

TOWN COUNCIL MEETING - WEDNESDAY EVENING - AUGUST 28, 2013

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

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

The Council met in regular session on Wednesday evening, August 28, 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 announced that this year's Last Night Rhode Island Philharmonic concert will begin at 6:30 o'clock PM on Sunday evening, September 1, 2013 with a rain date of September 2. She noted that the start time for the concert was earlier than in previous years.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

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

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - August 7, 2013 (action items only)

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

2. Town Council Executive Session - February 13, 2013 (sealed - Town Council only)

Herreshoff/Stuart - Voted
unanimously to unseal the minutes
of the Executive Session.

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

B. PUBLIC HEARINGS

1. B. Peter Sebring, Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar, 200 Gooding Avenue (granted May 15, 2013) - request for

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relocation of Class B-V Intoxicating Beverage License to 448 Hope Street

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

Herreshoff/Stuart - Voted unanimously to grant transfer of the operating location of this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Council Chairman Parella opened the public hearing.

Speaking in favor of this petition was the petitioner who described his proposal for an oyster bar.

Councilman Stuart asked to know the location of the front door of the establishment with the petitioner explaining that the front door will face the parking lot on the easterly side of the building.

The petitioner also explained that he will begin outfitting the interior of the building with a planned opening early next year.

Also speaking in favor of the petition was Steve Parrott, an associate of Asia Davidson who is the petitioner of D6 as found below.

There was no further testimony provided in favor of the petition.

There was no remonstrance presented in opposition to the petition.

Councilman Stuart asked to know if the proposed location was sufficiently distant from St. Michael's Episcopal Church with Town Solicitor Ursillo responding that he reviewed the radius map and finds the proposed location to be sufficiently distant from the Church lot.

C. ORDINANCES

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1. Ordinance #2013-13, Chapter 16, Motor Vehicles and Traffic, (new) Article XIII, Damage to vehicles, (new) Section 16-383, Damage caused by potholes - claims against the town, **2nd reading for adoption**
 - a. Town Treasurer Goucher re Pothole Claim Payments

Herreshoff/Sweeney - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2013-13. Advertise in local newspaper.

Prior to the vote taken, a discussion ensued regarding the proposed limit with Town Solicitor Ursillo reporting that this limit is consistent with the one imposed by the State of Rhode Island.

2. Ordinance #2012-14, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcohol Beverage Establishments, Division 2, License, Section 17-82, Number of licenses (increase B-V licenses from 29 to 30), **1st reading** (see agenda item D6 below)

Stuart/Sweeney - Voted unanimously to consider this action to constitute the first reading of Ordinance #2012-14. Advertise in local newspaper.

Stuart/Sweeney - Voted unanimously to call for a public hearing for September 18, 2013, beginning at 7:00 o'clock PM, to consider the matter of the petition for a liquor license for Asia Davidson (original petitioner was Steve Parrott), Gooding Grille, LLC, d/b/a Gooding Grille, 200 Gooding Avenue.

3. Ordinance #2013-15, CHAPTER 28, Zoning, Article V, Supplementary Regulations, Section 28-150, Special use permit standards for various uses, and Article III, Permitted Uses, Section 28-82, Use regulations (keeping of chicken hens), **1st reading**

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Herreshoff/Stuart - Voted unanimously to consider this action to constitute the first reading of Ordinance #2013-15. Advertise in local newspaper (per Zoning Ordinance amendment requirements) and to refer this matter to the Planning Board for a recommendation and continue said matter for second reading for adoption until the meeting of October 9, 2013.

Prior to the vote taken, Town Solicitor Ursillo reported that this is an amendment to the Zoning Ordinance concerning special use permits.

A discussion ensued regarding whether or not the matter might be withheld for first reading pending the receipt of a recommendation from the Planning Board.

It was agreed that both matters could take a parallel track and that it may be possible to make certain amendments prior to adoption of the proposed ordinance.

D. LICENSING BOARD - NEW PETITIONS

1. B. Peter Sebring, Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar, 200 Gooding Avenue (granted May 15, 2013) - request for relocation of Class B-V Intoxicating Beverage License to 448 Hope Street (see agenda item B1 above)

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item B1 as found above.

2. B. Peter Sebring, Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar, 448 Hope Street - request for Victualling License (new location - license originally granted May 15, 2013 for 200 Gooding Avenue), (see agenda item B1 above)

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item B1 as found above.

3. Bonnie Blue, d/b/a Sea Star Treasures, 39 State Street - request for Holiday Sales

License

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

Calouro/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.

4. Jeffrey H. Gladding, d/b/a Epilogues, 278 Hope Street (formerly Robin Jenkins Antiques) - request for Junk and Secondhand Dealer's License

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

Calouro/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.

5. Douglas F. Yock, 50 Franklin Street, d/b/a East Bay Dogs - request for Hawkers and Peddlers License

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

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

Prior to the vote taken, Police Chief Canario explained that the petitioner was contacted by Sgt. Veader and that the Sergeant determined that there was another way to approach the petitioner's request.

He added that since the petitioner does not wish to operate his business in Bristol, he has no need for a Bristol license.

6. Asia Davidson (original petitioner was Steve Parrott), Gooding Grille, LLC, d/b/a Gooding Grille, 200 Gooding Avenue - request for

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Class B-V Intoxicating Beverage License
(continued from August 7, 2013), **call for
public hearing September 18, 2013** (see agenda
item C2 also)

*It is noted for the record that discussion and action
concerning this agenda item took place as part of agenda
item C2 as found above.*

E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

G. APPOINTMENTS

1. Fire Chief Martin re (supplemental) Fire
Police Recommendation - Gerald Mederos, Mark
Medeiros, and Aristotle Gatos

Councilman Herreshoff nominated Gerald Mederos, Mark
Medeiros, and Aristotle Gatos as recommended by the Fire
Chief.

There were no further nominations.

Herreshoff/Calouro - Voted
unanimously to close nominations
and to instruct the Clerk to cast
one ballot each in favor of Gerald
Mederos, Mark Medeiros, and
Aristotle Gatos for the remainder
of the ensuing term.

H. OLD BUSINESS

1. Removal of RIPTA "bus-only" areas - six (6)
month review of use
 - a. Town Administrator Teixeira re RIPTA
attendance at Council meeting of
September 18, 2013

Calouro/Herreshoff - Voted
unanimously to continue this matter
until the meeting of September 18,
2013.

Prior to the vote taken, a discussion ensued regarding this
matter. Town Administrator Teixeira reported that the
representative of RIPTA came to Bristol this date and noted

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that the authority is amenable to elimination of the bus stops along Hope Street at Church and Bradford Streets.

Council Chairman Parella asked to know when this may be completed with Town Administrator Teixeira responding that the State Department of Transportation must finalize the plans and repaint the bus boxes into parking spaces.

Councilman Sweeney noted that the buses are not turning completely into the bus boxes but are rather continuing to block the road when picking-up and discharging passengers.

Council Chairman Parella suggested that Town Administrator Teixeira should prepare the representative to inform the Council concerning the matter as described by Councilman Sweeney.

Councilman Herreshoff agreed that the current situation "now is awful" and that the travel lane is frequently blocked unnecessarily by the buses. He suggested that the bus stops might be moved to the beginning of each block rather than at the end of it.

Council Chairman Parella noted that this suggestion was made previously and that she did not recall the reason why it was not possible to do so. She suggested that the matter should be revisited.

2. Susan M. Rossi, 24 Prospect Street - request for accessible parking space in vicinity of residence, **2nd reading**

Calouro/Sweeney - Voted unanimously to consider this action to constitute the second reading for a request for an accessible parking space. Inform Public Works Director.

3. Town Treasurer Goucher re Recommended Account Re-appropriations (carry forwards), **continued from August 7, 2013**

- a. Town Administrator Teixeira re supplemental information provided

Herreshoff/Stuart - Voted to continue this matter until the meeting of September 18, 2013. Voting in favor of the motion were

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Councilman Herreshoff, Councilman Calouro, Councilman Stuart and Councilman Sweeney. Council Chairman Parella voted opposed.

Prior to the vote taken, Councilman Herreshoff explained that the purpose of the discussion was to re-appropriate funds from last year's budget for use this year.

Council Chairman Parella reported that Director of Community Development Williamson did a good job explaining what the funds would be used for. She added that she believes that the Economic Development Commission is in favor of the approach with the intention of developing a "blueprint" for the future. She added that the manufacturing component is important and that this component is not addressed through the "Explore Bristol" initiative.

Councilman Herreshoff stated that he believed that it was a bad practice to allow carryovers of unexpended balances unless these funds were to be used for ongoing initiatives. He added that this particular request appears to be justifiable.

Councilman Stuart stated that he believes the Administration to have good intentions but that he was unclear as to the purpose of the project. He expressed disappointment that Director of Community Development Williamson was not available this evening to respond to his questions. He further stated that he has reservations about providing a "\$21,000 credit card."

Councilman Stuart stated that the Council made decisions during budget time (Explore Bristol) to help businesses and also that he spoke with Secretary of State Mollis about business-aiding initiatives that are in process with the State.

He suggested that some type of "roundtable" discussion would be helpful and that this discussion should include Congressman Cicilline and that this should be accomplished before the \$21,000 is spent.

Council Chairman Parella noted that help coming from the Congress may be a "one shot deal" and that the Town needs a plan for follow-up. She recalled that the Town paid a business development person who worked 20-30 hours per week and that these funds are basically what remain from the salary set-aside for this individual.

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Council Chairman Parella added that the Administration is looking for a plan to allow the Town to move forward with its business development and to form a strategy. She explained that the Town is requesting the funding of a planning consultant who will bring people together and facilitate the plan. She noted that the facilitator may choose to include workshops with various entities and "shepherd" the process. She added that it is not generally possible for a board or commission to do this.

Council Chairman Parella noted that the Council decided not to replace the business development person during the budget process and perhaps the Town may not need an employee for this purpose overall but that this has not been finally determined.

Council Chairman Parella stated that the amount of carry-over requested is a very small amount as compared to the Town budget and that she was certain that the Town would reap a good return on its investment. She added that the only way to offset the residential tax rate is to supplement the Town's finances through business and manufacturing taxpayers. She also added that the process needs someone to "pull together" all of the ideas and to make a plan and that she believes the consultant, as proposed by Director of Community Development Williamson will be able to do this. She also added that the project was relatively small and manageable.

Councilman Sweeney stated that he agreed it was a good idea to streamline the process and also update the website. He added that Economic Development Commission Chairman Tucker and Kathleen Sequin from the Merchants Association agree with Director of Community Development Williamson's proposal to create a "smooth path."

Council Chairman Parella reported that she spoke to Director of Community Development Williamson regarding this matter and that she has no concern that Director of Community Development Williamson is not present this evening since she agrees that the plan as presented is reasonable and adequately addressed previously.

Councilman Stuart objected to the idea of having a "pool" of funds available and would prefer to have greater detail. He stated that he did not think it necessary to have a consultant to bring people together and that the current resources (Economic Development Commission, etc.) are under-utilized. He added that he believes Bristol to be a leader which does not need a consultant.

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Councilman Stuart stated that he believes that real estate agents and brokers promote commercial buildings to attract business and that the Town must remain cautious about its spending.

Council Chairman Parella stated that the "bottom line" of the proposal is to obtain a "blueprint" for an action plan. She added that the Council agreed to support "Explore Bristol" because it is different. She added that the Town should not rest on its laurels and that businesses are always looking for tax breaks and keeping and attracting these can be challenging. She added that the plan of action should include addressing this issue in particular.

Council Chairman Parella noted that the Explore Bristol initiative considers basically tourism and hospitality and that the Town is looking at the bigger economic picture.

Councilman Calouro stated that there were a lot of good points shared this evening. He added that the Council did not approve the \$36,000 proposed in the budget for this purpose but rather chose to set the line item to zero and appropriated \$30,000 to the Explore Bristol initiative. He added that the amount of the suggested re-appropriation would be equivalent to the property tax on six \$299,000 houses. He added that he does not see the value in the re-appropriation.

Council Chairman Parella stated that the budget is all about compromise and that she advocated keeping economic development funds in the budget. She added that she believes rejecting this proposal is short-sighted.

Council Chairman Parella recalled that when the state of the economy became "serious" the Town's financial situation was boosted by the newly completed Stone Harbour condominium project. She cautioned that the Council must always "look one step ahead" and that it is poor policy not to react to opportunities for growth. She added that the proposal as presented by Director of Community Development Williamson is a "no brainer" and that she thought that the issue was a lack of clarity and that details of the project now appear to be clear.

Councilman Stuart disagreed that the details were clear. He stated that there is a statement about a brochure and that he would like to know the cost of the brochure. He added that he thinks the proposal is vague.

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Council Chairman Parella noted that the proposal as-is appears adequately detailed.

Councilman Herreshoff suggested an interim step and asked if all could agree that the Council is interested in bringing in more business opportunities.

Councilman Herreshoff suggested that Town Administrator Teixeira should analyze the idea further by studying what is done in other towns and return with a "white paper" outlining the analysis.

Town Administrator Teixeira stated that he already initiated a survey of surrounding communities.

Councilman Herreshoff stated that he would like to have the specific steps which were followed.

Council Chairman Parella expressed concern that the Council was "piling a lot of work" on Director of Community Development Williamson when the proposal is to provide help for the Director.

A discussion ensued with Councilman Herreshoff suggesting that an ad hoc committee might be formed to resolve the matter and that this might include one or more members of the Town Council.

Councilman Stuart suggested that the Council might rather provide \$10,000 versus the \$21,000 as requested.

Town Administrator Teixeira stated that the proposal for the \$21,000 is not a blank check and that the Council will be informed throughout the process. He added that this matter will be handled responsibly.

Councilman Sweeney expressed concern that Director of Community Development Williamson is "maxed out" with the current project and regular responsibilities. He added that he sees the merit in providing resources to help specifically with economic development.

Town Administrator Teixeira agreed with Councilman Sweeney and noted that Director of Community Development Williamson reported clearly in her memorandum concerning this issue. He again explained that the purpose of the initiative is to "pull together" an action plan. He added that he agrees that the process needs a focused advocate.

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Councilman Stuart asked to know if it would be possible to reach-out to the State for help on this matter.

Council Chairman Parella stated that the only towns which have been successful are the ones which have sufficient help with projects such as these. She added that the State EDC does not have an acceptable success rate and that the Town must "take the bull by the horns" itself to succeed. She added that she sees that the "point person" is the missing part of the equation.

Councilman Stuart stated that the funds should have been appropriated during budget time.

Town Administrator Teixeira stated that the matter was discussed but that he was too new with the topic to make a recommendation at the time. He added that he was encouraged to return when a plan was in place and that is why the matter is before the Council at this time.

Council Chairman Parella agreed with Town Administrator Teixeira in that the Council encouraged him to return with an economic development initiative.

After the vote taken, Council Chairman Parella stated that she voted opposed since she does not believe that a further discussion on this matter is necessary.

Councilman Herreshoff stated that there are two objectives; to keep existing businesses and to attract new businesses.

Councilman Sweeney suggested that the ad-hoc committee previously noted should include the Chairman of the Economic Development Commission, a representative of the Merchants Association, Chairman of Explore Bristol, Town Administrator Teixeira, Director of Community Development Williamson and that he would like to represent the Council.

Ethan Tucker, Chairman of the Economic Development Commission stated that the Commission supports the initiative to create a "baseline." He added that economic development needs a strategic plan.

Council Chairman Parella suggested that Mr. Tucker should speak to Town Administrator Teixeira and participate in the meeting as proposed by Councilman Sweeney. She added that it will be useful to have information on neighboring communities.

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Councilman Stuart stated that he believes that there is a missing step.

4. Town Administrator Teixeira re Harbor Patrol Department Audit, **continued from August 7, 2013**

- a. Town Administrator Teixeira re Harbor Department Audit

Herreshoff/Sweeney - Voted to continue this matter until which time a report becomes available. Voting in favor of this motion were Council Chairman Parella, Councilman Herreshoff, Councilman Stuart and Councilman Sweeney. Councilman Calouro was recused from the discussion and vote.

Prior to the vote taken, Councilman Calouro renewed his recusal concerning this matter and left the Council table.

Councilman Stuart stated that he believes that the matter is under the purview of the Town Administrator and that Town Administrator Teixeira can likely proceed without the permission or concurrence of the Council.

Town Solicitor Ursillo agreed that the Town Administrator may proceed with this matter.

Councilman Herreshoff asked to know what Town Administrator Teixeira hopes to achieve through the effort with Town Administrator Teixeira explaining that the Town is interested to have the information which may have been deleted.

Councilman Herreshoff asked to know if it was possible to do this with Town Administrator Teixeira responding that it was indeed possible to do this.

Councilman Herreshoff asked to know if the procedure was difficult with Town Administrator Teixeira responding that it may be difficult to accomplish the task and that it takes the skill of an expert to do so.

Councilman Herreshoff asked to know the "reward" of the effort with Town Administrator Teixeira responding that he is concerned that there is no information currently

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available in the computer and that he hopes to find that nothing belonging to the Town is missing.

Councilman Herreshoff asked to know if the information found will have a financial benefit to the Town with Town Administrator Teixeira responding that there is no way to know this until the information on the computer hard drive is retrieved.

Council Chairman Parella expressed concern that the word "audit" seems to indicate a problem with finance. Town Solicitor Ursillo agreed that the "audit" considered is not necessarily to do with finance but rather considers other matters.

Town Administrator Teixeira noted that the term for what he is attempting to accomplish might be better understood as a "fact finding" exercise.

Council Chairman Parella asked to know if Town Administrator Teixeira needed funding from the Council to pay for this fact finding with Town Administrator Teixeira responding that he may need some.

Council Chairman Parella stated that she would like to have a report when the fact finding was concluded.

After the vote taken, Councilman Calouro returned to the Council table.

5. Town Treasurer Goucher re Hotel Tax Collection

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

6. Animal Shelter Capital Project Committee minutes - July 18, 25 & August 1, 2013 (also found in the AA section below)

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

Prior to the vote taken, Councilman Herreshoff asked Police Chief Canario if there were any problems with Police Chief Canario responding that there were no problems. He added that he plans to have a layout and timetable for the next agenda.

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Councilman Herreshoff asked to know if the foundation work was over budget with Police Chief Canario responding that the matter was being negotiated.

7. State Street Dock Committee re plaque recommendation Frank Brown, Jr.

Herreshoff/Stuart - Voted unanimously to request that the Committee should inform the Council of its intentions for dimensions, materials, an estimated cost and where the plaque would be placed.

Prior to the vote taken, a discussion ensued regarding this matter. The Clerk was asked his opinion regarding the wording of the proposed plaque with the Clerk responding that the Committee has proposed suitable wording.

A further discussion ensued regarding the proposed size, material, cost and proposed location of the plaque.

8. (Councilman Sweeney) re Recycling Committee Mission, etc.

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

Prior to the vote taken, Councilman Sweeney noted that there was a recycling effort at the recent boat show and that five (5) 55 gallon barrels were used to collect recyclable waste. He congratulated those who participated in the recycling effort and read the mission, etc., aloud.

Councilman Sweeney stated that he would like for Keith Maloney to remain the chairman of the recycling committee.

Council Chairman Parella agreed that Mr. Maloney and his committee have done an admirable job and reminded those present that this is not a Town appointed committee but rather a cooperating subset of the Save Bristol Harbor organization acting on its own.

Councilman Herreshoff suggested that the Town might set a higher recycling goal than the 35% established by the State further suggesting that the Town's recycling goal might be 50% in order to be the "best in Rhode Island."

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Councilman Herreshoff thanked Councilman Sweeney for reminding the Council of its interest in recycling and thanked Mr. Maloney for his leadership with this committee.

Councilman Stuart cautioned that citizens should not be complacent about recycling since this practice has a direct impact upon the tipping fees the Town must pay to send non-recyclables to the Central Landfill. He noted that the City of Pawtucket has imposed more stringent regulations concerning recycling.

9. Councilman Herreshoff re Flagpole at Intersection of Hope and Thames Streets

Herreshoff/Sweeney - Voted unanimously to continue this matter until the meeting of September 18, 2013.

Prior to the vote taken, Councilman Herreshoff made an inquiry as to the status of the realignment of the flagpole.

Public Works Director Galuska noted that the flagpole was damaged as the result of an automobile accident and that the Town is now discussing the repair with the insurance carrier.

Councilman Herreshoff asked to know when the discussion will be concluded and the flagpole repaired with Public Works Director Galuska responding that he was uncertain of a completion date at this time.

Councilman Herreshoff suggested that the flagpole is a "matter of Town pride" and that he was impatient to have the repair completed for this reason.

A discussion ensued about the steps necessary to complete the repairs.

Councilman Sweeney noted that a nearby utility pole was also out of alignment.

- I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re Notice of Public Hearing, September 24, 2013 - proposed changes to Ocean SAMP Sections 860 and 1160 (deadline for comments September 5, 2013)

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

2. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re Notice of Public Hearing, September 24, 2013 - proposed changes to CRMP Section 300.11, Aquaculture (deadline for comments September 5, 2013)

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

3. Director of Community Development Williamson re Comprehensive Plan Update Inaugural Meeting

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

Prior to the vote taken, Diana Campbell explained that she was asked to lead this effort by Town Administrator Teixeira and Director of Community Development Williamson and was also asked to provide an update for Council edification at this time. She outlined "Vision for Bristol" in detail and explained that the effort is attempting to attract 150 participants who will provide their thoughts and ideas.

Councilman Herreshoff suggested that the fact finding should be organized lest the effort may produce only a "spray of ideas."

Ms. Campbell explained that the plan is in fact to obtain a "spray of ideas" since this method will allow the participants to "think out of the box."

Council Chairman Parella noted that the idea exchange will be organized and facilitated.

A discussion ensued concerning the various participants with Ms. Campbell suggesting that Council members should not participate in the discussion group since the members' presence may unwittingly monopolize the conversation and members' status as "experts" might impede the free flow of ideas.

Council Chairman Parella agreed that Council members and board members should not participate in the exercise.

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Ms. Campbell noted that Council members will be invited to attend the final portion of the session to hear the ideas presented.

Councilman Sweeney stated that he was in agreement that the Council should not participate for the reasons outlined.

Councilman Calouro agreed with Councilman Sweeney.

Councilman Stuart suggested that economic development should be a component of the idea exchange.

Council Chairman Parella expressed concern that the timing of the recruitment of volunteers may negatively be impacted by summer vacations.

Ms. Campbell noted that applications will be accepted until September 10, 2013.

4. Town Treasurer Goucher re Resolution to Borrow (Lease-Purchase Agreement)

- a. Draft Resolution

Calouro/Sweeney - Voted unanimously to adopt this resolution and to authorize the Town Treasurer to sign on behalf of the Town.

Prior to the vote taken, Councilman Calouro asked to know if there was a prepayment penalty with Town Administrator Teixeira responding that there was no prepayment penalty.

5. Tax Assessor Belair re Weekly Update

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

Prior to the vote taken, Councilman Calouro stated that the information provided in the memorandum was very useful.

6. Councilman Herreshoff re Prudence Ferry and associated items.

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

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Prior to the vote taken, Councilman Herreshoff noted that this was a continuation of a previous discussion relating to the Prudence Ferry. He reported on his attendance at a meeting with Ferry operator Bruce Medley who has indicated his intent to keep operating the ferry. He expressed concern that Mr. Medley may decide to cease operation without much notice and suggested that the Town should remain in communication with Mr. Medley.

Town Administrator Teixeira reported that there were some developments with Council Chairman Parella suggesting that the nature of these would be best discussed in Executive Session.

Town Administrator Teixeira agreed that there may be a need for an Executive Session concerning this matter.

Councilman Herreshoff stated that there does not appear to be enough parking available to cover the need for same. He suggested that part of the Azevedo property might be made available for parking.

Town Administrator Teixeira agreed to investigate the parking matter.

Council Chairman Parella stated that the Town may wish to consider putting "decks" on the parking lots to accommodate more parking. She added that the Town may wish to provide a list including those places where parking is available for a fee. This would include those places within walking distance of the ferry landing.

Councilman Herreshoff stated that the Town should not allow long-term parking in municipal lots.

Councilman Herreshoff also reported that he has been in communication with officials of the Town of Portsmouth and that Portsmouth supports the idea of the ferry remaining in Bristol. Town Administrator Teixeira agreed with Councilman Herreshoff in that he received a similar message from Portsmouth.

7. Councilman Herreshoff re Downtown Litter

Herreshoff/Stuart - Voted
unanimously to refer this matter to
the Town Administrator and to
continue same until the meeting of
September 18, 2013.

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Prior to the vote taken, Councilman Herreshoff expressed concern that there is litter in the downtown area and that it should be "a matter of Town pride" to remove same regularly. He suggested that the Town should "alter its process" and that this was accomplished in New York City, a place that had been defaced by litter, which is now quite clean comparatively.

Councilman Herreshoff suggested that the Town should employ backpack vacuum cleaners and that the street sweeper should be used more often in the downtown area. He suggested that the Public Works Department should develop a new protocol for testing within an area of several blocks.

Councilman Herreshoff suggested that the Council should ask Town Administrator Teixeira for a plan toward this end.

Council Chairman Parella noted that the trash receptacles are found overflowing during the weekends especially near bus stops. She added that the Town should add some small signs encouraging those who frequent the "loafer's corner" at Hope and State Streets to utilize the cigarette butt container provided in the area.

Council Chairman Parella suggested that the Town may wish to re-employ the idea of a "kids litter patrol" during summer months when the litter problem is particularly severe. She suggested that there might be a grant available to pay for this service.

Councilman Herreshoff noted that the Town's parks were free of litter and he attributed this to the methods employed by the park personnel.

Town Administrator Teixeira expressed concern that some of the downtown businesses are using the public trash receptacles as trash bins (depositing their own trash in these). He added that the matter will be addressed with the merchants.

Council Chairman Parella suggested that the topic might be placed on the Merchants Association agenda.

8. Councilman Herreshoff re offer of a sign donation

Herreshoff/Stuart - Voted
unanimously to refer this matter to
the Planning Board, Harbor
Commission, Harbor Commission

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Advisory Committee, Harbormaster,
Director of Community Development
and Historic District Commission
requesting an advisory opinion
prior to October 1, 2013.

Prior to the vote taken, Councilman Herreshoff explained that Dr. Patrick T. Conley and Mrs. Gail Conley wish to donate a large sign owned by them to the Town. He added that the Conleys would like the sign to be used in some type of marine setting and suggested that one potential use might be to mark the location of the Prudence Ferry landing.

A discussion ensued regarding the size of the sign.

Councilman Herreshoff noted that the Conleys will dismantle the sign which is currently in Providence and have it moved to Bristol. He further noted that the Town must bear the expense to erect and re-letter the sign.

Council Chairman Parella noted that the current color scheme is quite bright and suggested that it should be "toned-down" if placed on the Bristol waterfront. She suggested that various boards and Town officials with interest specifically in the waterfront area should provide advice on the matter.

Town Solicitor Ursillo asked Councilman Herreshoff if he discussed the matter with the Town's planning officials with Councilman Herreshoff responding that he had not yet taken the opportunity to do so.

Councilman Stuart thanked the Conleys for their kind offer. Council Chairman Parella agreed that the Conleys should be thanked on behalf of the Town and asked Councilman Herreshoff to do this on the Town's behalf.

It was noted that the sign's original cost was \$65,000.

Councilman Sweeney asked to know when the Town should be expected to answer Dr. and Mrs. Conley with Councilman Herreshoff suggesting that this should be done as soon as possible.

It was decided that it would not be possible to secure all of the advisory opinions before the next meeting and that the parties should be allowed until October 1 to provide these opinions.

J. BILLS & EXPENDITURES

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1. Bid #787 - Sewer Backflow Prevention Program
- Group 1

Calouro/Herreshoff - Voted
unanimously to refer this matter to
the Town Administrator and Water
Pollution Control Superintendent to
act in the best interest of the
Town.

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

RMT	Warren, RI	\$66,574.15
JML Excavation, Inc.	Bristol, RI	\$89,093.00

2. Bid #788 - Two (2) Prox/Pin Readers with
Audit Trail

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

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

Horner Commercial Sales	Somerset, MA	\$5,000.00
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K. SPECIAL REPORTS

L. TOWN SOLICITOR

1. Town Solicitor Ursillo re request for
Executive Session pursuant to RIGL 42-46-5
(a) (2) potential litigation - former
employee

*It is hereby noted for the record that action on this agenda
item took place at the conclusion of the public agenda.*

2. (Assistant Town Solicitor Teitz) re Town of
Portsmouth vs. Michael P. Lewis, et al,
Plaintiff's Motion to Compel Filing of
Complete Administrative Record

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

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Prior to the vote taken, Town Solicitor Ursillo reported that this and the two subsequent agenda items were informational in nature and may be received and filed.

3. (Assistant Town Solicitor Teitz) re Town of Portsmouth vs. Michael P. Lewis, et al, Defendant's Objection to Plaintiff's Motion to Compel Filing of Complete Administrative Record

- a. Defendant's Exhibit "A"

- b. Defendant's Exhibit "B"

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

4. (Assistant Town Solicitor Teitz) re Town of Portsmouth vs. Michael P. Lewis, et al, Plaintiff's Memorandum in Response to Defendant's Objection to Plaintiff's Motion to Compel Filing of Complete Administrative Record

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

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

- a. Thank you Mike Davis - Council Chairman
Parella thanked Mr. Davis for his services.

- b. Last Night - Council Chairman Parella reminded those present of the upcoming Last Night concert by the RI Philharmonic Orchestra to be held on Sunday, September 1, with the Orchestra performing at 6:30 o'clock PM and additional entertainment beginning at 5:00 o'clock PM.

2. Herreshoff

- a. Sewer Project Rebid - Councilman Herreshoff asked to know if the recent sewer project (Bid #786 - Mount Hope Pumping Station Improvements) had been rebid with Water Pollution Control Superintendent DaSilva responding that the matter

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would be considered at the meeting scheduled for September 18, 2013.

3. Calouro

a. Quick Meeting - Councilman Calouro commended the Council for having a relatively brief meeting this evening.

b. First Day of School - Councilman Calouro noted that today was the first day of school and that School Committee Chairman Paul Silva reported to him that all appears to have gone well. He also noted that the Roger Williams University students have returned for another school year.

c. Bristol Warren Regional School District Joint Finance Committee - Councilman Calouro reminded the Council that he is Chairman of the Joint Finance Committee and plans to have meetings to discuss changing the enabling legislation.

4. Stuart

a. Last Night - Councilman Stuart thanked Taco and the Happy White Foundation for their support of Last Night.

b. Movies in the Park - Councilman Stuart stated that the recent "Movies in the Park" following "Concerts on the Common" has been successful.

c. Luau - Councilman Stuart noted that the Bristol Rotary Club is sponsoring a luau at the Bristol Yacht Club on September 7, 2013 as a fundraising activity. He noted that the luau begins at 6:00 o'clock PM and that the admission is \$50 per person.

d. William McCarthy Swim - Councilman Stuart reported that the annual McCarthy swim to benefit the Quinta Gamelin aquatic program will be held on September 8, 2013 at the Town Beach.

5. Sweeney

a. Energy and Environment - Councilman Sweeney reported that the Conservation Commission has interest relating to the earlier discussions

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concerning energy and environment and will meet to discuss same.

b. Last Night - Councilman Sweeney reminded those present about the upcoming Last Night activities.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Last Night - Town Administrator Teixeira reported that the Last Night activities will include a "pre-show" beginning at 3:00 o'clock PM.

Council Chairman Parella asked to know if there was a rain date on Monday for the activities with Town Administrator Teixeira responding affirmatively.

b. First Day of School - Town Administrator Teixeira reported that the Police Department was present to assure order and safety at each school in Town.

c. U.S. Coast Guard Letter - Town Administrator Teixeira reported the receipt of a letter from the commander of the Castle Hill Coast Guard Station commending Harbormaster Marsili and the Fire Department for their cooperation in resolving a hostage situation. The commander was very complimentary.

Council Chairman Parella stated that she was pleased to learn of the commander's letter and congratulated the parties for their commendable efforts.

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. Historic District Commission - May 2, 2013

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2. Historic District Commission - July 11, 2013
3. Harbor Commission - August 5, 2013
4. Animal Shelter Capital Project Committee - July 18, 2013 (also found in the H Section above)
5. Animal Shelter Capital Project Committee - July 25, 2013 (also found in the H Section above)
6. Animal Shelter Capital Project Committee - August 1, 2013 (also found in the H Section above)

(CA) BB. BUDGET ADJUSTMENTS

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

(CA) CC. FINANCIAL REPORTS

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

1. Town Treasurer Goucher re Revenues and Expenditures period ending August 23, 2013

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

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

(CA) EE. UTILITY PETITIONS

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

1. Department of Water Pollution Control - Sewer Permits
2. Department of Public Works - Road Cut Permits

(CA) FF. UPCOMING APPOINTMENTS

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

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1. September Public Service Appointments for Advertising

(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. Coastal Resources Management Council - August 2013 Calendar
2. Warrant - Barbara Healy, Harbor Commission Advisory Committee
3. Town Administrator Teixeira and Recreation Director Burke to Addison D. Davis IV, re BRAC (Quinta-Gamelin Army Reserve Center)

(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 August 11, 2013
2. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - August 13, 2013 (revised)
3. Bristol Warren Regional School Committee Personnel/Contract Negotiations Subcommittee - August 13, 2013
4. Bristol Warren Regional School Committee - August 13, 2013
5. Bristol Warren Regional School District Schedule of Meetings - Week of August 18, 2013

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6. Bristol Warren Regional School Committee - Regular Business Meeting - August 26, 2013
7. Bristol Warren Regional School Committee Personnel/Contract Negotiations Subcommittee - August 26, 2013
8. Bristol Warren Regional School District - Schedule of Meetings week of August 25, 2013
9. Coastal Resources Management Council - August 2013 Calendar (corrected 8-19-2013)
10. Coastal Resources Management Council - Semi-monthly Meeting, August 27, 2013
11. Bristol County Water Authority - Board of Directors Meeting August 28, 2013

(CA) JJ. CLAIMS

Approval of consent agenda="Motion to refer these items to the Insurance Committee and at its discretion to the Interlocal Trust."

1. Renee Tonkin, Commerce Insurance Company for Joanne M. Scrivani, 159 Elm Street, 3rd Fl., North Attleboro, Massachusetts re claim for damages

At the conclusion of the public agenda:

Herreshoff/Stuart - Voted unanimously to move into Executive Session pursuant to RIGL 42-46-5 (a)(2) concerning potential litigation.

Herreshoff/Stuart - Voted unanimously to resume opens session and seal the minutes of the Executive Session at 9:45 o'clock PM.

There being no further business, upon a motion by Councilman Herreshoff, seconded by Councilman Sweeney and voted unanimously, the Chairman declared this meeting to be adjourned at 9:46 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk