

**TOWN COUNCIL SPECIAL MEETING - MONDAY EVENING
APRIL 8, 2013**

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

ALSO PRESENT: (for Provisional Budget consideration)
Antonio A. Teixeira, Town Administrator
Julie Goucher, Town Treasurer

The Council met in special session on Monday evening, April 8, 2013 in the Town Hall, Council Chambers, beginning at 7:03 o'clock PM, Council Chairman Parella presiding:

1. Interviews/Appointments - Harbor Commission (term to expire in March 2016)
 - a. John Troiano, 707 Hope Street - interest/reappointment
 - b. Daniel Eagan, 3 Everett Street - interest/appointment

There was no action taken on this matter.

Interview - John Troiano

Mr. Troiano, of 707 Hope Street, informed the Council that he brings a "sense of balance" to the Harbor Commission. He added that he is a boat owner and that he likes to go fishing and that he is not associated with the Bristol Yacht Club nor is he a commercial fisherman.

Mr. Troiano expressed concern that the current Harbor Commission is "top-heavy" with those having certain special interests and that he is uncertain if the Town is adequately represented.

Mr. Troiano stated that he was concerned that too many Harbor Commission members may be associated with the Bristol Yacht Club.

Councilman Herreshoff stated that he has known Mr. Troiano for a long time. He suggested that Mr. Troiano might share his opinions as to what might be the goals of the soon to be selected new harbormaster.

Mr. Troiano suggested that the Harbormaster should be a good administrator, "a CEO," and not specifically involved in the day-to-day operation. He further stated that the

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harbormaster should be capable of managing people in their fulfillment of their responsibilities.

Mr. Troiano stated that the mooring situation in Bristol was superior to that of Warren and Barrington since one may sail one's boat adjacent to the mooring area.

Councilman Herreshoff agreed that one may begin to sail "in five seconds" after leaving one's mooring.

Councilman Herreshoff asked Mr. Troiano who he believes he represents as a member of the Harbor Commission with Mr. Troiano responding that he represents the residents. He added that he does not wish for the harbor to be a cesspool. He added that he believes he is impartial and exercises no favoritism.

Councilman Herreshoff stated that he viewed the attendance log for the Harbor Commission and found that Mr. Troiano is often absent from meetings.

Mr. Troiano responded that he is employed and that the schedule of the Harbor Commission meetings did conflict with his work-sales meeting schedule. He noted that this conflict has since been resolved.

Councilman Calouro asked to know how Mr. Troiano's attendance compared to other commissioners with Councilman Herreshoff responding that the log appeared to indicate that Mr. Troiano was absent 50% of the time and that the other members appeared to have better attendance than Mr. Troiano.

Mr. Troiano noted that several of the members spend their winters in Florida with Councilman Herreshoff agreeing that this report was true. He explained, however, that those commissioners who spend winters in Florida have excellent attendance at meetings during the remainder of the year.

Mr. Troiano agreed that his employment does "get in the way" now and then. He repeated that his current work-meeting schedule did not conflict with the regularly scheduled Harbor Commission meetings.

Councilman Stuart noted that Mr. Troiano has been a full member since 2012. He asked to know how many years Mr. Troiano served as an alternate member with Mr. Troiano

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responding that he was an alternate member for two years and served on the Advisory Board for 10-12 years. He added that he was the first-appointed member of the Advisory Board.

Councilman Stuart asked to know what Mr. Troiano had accomplished during his tenure.

Mr. Troiano responded that he put-together the ordinance concerning the regulation of outhauls on the Kickemuit River. He added that the ordinance he worked on was found to be acceptable to the Coastal Resources Management Council (CRMC) and that there were no specific regulations previously.

Mr. Troiano added that he advocated for a change to the way that commercial slip/mooring tenants pay for their use of the docks and moorings which is more acceptable to them. He noted that this change was important since the previous fee-collection arrangement created a hardship.

Council Chairman Parella asked to know if Mr. Troiano had an opinion regarding the proposed Armory project with Mr. Troiano responding that he finds the project potential exciting. He added that similar facilities exist in other popular harbors and that these contain shower and cooking facilities. He added that some also provide dormitories. He noted that the proposed location appeared to be very suitable.

Councilman Herreshoff suggested that the Harbor Commission should provide advice on the Armory project.

Mr. Troiano noted that he is a member of the State Street Dock Committee and that the project has been successful and the structure has been stabilized. He added that he is hopeful that the project will move to "Phase 2."

Councilman Calouro stated that he would like for the Council to have a workshop with the various parties to consider rates and fees. He noted that this consideration should include the policy on late fees.

Mr. Troiano responded that he believes that the late fee policy can be improved through the imposition of an automatic \$50 late fee with no appearance before the Commission. He noted that the last late-application

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hearing lasted three and a half hours and that this appeared to be excessive.

Mr. Troiano noted that the rates should also be examined since he was of the opinion that those who use the facilities should pay for them and that those who do not should not subsidize the users.

Councilman Calouro stated that he agreed with Mr. Troiano regarding the late fees. He noted that Newport charges \$100 and \$200 depending upon the degree of tardiness and that no one is trying to take away anyone else's mooring. He added that he believes it to be a waste of time to have someone who is 30 days late to appear before the hearing board and that the current ordinance appears to be designed to be adversarial.

Mr. Troiano noted that if someone is late on their mortgage payment they are expected to pay a late fee. He added that there is no hearing for late payments. He suggested that the policy needs "velvet gloves and not an iron fist."

Councilman Sweeney suggested the Harbor Commission might wish to explore ways to have payments turned in more readily.

Mr. Troiano responded that many mooring and dock-slip tenants do not use e-mail and that the regulations need a "balancing act."

Council Chairman Parella noted that there were likely many options and also that the Council would again like to examine fee structures. She noted that everyone involved should be "on board" with fee changes and explained that the last attempt to do this resulted in a serious "misfire."

Mr. Troiano noted that he had a conversation with Councilman Calouro regarding the fee process.

Councilman Herreshoff stated that the system cannot be wishy-washy and that rules were needed.

Mr. Troiano noted that the method suggested by Councilman Calouro appeared to be reasonable (fees/no hearings).

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Council Chairman Parella stated that the rules must be applied fairly and consistently.

Interview - Daniel Eagan

Mr. Eagan, of 3 Everett Street, informed the Council that he began attending meetings of the Harbor Commission four years ago since he was concerned that the Harbor Commission lacked transparency. He noted that other commercial fishermen attended also and that the Harbor Commission began to listen to them.

Mr. Eagan reported that he has worked out of the Town of Bristol since the 1970s and that he has noticed the waterways becoming more and more crowded. He added that he has a degree in marine science and that he can bring that perspective to the Harbor Commission.

He noted that every other Harbor Commission he is aware of has a commercial fishing users group.

Council Chairman Parella stated that she believes that representative groups are needed and may be missing in this instance. She explained that she supports the idea of having at least one representative member for each interest group.

It was noted that there was no commercial fisherman currently on the Harbor Commission.

Mr. Eagan expressed concern regarding the loading area on the State Street Dock. A discussion ensued regarding the grates to be installed at the State Street Dock.

Councilman Herreshoff noted that there was no commercial fishing representative on the Harbor Commission with Mr. Eagan responding that the Commission listens to the commercial fishermen who attend Commission meetings regularly.

Councilman Calouro noted that Anthony Murgio was on the Advisory Board and is a commercial fisherman (N.B. new Advisory Board appointee, Michael Donahue, is a Commercial Fisherman).

Mr. Eagan noted that the Advisory Board is not always participating at meetings.

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Council Chairman Parella asked to know if there was a commercial fisherman on the Harbormaster Search Committee with Mr. Eagan responding that his daughter, Katie Eagan, is on the Search Committee and that she is a commercial fisherman.

Councilman Herreshoff stated that he appreciates Mr. Eagan's moderate approach and stated that he would make a good representative for the cross-section of commercial fishing interest.

Mr. Eagan stated that he enjoys going to the meetings and that he plans to participate in the Explore Bristol effort.

Councilman Stuart noted that the Town Code specifies that Advisory Committee membership should have representation from the Town's various waterways. He added that it is disheartening to him to learn that communication within the harbor use community has been weak. He asked Mr. Eagan to know why he applied for the Harbor Commission and not the Advisory Committee with Mr. Eagan responding that the Harbor Commission votes on Harbor related matters and the Advisory Committee does not.

Councilman Stuart stated that he agreed with Mr. Troiano that the Harbor Commission was "top-heavy."

Mr. Eagan stated that the current membership of the Harbor Commission appears willing to work with all of the representative groups and that David Miller has been helpful to him.

Councilman Herreshoff stated that he believes that all of the current Harbor Commission members are reasonable.

Mr. Eagan stated that his group "opened the eyes" of the current Harbor Commission membership.

Mr. Eagan informed the Council that the State Street Dock project was a "debacle" since there were no ladders.

Council Chairman Parella stated that the Dock had a fishing related use for many years and she was surprised to learn that the fishing purpose was diminished in the rehabilitation plan.

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Councilman Herreshoff agreed that there has been a fishing tradition in Bristol for 300 years and there has been a boating tradition for 150 years.

Councilman Calouro stated that he was impressed to know that Mr. Eagan goes to Commission meetings regularly even though he is not a Commission member which is unusual. He noted that Mr. Eagan appears to be committed to this.

Mr. Eagan explained that he does not necessarily attend all meetings but that his representative group assures that there will be coverage at meetings.

Council Chairman Parella stated that she appreciated Mr. Eagan's willingness to be considered for appointment. She repeated that the Council will make the final decision on April 24, 2013.

2. Susan O'Donnell, Director of Marketing, Bristol Merchants Association re 2nd Annual Daffodil Weekend - Request for use of Independence Park, April 12-14, 2013
 - a. Recommendation - Town Administrator and Director of Parks and Recreation
 - b. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted
unanimously to grant this petition
per the recommendations received
and also to allow the Del's
Lemonade truck to vend in the
area.

Prior to the vote taken, Council Chairman Parella suggested that the Association might open its vendor pool to include those establishments who are not members of the Merchants Association to participate.

Kathleen Sequin, representing the Merchants Association, informed the Council that the Association prefers to have member participation at Association events. She added that the group plans to have no other food trucks other than the Del's Lemonade truck participate.

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Councilman Herreshoff asked to know the planned hours for the events with Ms. Sequin noting that that park will be used only on Saturday and that the hours would be per the poster provided.

Councilman Herreshoff asked to know if there will be vehicles allowed on the fields with Ms. Sequin responding that there would be no vehicles on the fields.

Councilman Stuart asked to know if the Association would provide the required proof of insurance with Ms. Sequin responding that the Association would do this.

3. Geraldine Pirri, 626 Wood Street - Request for curb-cut (Bay View Avenue)
 - a. Recommendation - Town Administrator and Director of Public Works
 - b. Recommendation - Town Administrator and Chief of Police

Stuart/Sweeney - Voted unanimously to grant this request for a curb cut with conditions per the recommendations received and also with the expense of same being borne by the petitioner.

4. Armenian National Committee of Rhode Island - Request to fly the Armenian flag, April 24, 2013

Calouro/Sweeney - Voted unanimously to grant this request.

5. Vote on Provisional Budget 2013-2014

Calouro/Stuart - To approve the Provisional Budget, returning the salary lines to those recommended by the Town Administrator, incorporating those several salary adjustments as agreed during the budget deliberations. Voting in favor of this motion were Councilman Calouro and Councilman Stuart. Voting opposed

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were Council Chairman Parella,
Councilman Herreshoff and
Councilman Sweeney. Motion failed

Herreshoff/Sweeney - Voted to
approve the Provisional Budget per
the discussion and action of the
budget workshops: Schedule "A" -
\$43,030,338, Schedule "B" -
\$300,000 (included in Schedule
"A"), and Schedule "C" \$4,885,811.
Voting in favor of this motion
were Council Chairman Parella,
Councilman Herreshoff and
Councilman Sweeney. Voting
opposed were Councilman Calouro
and Councilman Stuart.

Herreshoff/Sweeney - Voted
unanimously to authorize
advertisement of the Provisional
Budget as found above and to
confirm the Public Hearing to be
held on Monday evening, April 22,
2013, beginning at 7:00 o'clock
PM.

Prior to the vote taken, Town Treasurer Goucher provided
revenue and expenditure summaries, explaining that the only
change from that which was agreed at budget workshops was
the extra \$100,000 being provided to the Bristol Warren
Regional School District as a consequence of the action of
the Joint Finance Committee. She noted that she and Town
Administrator Teixeira recommend that \$50,000 of this
amount should be derived from fund balance and the
remainder from taxation thus establishing an estimated tax
rate of \$12.79 per \$1000 of assessed valuation. She noted
that this was a \$.02 increase over the previous tax rate
estimate.

Councilman Stuart stated that he did not wish to raise
taxes and that the Council made attempts at cutting
expenses.

He noted that the salaries under consideration were only
the ones for non-union, non-contract employees since
contracts are in place for the others.

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Councilman Stuart suggested that the Council may wish to consider a 1.5% salary increase "across the board" and reject the previous agreement to consider salary adjustments for certain individuals.

Councilman Stuart noted that the Town Administrator's budget recommendations included various salary rate increases ranging from 2.5 - 4.5%.

Councilman Stuart noted a message from Librarian Prescott, sent to Council members, suggests that the library aid coming from the State might be allocated toward improving the salaries of the library staff.

Town Treasurer Goucher noted that the State aid suggested by Librarian Prescott was already factored into the revenue side of the budget and therefore was not available to allocate for any particular purpose.

Councilman Stuart suggested that department managers should be assessed as compared to what might be known about similar positions in other towns "out of fairness" and also that these should be compared to the salaries received by "the rank and file" since the contract increases are allowing the salaries of these to catch-up to those of the management.

Councilman Herreshoff stated that providing a 1.5% increase to the management sends a message to the union in support of future contract negotiations. He added that he supports the idea of "step increases" for the Town Clerk, the Senior Center Director and several library employees which will allow their salaries to "catch-up."

Councilman Stuart asked to know where the library State aid goes with Town Treasurer Goucher responding that this goes into the General Fund.

Council Chairman Parella explained that the Council does not have to comply with a recommendation from the Town Administrator if he places a range of salary increases in the budget and may rather provide an "across-the-board" increase if it agrees to do so. She noted that some salaries are already high and that 1.5% can result in a substantial increase in dollars. She explained that many in the private sector are not receiving any increase.

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Council Chairman Parella added that it is appropriate to ask the Town Administrator to look into the possibility of merit increases in the future and that for now the Council has agreed to a smaller than recommended increase for the non-union employees with the understanding that the Town Administrator will address the matter of a future merit plan.

She added that she believes that the result of the discussion and action during the budget workshops was fair.

Councilman Stuart stated that he believes that the salary increases should vary as recommended by the Town Administrator. He noted that the Tax Assessor's salary exceeds that of the former Tax Assessor. He added that some non-union employees have separate employment contracts with the Town.

Town Administrator Teixeira stated that he made recommendations for salary increases within a range based upon his observations during his time in office. He agreed that he plans to implement an evaluation or merit system going forward.

Town Administrator Teixeira agreed with Councilman Stuart that there are some contracts between the Town Administrator and certain individual employees.

Council Chairman Parella stated that the "bottom line" is that the Council controls the "purse strings."

She stated that a 3% increase on top of a \$90,000 salary, compounded over time will lead to a very high comparable salary.

She also stated that the Town Administrator's salary was stagnant and could not be used for comparison but that it was odd that most department managers' salaries exceed that of the Town Administrator.

Councilman Herreshoff stated that when he replaced a department head he brought in the new one at a lower salary than the previous one. He added that it is a mistake to bring in new employees at the high end of the salary range. He also noted that the cost of employees accounts for 75% of the budget.

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Councilman Herreshoff stated that he was impressed that the School Department eliminated positions. He suggested that the Public Works Department might eliminate a few positions through attrition if possible or perhaps that the services might be privatized.

Councilman Herreshoff suggested that there should be a moratorium on replacing employees who leave employment.

Council Chairman Parella noted that it may be more difficult to eliminate positions on the municipal side of government versus the schools because the number of employees is considerably fewer to begin with.

A discussion ensued regarding methods of compensating employees.

Council Chairman Parella noted that some departments are "very public" and that the work being accomplished is obvious and also that there may be some with much room for improvement which would also be obvious. She also noted that some employees may be operating very efficiently and performing beyond expectations but that these might be in the background and can be easily overlooked. She suggested that any type of merit system should be considered with caution.

Town Treasurer Goucher agreed and stated that merit systems need measurements.

A discussion ensued regarding an incentive program with "prize money" versus salary increases.

Councilman Sweeney stated that there should be evaluations and that these often "lift people." He added caution that the new Animal Shelter and the Marine Center might increase costs in future budgets.

Councilman Stuart stated that a tax increase is a reality and that the Town will soon accept the Quinta-Gamelin center and complete the Animal Shelter which will likely increase costs particularly for utilities. He added that it should be made clear why certain individuals were provided with wage adjustments.

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Councilman Calouro suggested that administrative positions should be increased when the employees deserve it. He stated that he believes that the Town Administrator's budget does not provide for "across the board" increases because the Town Administrator did a comparative review prior to the submission of his recommendation. He added that the new Tax Assessor may have been given a higher salary than the former one because the Town Administrator believes that the former Tax Assessor was underpaid. He also added that he believes that the recommended budget was satisfactory and that he plans to make a motion to consider the salary increases as proposed by the Town Administrator.

Council Chairman Parella stated that she disagrees with Councilman Calouro and that the Town Administrator may receive a "chunk" of money in the future in order to divide this among the non-union employees for increases. She added that the Council should send a message that the Council is attempting to be fair to the public at large and that the unions must understand that most private business is not providing raises.

Councilman Calouro noted that he agrees that some employees should get zero increase if this is warranted with Council Chairman Parella stating that she does not believe that the budget recommendation contained any zero increases.

Councilman Calouro stated that not many of the non-union employees were recommended for 4% increases either.

A further discussion ensued regarding salary increases.

Councilman Calouro stated that the difference between the Town Administrator's recommended budget and what the Council approved via its workshop deliberations is approximately \$18,000 which is less than \$.01 on the tax rate. He predicted that the Town will reap dividends on the investment of another \$18,000.

Council Chairman Parella stated that she is concerned that the amount compounds over time and effects longevity. She noted that the various department managers take great pride in their work and will continue to work admirably even if no salary increases are forthcoming.

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Councilman Calouro stated that he agrees that all will continue to work commendably but added that he believes that a good job should be rewarded.

Councilman Stuart stated that the proposed budget should include a 1.5% increase across the board "for everybody."

Councilman Teixeira noted that Tax Assessor Belair will not receive longevity and that is the reason he pays her a salary higher than the former Tax Assessor.

Council Chairman Parella stated that the Town should pay what it can afford and that it also has to be competitive. She suggested that the arrangement for the new Tax Assessor may have been the "best deal" that could have been made.

Councilman Sweeney stated that he wishes to be fair and that he believes there is a struggle with the matter since there is no evaluation system in place. He stated that he believes that the 1.5% is acceptable for this year and that he is hopeful that the Council will have more information next year in order to reward good work.

Council Chairman Parella stated that it would be helpful if the Town Administrator shares his evaluation process.

Town Administrator Teixeira stated that he did not find an evaluation "tool" so he used his observations.

Councilman Stuart stated that he expects "lively discussion" concerning this matter going forward.

Councilman Herreshoff stated that Councilman Stuart is correct and that any evaluation process is useless unless all of the parties agree to it.

Peter Hewett, of 11 Wendy Drive, stated that the problem with the "across the board" 1.5% is that the "go getters get the same thing as the slugs" and that there is no incentive for the slugs to improve. He added that he comes from an industry which gets a step increase every two years and petty officers got increased based upon evaluations and that you can "get" them if the evaluations are unsatisfactory. He added that the civil service employee situation is much more difficult since the employees have "too many safety nets."

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Mr. Hewett added that not every job has objective criteria.

John Pacheco (no address given) informed the Council that he has run a business for 20 years and provided raises based upon his company's profits. He stated that he has lived in Bristol for 40 years and is concerned that the taxes are too high and that there is a good deal of waste. He noted that he observes four employees working and three of them watching. He recommended that the Town find ways to eliminate waste.

Councilman Stuart stated that he understands Mr. Pacheco's frustration.

Mr. Pacheco stated that he believes his assessment to be unfair.

After the vote taken, Council Chairman Parella thanked those in attendance and noted that the Public Hearing on the budget will be held on April 22, 2013, beginning at 7:00 o'clock PM.

She also thanked the Town Administrator, the Clerk and the Treasurer for their assistance in the budget process. She added that the scheduling of the Joint Finance Committee caused the budget time frame to be compressed and that she anticipates doing things somewhat different in the future.

Prior to adjournment, Town Administrator Teixeira announced that Poppasquash Road reopened at 3:00 o'clock PM today.

He also noted that the Police Department's gun buyback program collected 47 weapons. Police Chief Canario noted that these weapons will be destroyed as part of the program.

Councilman Stuart suggested a moment of silence in memory of former Public Works Director Frederick W. Serbst, Jr., who passed away on April 7, 2013. The assembly observed the moment of silence.

There being no further business, upon a motion by Councilman Calouro, seconded by Councilman Sweeney and voted unanimously, the Chairman declared this meeting to be adjourned at 9:00 o'clock PM.

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Louis P. Cirillo, CMC
Council Clerk