report concerning this matter for its meeting to be held on January 23, 2013.

7. Evan Smith, President, Newport and Bristol County Convention and Visitors' Bureau, d/b/a Discover Newport re Fiscal Year Ended March 31, 2012 Annual Audit Report, **continued from November 14, 2012**

Herreshoff/Calouro - Voted unanimously to request that appointee, Mr. Brigidi might attend

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the next meeting to answer questions and also that Town Treasurer Goucher prepare a "white paper" concerning the source of income for the CVB also for the meeting of January 23, 2013.

Prior to the vote taken, Councilman Herreshoff noted that there have been previous discussions concerning the name of this organization and that Bristol's name had been more prominent previously.

A discussion ensued regarding the sources of income for the Convention and Visitors' Bureau with the Council in agreement that its honorable body would like to have an explanation of the financing.

Council Chairman Parella recalled that the local merchants and attractions appear to be pleased with the results of the work of the Convention and Visitors' Bureau even with the Bristol name excluded from the main identity.

Councilman Herreshoff suggested that the Council might receive a "white paper" on this topic at its next meeting.

8. Michael Marshall, 47 Kickemuit Avenue re Harbormaster Appointment (request letter be read aloud)

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

Prior to the vote taken, Council Chairman Parella read Mr. Marshall's letter aloud.

Town Administrator Teixeira explained that everything in Mr. Marshall's public records request has been satisfied.

Mr. Marshall stated that he asked for the same information three times before receiving it.

Mr. Marshall asked to know if the Council read the materials that were supplied to him with it being noted that the materials requested were not specifically provided to the Council.

A discussion ensued regarding the Harbormaster Search Committee with Councilwoman Parella explaining the Committee's charge and membership.

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Mr. Marshall suggested that former Harbormaster Cabral should not be a member of the Search Committee since his son-in-law is an applicant.

Mr. Marshall appeared to be confused regarding the membership of the Search Committee indicating that Charles Galligan was a member of the Committee and a neighbor of Interim Harbormaster Calouro.

The Clerk explained that Mr. Galligan is not a member of the Search Committee although he did apply for membership.

Mr. Marshall alleged that Harbormaster Cabral "did not do a good job" and asked why he should be on the Search Committee.

Council Chairman Parella stated that whether or not Harbormaster Cabral did a good job "is a matter of opinion" and that the search for a new harbormaster will be a "long process" likely concluding in April 2013.

Council Chairman Parella also noted that the Search Committee meetings are open to the public and that members of the public are welcome to attend if they wish to do so.

Town Solicitor Ursillo noted that some of the interviews may be held in executive session.

Council Chairman Parella explained that the Town wishes for all applicants to receive fair and equitable consideration.

After the vote taken, Councilman Stuart stated that the various parties should be guided by the regulations stipulated in the Town Charter and Town Code.

Council Chairman Parella agreed and noted that there may be need to amend some of the Town Code to match the Town's need for a harbormaster and its related responsibilities. She added that the Town is looking at ways to better utilize its waterfront resources.

Mr. Marshall stated that he did not think it appropriate for the Council to question the cost of police patrols since these are necessary to protect lives.

David Barboza, Chairman of the Search Committee, stated that the Committee plans to have all of its work "100% transparent." He added that former Harbormaster Cabral may not be sitting in on the interviews and also that former

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Harbormaster Cabral is a non-voting member who is on the Committee to share his expertise regarding the requirements of the position.

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Domenic Franco, Chairman, Harbor Commission re Clipper Way

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

Prior to the vote taken, Town Solicitor Ursillo explained that there were motions filed for "summary judgment" and that these motions were denied by the court. He also explained that both sides of the argument will now complete discovery and that he will update the Council on this matter as the case continues.

2. Town Administrator Mederos re Street Light Requests
 - a. Stanton D. and Betsy D. Ose, 22 Gibson Road - Request for Street Light on Gibson Road
 - b. Mark T. Bucolo, 2 Karen Lane - Request for Street Light on Tobin Lane

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

Prior to the vote taken, a discussion ensued regarding this matter with the Clerk noting that Principal Planner Tanner recommends that these lights should be installed.

A further discussion ensued regarding the need for a utility pole in order to accommodate the Tobin Lane request.

It was noted that the street plan calls for a streetlight and the light either went missing or was never installed initially.

3. Domenic Franco, Chairman, Harbor Commission re Roger Williams University Request for Water Classification Change - recommendation for support of change from Type I to Type II

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Stuart/Sweeney - Voted unanimously to support this water classification change as recommended.

Prior to the vote taken, Councilman Herreshoff stated that this appears to be a reasonable request and also that this will support the efforts of the RWU sailing team.

4. Coastal Resources Management Council re Application for Assent - Joyce Rodrigues, 209 Hope Street (deadline to request a hearing January 10, 2013)

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

Prior to the vote taken, Director of Community Development Williamson stated that she was unaware of any objections or issues relating to this application.

5. Peter F. Kilmartin, Attorney General re Recognition - Matthew J. Calouro (removal of illegally installed docks from Kickemuit River)

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

Prior to the vote taken, Councilman Herreshoff expressed concern that floats may have been removed without permission of the property owner.

Interim Harbormaster Calouro stated that there was no need to remove the floats and that the problem was resolved.

Councilman Herreshoff asked to know the present location of the floats with Interim Harbormaster Calouro responding that the floats are housed on the owner's property.

6. (Town Solicitor Ursillo) re Bristol County Water Authority - amendment to enabling legislation

Herreshoff/Stuart - Voted unanimously to approve this proposed legislative amendment and

to instruct the Clerk to send a resolution of support requesting introduction and legislative consideration of same to the local General Assembly delegation and also to inform the Town Councils of Barrington and Warren of this action.

Prior to the vote taken, Town Solicitor Ursillo explained that a similar bill was introduced during the last legislative session and that the bill did not receive passage by the General Assembly.

He added that the bill will now be reintroduced at the new session and also that this particular version of the bill is more complete than the previous one.

7. Director of Community Development Williamson re Request for Tax Stabilization - Rholen Central property
 - a. Tax Assessor Spagnolo to Town Administrator Teixeira re Tax Stabilization Request

Herreshoff/Stuart - Voted unanimously to approve this request for Rholen Central as presented provided however that the approved start point will be year 4 of the tax stabilization cycle.

Prior to the vote taken, Town Solicitor Ursillo noted that the company is eligible and qualifies under the established rules (per the existing ordinance).

A discussion ensued regarding the start point for the cycle with Andrew Tyska, representing the petitioner, agreeing to the rationale presented by Town Solicitor Ursillo.

Councilman Herreshoff stated that Mr. Tyska has taken positive action and cleaned up several "messes" and also that the new buildings provide employment for residents.

Councilman Stuart asked Town Solicitor Ursillo to confirm that the application of Rholen Central fits the criteria as outlined in the current ordinance with Town Solicitor Ursillo responding that it does fit.

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8. Director of Community Development Williamson re Request for Executive Session Pursuant to RIGL §42-46-5(a) (5) - acquisition of real property

It is hereby noted for the record that action concerning this agenda item took place at the conclusion of the public agenda as found below.

9. Councilman Herreshoff re BCWA Rates

Herreshoff/Calouro - Voted unanimously to receive and place this matter on file and to await the information requested by Councilman Herreshoff from the Water Authority.

Prior to the vote taken, Councilman Herreshoff provided background information regarding the BCWA and reported that he finds the amount of increase requested as "shocking." Councilman Herreshoff added that he was also concerned about the timing of the request and the hearings since these were called on a relatively short time cycle during the holiday season.

Councilman Herreshoff stated that he believes that it would be fairer to postpone action and schedule public hearings with better advertising and more notice.

Council Chairman Parella stated that (BCWA Director) Frank J. Sylvia informed her that he opposes the rate increase. She added that the previous meetings have not been well attended and that there is an additional hearing to be held tomorrow evening at the Warren Town Hall.

Council Chairman Parella suggested that it would be inappropriate to debate the rate increase at this meeting of the Bristol Town Council but rather that interested parties should attend the public hearing tomorrow to share their concerns and voice their opinions.

Pamela Marchand, Executive Director of the BCWA, noted that the timing of the rate increase was critical since the Authority's fiscal year begins in February. She also noted that there may be difficulty obtaining an adequate vote since some of the members may not be able to attend future meetings due to travel schedules. She further explains that the vote requires a "super majority."

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Ms. Marchand explained that certain upgrades to the system are critical and that the Authority needs funds to deal with water quality issues. She added that certain water mains need immediate attention which can no longer be deferred.

Ms. Marchand noted that a 12% increase is needed minimally and that the Authority placed an ad in the newspaper to encourage attendance at the public hearing. She added that there is an additional public hearing scheduled for January 9, 2013.

Councilman Stuart asked to know why the Authority chose to "bundle" its rate increase. He added that the process appears to be too hasty.

He added that he was unaware of a proposal for a \$20 million (Pawtucket connection) project.

Councilman Stuart suggested that the Water Authority would be better served to consider only a one year rate increase with more time to consider subsequent years if necessary.

Councilman Stuart also noted that the Authority may wish to consider a more effective way to promote and qualify its rate increases in the future.

Ms. Marchand stated that 50% of the \$20 million project will come from State funds and that the remainder will be split evenly between East Providence and the BCWA. She added that the project will not be undertaken until 2018.

Councilman Herreshoff asked to know if the project was approved by the State with Ms. Marchand reporting that the State administration assumes approval.

Councilman Herreshoff stated that "the connection to Pawtucket is the most important thing to do."

Ms. Marchand again reminded those present that this project is not scheduled until 2018 and that it must be bonded through the State.

Councilman Herreshoff stated that he does not believe that new rates must be in place prior to the beginning of the fiscal year.

Ms. Marchand agreed with Councilman Herreshoff but added that if the rates are unknown it makes administration of budget, etc., more difficult.

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Councilman Herreshoff stated that he is concerned that rate payers need more time to consider the rate increase.

Ms. Marchand stated that the Board must have nine (9) members present to consider this action and that some may not be able to attend after the scheduled meeting.

Councilman Herreshoff suggested that the Authority might wish to poll the public with Ms. Marchand stating that she assumes that a poll will be negative since no one wishes to pay a larger water bill.

Councilwoman Parella expressed concern that the reputation of the BCWA is "leery" and that the Authority must find a more effective way to "connect" with the public.

Councilman Calouro stated that he spoke with Mr. Sylvia and that Mr. Sylvia is uncomfortable with the rate increase and will not support it. He speculated that if Mr. Sylvia, as a director, is uncomfortable that it would not be unreasonable for the public at large to be uncomfortable also.

Councilman Calouro also noted that the action appears to be contrary to the provisions of the Comprehensive Plan.

Councilman Sweeney expressed concern about the Authority's idea to phase-out the elderly discount.

Ms. Marchand stated that the Board agreed to this and that it was a component of the rate study. She added that the elderly discount will be spread-out across the rates of those who use smaller quantities of water and that the new arrangement is a fairer way to distribute the discount.

Councilman Stuart stated that he did not think that the new plan was fairer since the Town of Bristol has the largest percentage of elderly rate payers.

Ms. Marchand reported that the percentage of elderly is proportional by population.

Councilman Stuart asked to know what would happen if there were no grants available for the improvements.

Ms. Marchand reported that the project is not planned for five (5) years and added that the County needs a back-up water supply.

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Ms. Marchand also reported that a new treatment plant would cost \$40 million-plus and that the connection to East Providence will be much less expensive.

Councilman Stuart asked to know the duties of the "project manager."

Ms. Marchand stated that the project manager will be involved in all capital improvements. She added that the current project quantity is now zero and will ramp up to many \$ millions.

Paul Bishop, a Water Authority Director, explained his background in engineering. He informed the Council that he was "shocked" at the condition of the BCWA infrastructure and explained that Ms. Marchand is "doing a great job." He added that he believes that the rate payers are at great risk and that if there is a break in the cross-bay pipeline system there will be no water. He also added that he believes that Ms. Marchand's plan is a good one and that it should be implemented as soon as possible.

Councilman Herreshoff stated that he believes that the connection through East Providence should be completed sooner than earlier reported. He added that he believes this to be a decision independent of the proposed rate increase.

Mr. Bishop explained that the proposed 12% rate increase will result in a \$4 per month increase for the average family.

Council Chairman Parella stated that Ms. Marchand explained that the rate increase is equivalent to two cups of Dunkin Donuts coffee per month per family. She added that the BCWA must get this word out to the public and that it has not done so effectively yet.

Council Chairman Parella added that the BCWA has a great deal of work to do to allow the public to focus in on the water problems and solutions. She added that it is difficult for people to focus on their water bills during the holidays when there are many other distractions. She added that she believes that the Water Authority has many good points but that these must be clearly stated and communicated in a way that builds the public trust.

Councilman Sweeney stated that he agrees with Council Chairman Parella and that the BCWA must help the public understand its issues.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

Mr. Bishop stated that the BCWA planned many hearings and asked to know how many the Council believes is necessary.

Council Chairman Parella stated that the quantity of hearings is not the issue but rather the timing of these. She again stated that having hearings during the holiday season is a mistake. She added that her opinion seems to be upheld by the small number of rate payers in attendance at the public hearing held at Mt. Hope High School.

Councilman Stuart asked Mr. Bishop if he supports the rate increase with Mr. Bishop responding that he would prefer if the capital plan could move more quickly but that he understands that it is necessary to keep rates as low as possible.

Councilman Herreshoff again stated that he believes that the rate increase should be delayed and that the public hearings should be clearly noticed. He added that a more suitable time might be January 24, 2013.

Council Chairman Parella made an announcement that the next public hearing will be held tomorrow (January 3) at the Warren Town Hall.

Council Chairman Parella also noted the problem with a quorum and super-majority for BCWA votes and announced that the Council is researching alternative measures. She added that she understands that the enabling legislation does not preclude alternate members to the Board of Directors and that she may support the appointment of alternates in the future.

10. Councilman Herreshoff re Request for Crosswalk (Hope Street - adjacent to Wardwell Street)

Herreshoff/Calouro - Voted unanimously to request that the Town Administrator arrange a workshop with the DOT and RIPTA to discuss matters relative to the Hope Street project.

Prior to the vote taken, Councilman Herreshoff stated that Librarian Prescott has requested that he bring this matter before the Council. He stated that there was a petition submitted in favor of returning this crosswalk.

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Council Chairman Parella noted that this topic leads into the next agenda item and suggested that the two items might be considered together.

Councilman Stuart noted his request for a workshop and suggested that Director of Community Development Williamson and Town Administrator Teixeira might arrange for this with the State authorities.

Council Chairman Parella agreed and asked Town Administrator Teixeira to help arrange this.

Councilman Herreshoff stated that he observes that the RIPTA buses do not use the space provided for them.

Councilman Stuart reported that school buses are using the bus stops as parking areas.

11. Councilman Stuart re Hope Street Striping - request for workshop

It is hereby noted for the record that this matter was considered concurrently with agenda item I10.

12. Councilman Stuart re Recycling - request for potential workshop

Stuart/Calouro - Voted unanimously to add this topic to the list of potential workshops with the goal of this exercise to have some resolution prior to the adoption of the Town budget for FY13-14.

Prior to the vote taken, Councilman Stuart stated that the Council may choose to discuss initiatives to increase recycling.

Council Chairman Parella agreed that this would be a useful topic and suggested that the discussion would include the value of recycling when tipping fees are considered. She added that the tipping fees are "the real issue" since these could be significantly reduced through better recycling.

Council Chairman Parella added that the reduction of tipping fees would have a "real impact" on the tax rate.

Councilman Sweeney noted that the goal for the Town is to increase recycling from 17% to 35% and added that Stone

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

Harbour Condominium has interest in participating toward increasing the Town's recycling program.

- *AMEND ITEM 13.** Town Administrator Teixeira re Executive Session pursuant to RIGL §42-46-5(a) (1) re job performance, etc. - Joseph Cabral, Harbormaster

It is hereby noted for the record that action concerning this agenda item took place at the conclusion of the public agenda as found below.

J. BILLS & EXPENDITURES

K. SPECIAL REPORTS

L. TOWN SOLICITOR

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

a. Liaisons - Council Chairman Parella provided a list of additional liaisons and asked the Clerk to provide notice to all entities, as to the identity of their liaisons.

b. Thank You Mike Davis - Council Chairman Parella stated that she would continue the tradition of Council Chairman Marshall and thank Mr. Davis publically for his services.

c. Christmas Lights - Council Chairman Parella asked why there were no Christmas lights on Wood Street with Town Administrator Teixeira explaining that there was a problem with the connection. Councilman Sweeney noted that he received a complaint that there were no lights in the area.

Town Administrator Teixeira agreed to investigate the cause of the failure and institute corrective action for the future.

d. "Explore Bristol" Workshop - Council Chairman Parella suggested that the lists of potential workshops should include "Explore Bristol" also.

2. Herreshoff

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

a. Happy New Year - Councilman Herreshoff extended New Year's greetings on behalf of the Council.

3. Calouro

a. School Security - Councilman Calouro reported that he reviewed school security measures with Superintendent Thies.

4. Stuart

a. Snow Storm - Councilman Stuart stated that the Department of Public Works did a fine job cleaning-up after the recent snow storm.

b. Happy New Year - Councilman Stuart offered New Year's greetings on behalf of the Town.

c. State Inauguration - Councilman Stuart noted that he observed the inauguration at the Statehouse which was held on New Year's Day. He congratulated the Town's Senate and House representatives.

5. Sweeney

a. Christmas Festival, Etc. - Councilman Sweeney congratulated the Christmas Festival Committee and also those who worked on the annual "Snowflake Raffle." He reported that several residents have provided holiday decorations set to music - these found on Francis Street and Defiance Avenue are set to the music via the radio in one's car.

b. Newport Plunge - Councilman Sweeney reported that he was a participant in the annual New Year's Day "plunge" in Newport.

c. General Assembly - Councilman Sweeney stated that he observed the first legislative day of the General Assembly and was pleased to do so.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. DPW - Town Administrator Teixeira also noted the successful snow removal after the recent storm and reported that he observed the work first-hand.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

b. Toy Collection - Town Administrator Teixeira congratulated the Police Department upon its toy collection and distribution efforts.

c. Happy New Year - Town Administrator Teixeira offered Happy New Year wishes on the Town's behalf.

CITIZENS PUBLIC FORUM

Consent Agenda Items:

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

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

1. Board of Fire Engineers - November 5, 2012
2. Harbor Commission - November 5, 2012
3. Harbor Commission - December 3, 2012
4. Conservation Commission - October 1, 2012
5. Bristol Housing Authority - October 11, 2012
6. Bristol Housing Authority - November 8, 2012
7. Planning Board - July 10, 2012
8. Planning Board - September 12, 2012
9. Planning Board - October 9, 2012
10. Zoning Board of Review - September 10, 2012
11. Zoning Board of Review - October 1, 2012
12. Zoning Board of Review - November 5, 2012
13. Post Retirement Benefits Fund Board of Trustees - May 16, 2012
14. Post Retirement Benefits Fund Board of Trustees - August 22, 2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

15. Police Department Retirement Plan Fund Board of Trustees - May 24, 2012
16. Police Department Retirement Plan Fund Board of Trustees - August 6, 2012
17. Police Department Retirement Plan Fund Board of Trustees - August 23, 2012
18. Bristol Warren Regional School Committee - October 22, 2012
19. Bristol Warren Regional School Committee - reorganizational meeting, November 13, 2012
20. Bristol Warren Regional School Committee - November 26, 2012
21. (Commissioners of the Cemeteries) North and East Burial Ground Commission - June 25, 2012
22. (Commissioners of the Cemeteries) North and East Burial Ground Commission - September 24, 2012
23. Historic District Commission - November 1, 2012
24. Planning Board - November 13, 2012
25. Board of Fire Engineers - December 27, 2012

(CA) BB. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for November & December 2012

(CA) CC. FINANCIAL REPORTS

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

- **AMEND ITEM 1.** (Town Treasurer Goucher) re Revenue and Expenditure Statement, December 28, 2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

Approval of consent agenda="Motion to adopt these Proclamations, Resolutions and Citations as prepared and presented."

1. Commendation - N. Diane Davis, Warren Barrington Rotary "Community Volunteer"

(CA) EE. UTILITY PETITIONS

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

1. Department of Public Works - Road Cut Permits

(CA) FF. UPCOMING APPOINTMENTS

1. Public Service Appointments for Advertising

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

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

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

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

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

1. Recommendation - Town Administrator and Chief of Police re Mount Hope Farm New Year's Eve Function (referred to Town Administrator November 14, 2012)
2. Recommendation - Town Administrator and Chief of Police re Class BV Intoxicating Beverage License Renewal Petition of Stephen Squatrito, d/b/a Backroad Grille (granted November 14, 2012)
3. Recommendation - Town Administrator and Chief of Police re Victualling License Renewal Petition of Wayne Medeiros-Irving, d/b/a East Bay Wellness (granted November 14, 2012)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

4. Recommendation - Town Administrator and Chief of Police re Junk and Second Hand Dealer's License Renewal Petition of Bonnie Poisson, d/b/a Keepers (granted November 14, 2012)
5. Recommendation - Town Administrator and Chief of Police re Holiday Sales License Renewal Petition of Bonnie Poisson, d/b/a Keepers (granted November 14, 2012)
6. Recommendation - Town Administrator and Chief of Police re Victualling License Petition of Luis A. Pacheco, d/b/a Vavo's Bakery & Pizza (granted November 14, 2012)
7. Amusement Devices/Game Room License Renewal Petition - Common Pub & Grille (granted November 14, 2012)
8. Victualling License Renewal Petitions - Super Stop & Shop, Green Eggs, Batista Bakery, Nello's Pizza, Destiny's Hometown Diner, Classic Pizza, Nutrition 4 Life, and Subway (granted November 14, 2012)
9. Holiday Sales License Renewal Petitions - Mello's Fruitland, Bristol Food Mart, Blithewold, Second Helpings, and Thirds (granted November 14, 2012)
10. Junk and Second Hand Dealer's License Renewal Petitions - Second Helpings, Thirds, Just Ducky, Other Essentials, and Stanzione Realty, Inc. (41 Gooding Avenue and 58 Broad Common Road) (granted November 14, 2012)
11. Drainlayer's License Renewal Petitions - Ramsay's Inc., Gianlorenzo & Sons Construction Corp., East Coast Landscaping & Construction, Inc., J.W.T. Construction, L. Ramos Excavating Co., and Ravenswood Construction, Inc. (granted November 14, 2012)
12. Coastal Resources Management Council (CRMC) re Deadline for Post-Tropical Storm Sandy Emergency Permitting Extended until May 31, 2013

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

13. Coastal Resources Management Council re Application for Assent - John & Kristen Holmes, 54 Viking Drive
14. Coastal Resources Management Council re Semi-Monthly Meeting Notice, November 16, 2012
15. Coastal Resources Management Council re Semi-Monthly Meeting Notice, November 27, 2012
16. Coastal Resources Management Council re Semi-Monthly Meeting Notice, December 11, 2012
17. Coastal Resources Management Council re December 2012 Calendar
18. Paul M. Sanromá, 55 Poppasquash Road to Town Clerk Cirillo re interest/appointment - Harbormaster Search Committee
19. Charles Galligan, 83 Fales Road to Town Administrator Mederos re interest/appointment - Harbormaster Search Committee
20. Town Administrator Mederos to David B. Pavao, Treasurer, Manuel R. Pavao Contractor, Inc. re Award of Bid 769 - 2012 Sidewalk Replacement Project
21. Town Administrator Mederos to Barbara J. Martin, KMA Design re Award of RFP 770 - Wayfinding System Plan
22. Jerome F. Williams, Executive Vice President for Finance and Administration, Roger Williams University et al to Town Administrator Mederos et al re Recreation Center Access to Town Fire and Police Department Members
23. Warrant - Diamantino A. Fonseca, Zoning Board of Review, First Alternate Member
24. Warrant - Steven M. Hudak, Zoning Board of Review, Second Alternate Member
25. Warrant - Michael A. Ursillo, Town Solicitor
26. Warrant - Andrew M. Teitz, Assistant Town Solicitor

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

27. Warrant - Nancy E. Letendre, Assistant Town Solicitor
28. Warrant - Jeanne Scott, Assistant Town Solicitor
29. Warrant - S. Paul Ryan, Assistant Town Solicitor
30. Warrant - Scott Ritch, Assistant Town Solicitor
31. Warrant - Richard B. Abilheira, Probate Judge
32. Warrant - Jane F. Howlett, Municipal Court Judge
33. Warrant - Paul Silva, First Associate Municipal Court Judge
34. Warrant - Richard C. Sousa, Sr., Municipal Court Bailiff
35. Council Clerk Cirillo to Stephen Squatrito, Weaver's Management, Inc., d/b/a Backroad Grille re Class B-Victualler Liquor License Renewal
36. Council Clerk Cirillo to Karen Alegria, 390-400 Metacom Avenue, LLC, d/b/a Up on the Roof re Class B-Victualler Liquor License Renewal
37. Council Clerk Cirillo to R. Shawn Coelho et al, WG, LLC, d/b/a Wise Guys re Class B-Victualler Limited Liquor License Renewal
38. Warrant - Edward J. Quinn, Harbormaster Search Committee
39. Warrant - David E. Barboza, Harbormaster Search Committee
40. Warrant - Katie Eagan, Harbormaster Search Committee
41. Warrant - Barbara H. Healy, Harbormaster Search Committee

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

42. Warrant - Alayne White, Harbormaster Search Committee
43. Warrant - Joseph Cabral, Harbormaster Search Committee
44. Warrant - Paul Sanroma, Harbormaster Search Committee
45. Coastal Resources Management Council - January 2013 Calendar
46. Coastal Resources Management Council - January 2013 Calendar (amended 12-26-2012)
47. Russell Noble and Nat Squatrito, Deans of Students, Mt. Hope High School to Police Chief Canario re Sergeant Brian Morse
48. Appointments - Town Council Liaisons
49. PY 2012 Community Development Block Grant (CDBG) Contract Agreement (signed copy)
50. Amendment #01-2012 - Mosaico Community Development Corporation and Town of Bristol Agreement (signed copy)
51. Town Administrator Teixeira to Owen Hartnett, Clipboard, Inc. re award of RFP 771 - 2013 Statistical Update Reappraisal
52. Bristol Warren Regional School Committee and Subcommittees - November 2012 to November 2014
53. Director of Human Services and Welfare Carusi re Department Activities

(CA) II. 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 November 11, 2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

2. Bristol Warren Regional School Committee -
November 13, 2012
3. Bristol Warren Regional School District -
Schedule of Meetings, Week of November 18,
2012
4. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - November 19,
2012
5. Bristol Warren Regional School District -
Schedule of Meetings, Week of November 18,
2012 (revised)
6. Bristol Warren Regional School District -
Schedule of Meetings, Week of November 25,
2012
7. Bristol Warren Regional School Committee
Personnel/Contract Negotiation Subcommittee -
November 26, 2012
8. Bristol Warren Regional School Committee -
November 26, 2012
9. Bristol Warren Regional School District -
Schedule of Meetings, Week of December 2,
2012
10. Bristol Warren Regional School District -
Schedule of Meetings, Week of December 9,
2012
11. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - December 10,
2012
12. Bristol Warren Regional School Committee
Personnel/Contract Negotiation Subcommittee -
December 10, 2012
13. Bristol Warren Regional School Committee -
December 10, 2012
14. Bristol Warren Regional School Committee
Policy/Community Affairs Subcommittee -
December 12, 2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

15. Bristol Warren Regional School District -
Schedule of Meetings, Week of December 16,
2012
16. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - December 17,
2012
17. Recreation Board - November 13, 2012
(cancelled)
18. Recreation Board - December 11, 2012
(cancelled)
19. Bristol County Water Authority Board of
Directors - November 14, 2012
20. Bristol County Water Authority Board of
Directors - November 28, 2012
21. Bristol County Water Authority -
Informational Meeting, December 11, 2012
22. Bristol County Water Authority Board of
Directors - December 12, 2012
23. Bristol Warren Regional School District Joint
Finance Committee - November 28, 2012
24. (Commissioners of the Cemeteries) North and
East Burial Ground Commission - December 7,
2012
25. (Commissioners of the Cemeteries) North and
East Burial Ground Commission - January 4,
2013
26. Harbor Commission - December 3, 2012
27. Board of Fire Engineers - December 4, 2012
28. Rogers Free Library Board of Trustees -
December 13, 2012
29. Harbormaster Search Committee - inaugural
meeting, December 19, 2012
30. Bristol Warren Regional School District -
Schedule of Meetings, Week of December 23,
2012

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 2, 2013

31. Bristol Warren Regional School District -
Schedule of Meetings, Week of December 30,
2012

Calouro/Stuart - Voted unanimously
to adjourn into Executive Session
pursuant to RIGL §42-46-5(a) (5)
and RIGL §42-46-5(a) (1) at 9:58
o'clock PM.

Stuart/Herreshoff -Voted
unanimously to resume open session
and seal the minutes of the
Executive Session at 11:04 o'clock
PM.

There being no further business, upon a motion by Councilman
Calouro, 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