

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JUNE 5, 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, June 5, 2013 in the Town Hall, Council Chambers, beginning at 7:06 o'clock PM, Council Chairman Parella presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Parella read from a press release provided by the Rhode Island Historical Preservation and Heritage Commission as follows:

"The Town of Bristol and local non-profit partners will receive three grants totaling \$13,000. The first grant of \$3000, managed by the Bristol Historical & Preservation Society, will support the development of a Smartphone app that guides users on walking tours of Bristol's historic districts. The second grant of \$4000 will fund an existing conditions assessment and maintenance plan for the historic buildings managed by the Mount Hope Trust at Mount Hope Farm. The third grant of \$6000 will support a planning study of the Bristol Industrial Park/Bristol Rubber Works that will guide redevelopment by the Mosaico Community Development Corporation."

Council Chairman Parella thanked those who worked on these grant applications and offered the Council's congratulations to the recipients.

Councilman Herreshoff suggested that the Clerk should write a letter of thanks to the Rhode Island Historical Preservation and Heritage Commission on behalf of the Town.

At this point in the evening's meeting, Councilman Herreshoff noted that the Town flag pole at the junction of Hope and Thames Streets had been damaged and requested that the Council consider adding an agenda item as new business for the Council to consider same.

Herreshoff/Calouro - Voted
unanimously to add an agenda item
under Other New Business to
consider this matter (see agenda
item I19).

PRESENTATION

Michelle F. Burnett, State Floodplain Coordinator,
Rhode Island Emergency Management Agency re
Presentation of National Flood Insurance Program
Community Rating System (Class 8) Award

Also prior to the commencement of this evening's regular agenda, Council Chairman Parella recognized the presence of Ms. Burnett and Maj. Gen. Kevin R. McBride, Adjutant General of Rhode Island concerning this presentation.

Ms. Burnett presented the Town with a plaque in consideration of its achievement and noted that the award was in recognition of the Town becoming a "Class 8 Community" which results in a 10% reduction in flood insurance premiums for citizens. She acknowledged the efforts of Director of Community Development Williamson, Principal Planner Tanner, and Building Official Pimenta for their work toward this achievement.

Ms. Burnett noted that the designation is held only by very few communities in Rhode Island and that it was "a joy" to work with Director of Community Development Williamson who coordinated the Town effort.

Councilman Herreshoff congratulated Director of Community Development Williamson and asked if there were other factors considered beyond the Town's cooperation with Ms. Burnett responding that meeting the building codes, education and outreach in the community were key. She added that maintaining catch-basins was also important and that the Town receives "points" for maintaining open space.

A discussion ensued regarding the insurance premium matter with Ms. Burnett noting that this should be happening automatically with the insurance carriers aware of the discount. She added that those with flood insurance should be aware that the discount should be forthcoming and question their individual insurance carriers if it does not.

Council Chairman Parella asked to know what the Town must do to maintain this preferred status with Ms. Burnett responding that the information is updated every few years.

At this point in the agenda, Council Chairman Parella suggested that Docket item I10 might be brought forward for discussion and action at this time the record of which appears, as found in place below.

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Sweeney/Herreshoff - Voted
unanimously to suspend the regular
order of business to consider
agenda item I10 at this time.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Stuart - Voted
unanimously to approve the Consent
Agenda withholding agenda items
HH1, HH17 and GG2 for further
consideration.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - May 15, 2013 (action items only)

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

2. Town Council Special Meeting - May 14, 2013

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

3. Town Council Special Meeting - May 22, 2013
(action items only)

Herreshoff/Sweeney - Voted
unanimously to approve these
minutes as prepared and presented
with Councilman Stuart's comments
"for the record" so noted.

4. Town Council Special Meeting - May 30, 2013
(action items only)

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

B. PUBLIC HEARINGS

C. ORDINANCES

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1. Ordinance #2013-10, Chapter 6, Animals, Article I, In General, (new) Section 6-8, Maximum chicken hens permitted, **1st reading**

Herreshoff/Sweeney - Voted
unanimously to refer this matter to
the Zoning Board of Review and the
Planning Board for recommendations.

Prior to the vote taken, Town Solicitor Ursillo reported that this ordinance would set the number of chicken hens at six (6) maximum and put forth requirements for the keeping of same.

Council Chairman Parella asked to know if Town Solicitor Ursillo might be able to provide other similar ordinance information from the Rhode Island communities with these.

Councilman Sweeney asked about the fee.

Council Chairman Parella also asked if a fee was typical.

Director of Community Development Williamson suggested that this matter might be better handled as a special use permit managed by the Zoning Board of Review.

Councilman Calouro agreed with Director of Community Development Williamson and asked why the Town would not delegate this responsibility to the Zoning Board of Review.

Town Solicitor Ursillo stated that the Council can take either approach, and that the Zoning Code may be amended to allow for this responsibility.

A discussion ensued regarding whether or not the matter should be an administrative responsibility or a matter for the Zoning Code.

Council Chairman Parella suggested that the Zoning Board of Review might be asked to provide a recommendation.

D. LICENSING BOARD - NEW PETITIONS

1. Nicole Cairrao, for "Motorcycle Ride for Diabetes" - Request for One-Day Dancing and Entertainment License, August 18, 2013 at Bristol County Elks Lodge #1860
 - a. Recommendation - Town Administrator and Chief of Police

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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 applicable fees, taxes, and levies.

2. Madeline Grimo, for Our Lady of Mount Carmel Church, Feast Committee - Request for One-Day Dancing and Entertainment License, July 12, 13 & 14, 2013 at Town Common

- a. Recommendation - Town Administrator and Chief of Police

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

3. Anthony B. Morettini, for Bristol Highlands Improvement Association - Request for One-Day Dancing and Entertainment License, September 28, 2013 at Community House (corner of Ridge and Mulberry Roads)

- a. Recommendation - Town Administrator and Chief of Police

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

E. LICENSING BOARD - RENEWALS

1. Dancing and Entertainment License Renewals (2013-2014)

- a. Recommendation - Town Administrator and Chief of Police

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

2. Hawkers and Peddlers License Renewals (2013-2014)

- a. Recommendation - Town Administrator and
Chief of Police

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

Prior to the vote taken, Councilman Herreshoff asked to know if there have been any complaints from the public concerning these licensees with the Clerk and Police Chief Canario responding that, to their knowledge, there have been no complaints filed.

3. Public Laundry License Renewals (2013-2014)

- a. Recommendation - Town Administrator and
Department of Water Pollution Control

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

F. PETITIONS - OTHER

1. Carlos Caetano, 82-84 Union Street - Request
for Curb Cut

LATE ITEM

- a. Recommendation - Town Administrator and
Director of Public Works

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Calouro/Sweeney - Voted unanimously to grant this request per the recommendations received with the cost of same to be borne by the petitioner as it is applicable.

2. Carey-Ann Perry, 7 Siegel Street, 3rd Floor - Request for Accessible Parking Space, **1st reading**

Stuart/Calouro - Voted unanimously to consider this action to constitute the first reading of a request for an accessible parking space. Continue said matter to June 26, 2013 for second reading for adoption.

G. APPOINTMENTS

1. Substance Abuse Prevention Task Force (terms to expire February 2015)
 - a. (Maria Ursini, Co-coordinator, Substance Abuse Prevention Task Force) - Proposed List of Members (amended)

Councilman Herreshoff nominated the slate of members as recommended.

There were no counter-nominations.

Herreshoff/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of the slate of candidates as recommended.

H. OLD BUSINESS

1. Town Treasurer Goucher re Available Funds for Tanyard Brook, Phase II (**referred for report May 15, 2013**)

It is hereby noted for the record that the discussion and action concerning this agenda item is combined with agenda item I5.

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Calouro/Stuart - Voted unanimously to refer this matter to a special meeting/workshop with the date to be determined by the Clerk.

Prior to the vote taken, Council Chairman Parella commented on the need to have "shovel-ready" projects.

Director of Community Development Williamson reported that the Town has four or five pages of shovel-ready projects and that this allowed for access to Federal grant funds when Phase I was considered.

It was noted that there may be problems with the walls of the culvert.

Councilman Herreshoff commented that this was a case of engineering with many elements to consider including hydraulics, pipes, curves and dealing with buildings, sewer and water lines.

It was also noted that there may be Federal funding available for this project.

Councilman Herreshoff noted that Senator Reed was inquisitive about this particular project and that the storm which brought four inches of rain made a "terrible mess."

Councilman Herreshoff also noted that the project will cost \$4 million and that the design is set at \$262,600 which is approximately 7% of the cost of the job and that this amount can sometimes reach 10%.

Councilman Herreshoff recommended that the Town should "get going" with the design.

Councilman Herreshoff recapped that the design phase will cost \$262,600 as noted above and that the survey and easements will likely cost another \$90,000 and there is the issue of a possible added scope of the reservoir (Phase III).

Council Chairman Parella suggested that at least the design phase should be approved at this time.

Councilman Calouro stated that he agreed with most of the recommendations provided by Councilman Herreshoff and that he was on the Planning Board for 6 1/2 years and that he is uncomfortable with a design bill for \$262,600 although he "has faith in BETA."

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Councilman Calouro stated that he would like to know how much of the job is already completed and would also like to have more information regarding the specific costs adding up to the \$262,600. He added that he would like to know more about past surveys and determine what may be duplicated. He also added that it may be possible to save money by using some of the work completed in the past and that he wished to speak to the BETA people regarding this.

Councilman Sweeney suggested that there should be a workshop to "dive into the numbers" and noted that expending the proposed amount is a big step for him.

Councilman Stuart stated that the cost "alarms him" and suggested that the project might be bid.

Councilman Herreshoff stated that he has worked on many of these projects over the years and agreed that the construction portion should be bid. He added that the design is different in that the concept is already worked-out and also that the Town has a major investment in BETA and a large portion of the hydraulics has been worked out by that firm. He added that what is needed at this point is a refinement of the details and a great deal of permitting since there are wetlands to consider.

Councilman Herreshoff stated that he wished that all of this was done in February and that he would like to speak to the U.S. Senators and perhaps some funding may become available in the fall.

Councilman Calouro stated that he did not disagree with the process and that he believes that the pricing may be too high.

Council Chairman Parella stated that the matter should be resolved before July and that she recommends having another workshop next week or the week thereafter to finish this before the Fourth of July.

Councilman Stuart stated that he wants clarity and that he prefers to be cautious with projects. He added that the Council must be cognizant if its action today results in a future tax burden.

Councilman Herreshoff expressed concern that the project has been waiting for four months already and that a good deal of work must be done and time is needed to resolve neighbor issues. He added that he believed that a suitable goal

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would be to have all design and any necessary modifications approved by February 2014 so that the work may be mobilized by April 2014.

Council Chairman Parella suggested that the Council should determine if there can be a workshop in one or two weeks with the various parties.

Town Administrator Teixeira stated that he and Director of Community Development Williamson met with Kevin Aguiar and that Mr. Aguiar proposed working through Phase III.

Council Chairman Parella asked to know if the Council was questioning the \$262,600, Phase III, or the retention pond as suggested in the past by former Council Chairman Marshall.

Councilman Calouro stated that he has problems with the issue "across the board."

Councilman Herreshoff stated that he was pleased to hear that Town Administrator Teixeira continued to speak with Mr. Aguiar but expressed concern that workshops provide many ideas and information but that the work is not getting done.

2. Council Chairman Parella re Bristol Art Museum Capital Campaign - Appropriation of Grant (**Council Chairman Parella's prerogative May 15, 2013**)

Calouro/Sweeney - Voted unanimously to appropriate \$2300 from this year's Town Council Contingency budget with a commitment to appropriate \$2700 also next year.

Prior to the vote taken, Council Chairman Parella noted that the Bristol Art Museum requested funding from the Human Resources budget but that the Council, upon the recommendation of the Town Administrator, did not fund any new initiatives.

Council Chairman Parella noted that Council members toured the building and that the Bristol Art Museum was seeking Council support of \$5000. Council Chairman Parella added that she recommends that the Council consider \$2500.

Councilman Herreshoff suggested that the Council might provide \$2300 this year and \$2700 next year.

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Councilman Calouro stated that the project was wonderful and that he believes that the Council should support the endeavor. Councilman Calouro added that he also believed that the Council should not add to next year's budget.

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Commander, U.S. Coast Guard Sector
Southeastern New England - Invitation to
Change of Command Ceremony, June 21, 2013

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

2. Town Administrator Teixeira re Tree Warden
Response to Council Request for Information
(agenda item HH9)

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

Prior to the vote taken, Councilman Herreshoff stated that he has questions regarding the information. He added that sometimes the tree in question is a "noble tree" and that perhaps the Council should decide the fate of trees which are determined to be "noble."

Councilman Herreshoff noted that "noble" trees are not spindly. He explained that the trees near the Colt Memorial School would be considered as "noble."

Town Administrator Teixeira explained that the Tree Warden is very cautious and prudent and sometimes must consider safety issues. He noted that tree maintenance is very costly and that the Town is cautious also about its tree expenses.

Councilman Herreshoff raised the issue of the Town Common sequoia trees and explained that the Town must make a determination as how to deal with these. He added that two of the trees have "suffered" and that he believes that one of these is diseased. He suggested that the Tree Warden should examine the sequoias.

Town Administrator Teixeira stated that he has been conferring with Recreation Director Burke about this and asked Recreation Director Burke to comment.

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Recreation Director Burke informed the Council that he is planning to provide a PowerPoint presentation at the next Town Council meeting. He advised the Council that he met with the Tree Warden and a representative of Bartlett Tree Experts and also representatives of the Rhode Island Tree Society. He added that his presentation will outline significant problems with all four of the sequoias and that alternatives may be considered for these. Recreation Director Burke also advised the Council that he met with William Chittick and Raymond Payson.

Councilman Herreshoff stated that the presentation seems to be most appropriate and recommended that Recreation Director Burke moved forward with preparing this for the upcoming agenda.

3. Council Clerk Cirillo re Request Change of Regular Meeting Date (November 13 to November 20)

Stuart/Sweeney - Voted unanimously to approve this change of meeting date as requested.

4. Councilman Herreshoff re Metacom Avenue (Rt. 136) Traffic Issues

It is hereby noted for the record that this matter was discussed and acted upon concurrently with agenda item I11.

Calouro/Sweeney - Voted unanimously to instruct the Clerk to send a letter to the State Department of Transportation providing a "point by point" description of the current and anticipated traffic situation.

Stuart/Herreshoff - Voted unanimously to arrange a "Town Hall" meeting on Metacom Avenue traffic issues to be held during the month of September 2013.

Prior to the vote taken, Councilman Herreshoff stated that he finds that the traffic signals along Metacom Avenue are not coordinated and suggested that the Town should look into this and also new striping.

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Councilman Sweeney suggested that the Town should also revisit the idea of having a crosswalk near the Rogers Free Library.

Town Administrator Teixeira explained that he again examined the idea of a library crosswalk and finds issues with the curbing. He agreed to resurrect the matter with the State DOT.

Council Chairman Parella noted that in the last round concerning an upgrade to Metacom Avenue, there were suggestions for roundabouts and other modifications to the road. She noted that the traffic problem along Metacom Avenue will only get worse and that the State must agree upon an improvement plan. She asked if turning lanes have been considered.

Director of Community Development Williamson noted that the State improved the area near Fatima Drive and that other improvements are being planned. She explained that there have been surveys of the intersections at Annawamscutt Drive and Chestnut Street.

Councilman Calouro noted that the speed limit was changed from 45 MPH to 40 MPH and asked to know if the lights were retimed in consideration of the speed limit change.

Police Chief Canario stated that he completed an affidavit and forwarded same to the Town Solicitor. He noted that there are seven (7) traffic lights along a 4.8 mile road and also that Roger Williams University draws a great deal of traffic. He agreed to provide a copy of the affidavit to the Town Administrator.

Council Chairman Parella suggested that the Town Administrator might provide a letter to the Department of Transportation asking for an update on the status of the various improvements under consideration.

Councilman Stuart agreed that there are traffic issues along Metacom and speculated that these will only worsen when tolls are imposed upon the Sakonnet River Bridge. He explained that business owners are expressing concern about this matter and suggested that the Town should host a "Town Hall" meeting with business persons and the DOT.

Council Chairman Parella added that the Turnpike and Bridge Authority should also attend the meeting suggested by Councilman Stuart.

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Town Administrator Teixeira stated that the Town must address the need to get emergency vehicles through and in and out of neighborhoods.

Council Chairman Parella stated that there should be a document detailing point-by-point the Town's concerns.

Town Administrator Teixeira agreed to make the document prepared by Police Chief Canario as a reference.

Concerning the issue of Sakonnet River Bridge Tolls, Council Chairman Parella noted that tolls are scheduled to begin in July.

Councilman Stuart again raised the idea of a "Town Hall" meeting so that the matter may be "brainstormed."

Council Chairman Parella suggested that Director of Community Development Williamson should come up with an agenda for this meeting since it needs structure.

Councilman Stuart stated that he believes that the meeting should not be structured but rather an "open forum."

Council Chairman Parella asked to know when this might take place with Councilman Stuart suggesting that the meeting might take place in September.

Council Chairman Parella suggested that the matter might be put on a future agenda to arrange a "Town Hall" meeting.

Fire Chief Martin stated that the Emergency Services Department is going to "get nailed" for bridge tolls and that he needs to obtain nine transponders.

Council Chairman Parella agreed to contact the Turnpike and Bridge Authority about emergency vehicle tolls.

A discussion ensued regarding tolls, etc.

Council Chairman Parella stated that the Town must keep the tolls matter in the forefront.

5. Councilman Herreshoff re Tanyard Brook Project, Phase II

See agenda item H1 above.

6. Councilman Herreshoff re Oliver Street Curbing/Paving

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

Prior to the vote taken, Councilman Herreshoff stated that he placed this matter on the Council agenda at the request of a constituent.

7. Councilman Herreshoff re Project Priorities

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

Prior to the vote taken, Councilman Herreshoff stated that the Town appears to have "champagne wishes on a beer budget" and that many of the projects under consideration are very ambitious. He added that the Town should plan for projects based upon the available funding and that he urged the Council to set priorities.

8. Councilman Stuart re Request to Schedule
Workshop concerning Valet Parking in Downtown
Area

Stuart/Calouro - Voted unanimously
to instruct the Clerk to schedule a
workshop on this matter at a time
convenient to the parties.

Prior to the vote taken, Councilman Stuart informed the Council that several restaurant owners approached him regarding the possibility of a valet parking program.

9. Councilman Stuart re Request to Schedule
Workshop with Boards and Commissions

Stuart/Calouro - Voted unanimously
to instruct the Clerk to schedule a
workshop on this matter at a time
convenient to the parties.

Prior to the vote taken, Councilman Stuart suggested that a workshop would be useful especially for new appointees. He suggested that this might take place on a Saturday morning and that topics can include new ideas and also ethics.

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Director of Community Development Williamson noted that it may be difficult to have members attend on Saturdays. She agreed to work with the Clerk to schedule this workshop.

It was suggested that Assistant Solicitor Teitz should also be invited to make a presentation at the workshop.

10. Councilman Sweeney re Solar Energy
Presentation - Jeff Flath, President of eNow
Energy

It is hereby noted for the record that discussion and action on this agenda item took place at the beginning of this evening's meeting.

Stuart/Herreshoff - Voted
unanimously to refer this matter to
Town Administrator Teixeira for
further review and to identify an
opportunity for a "prototype"
installation.

Prior to the vote taken, Council Chairman Parella noted that the Council desires to take a brief recess to view the eNow trailer which was parked in the municipal lot on Court Street.

Stephen Katz explained that the product provided may be of interest to the Town.

Mr. Flath explained that he started this business in April of 2011 and that the technology is applicable in police cars through fifty-foot semi-trucks.

He reported that the Maine DOT improved their fuel mileages and achieved payback for the system in 1.3 years and that three Arpin trucks achieved a savings of \$8-12,000 in fuel. He added that his goal is to "give back" to the communities by lowering vehicle operating costs. He also stated that he may be able to help find grants in order to employ the system in the Town's vehicles.

Mr. Flath explained that the control system is manufactured in North Carolina and that the units are assembled in Rhode Island and that the system provided is a redundant one.

He noted that emergency lighting might be the Town's first application for the product. A discussion ensued regarding the cost of fuel while a vehicle idles at construction sites, etc.

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Mr. Flath noted that there is a test at this time with Hyannis, Massachusetts, and Warwick, Rhode Island, and the Rhode Island DOT.

Councilman Herreshoff asked to know if the Hyannis application was a prototype with Mr. Flath responding affirmatively.

Mr. Flath added that he will run a test in Bristol at no cost to the Town. He explained that other applications may be school buses.

Council Chairman Parella asked to know if there was an application for the Department of Public Works with Mr. Flath responding that he will investigate this possibility.

A discussion ensued regarding fuel logs with Police Chief Canario noting that the application in detail vehicles appears to be plausible.

Councilman Herreshoff complimented Councilman Sweeney for promoting this idea.

11. Councilman Stuart re Contingency Planning Concerning Possible Imposition of Bridge Tolls

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item I4 as found above.

12. Councilman Calouro re E-ZPass Transponders

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

Prior to the vote taken, Councilman Calouro reported that the Town will share space with the Turnpike and Bridge Authority to have toll transponders available in the Burnside Building on June 6 and 7 from 8:30 AM until 4:00 PM and on Friday, June 14 from 12:00 PM until 5:00 PM and Saturday, June 15 from 9:00 AM until 2:00 PM.

Councilman Calouro qualified that having the transponder service should not be thought of as the Town's endorsement of the tolls but rather to make these devices available for anyone who wished to have one.

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Council Chairman Parella noted that the transponder may be used on E-ZPass lanes on many turnpikes and other toll bridges also.

13. (Draft) Resolution in Support of Town of Portsmouth v. RIDOT, et al Resolution and/or Litigation re Imposition of Tolls on Sakonnet River Bridge

Calouro/Stuart - Voted unanimously to adopt this resolution as prepared and presented.

14. Town Administrator Teixeira re Request for Executive Session pursuant to RIGL § 42-46-5(a)(5) - Lease of Real Property and 42-46-5(a)(3) - Security

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

15. Police Chief Canario re Hope Street Crosswalks ("Slow Pedestrian Traffic" sign attached)

Calouro/Stuart - Voted unanimously to refer this matter to the Town Administrator for implementation.

16. Director of Community Development Williamson re Comprehensive Plan Update

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

Prior to the vote taken, Director of Community Development Williamson explained that the plan should be adopted by next June. She added that the plan must consider a ten (10) year horizon and that there may be a public forum in August.

17. Roy Leffingwell, Scoutmaster, Troop 6 Bristol, Boy Scouts of America re Shawn Carroll, Mark Devol, and Austin Porto - Eagle Scout Court of Honor, June 21, 2013

Stuart/Sweeney - Voted unanimously to instruct the Clerk to prepare commendations for the honorees.

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18. Tax Assessor/Collector Belair re Request for Council Support in Opposition to House Bill 5394 and Senate Bill 322 - Levy and Assessment of Local Taxes (legislation attached)

Herreshoff/Parella - Voted to adopt the resolution in opposition to House Bill 5394 and Senate Bill 322. Voting in favor of this motion were Council Chairman Parella, Councilman Herreshoff, Councilman Calouro and Councilman Sweeney. Voting opposed was Councilman Stuart.

Prior to the vote taken, Tax Assessor Belair explained the resolution as-adopted by Barrington, Charlestown, and Hopkinton. She noted that the bill would allow developers to be taxed differently from regular property owners.

Town Solicitor Ursillo agreed that this is special interest legislation.

A discussion ensued regarding current practice and practice under the proposed legislation.

Councilman Herreshoff and Council Chairman Parella stated that the bill appears to be unfair and recommended that the Council should indicate its opposition to it.

Councilman Calouro stated that he sees both sides of the situation.

Councilman Sweeney agreed with Councilman Calouro.

Council Chairman Parella noted that the passage of this bill can put Town budgets "out of whack."

Councilman Herreshoff suggested that the change would be difficult to administer.

Tax Assessor Belair advised the Council that she believes that taxation should be fair and equal and that any one group's advantage can grow over time and that this would be detrimental to the Town's ability to budget and effectively deal with its finances. She added that the Council now has the ability to provide relief, if necessary, under its own

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control and management. The bill, as proposed, essentially usurps this authority.

After the vote taken, Councilman Stuart stated that he was being cautious.

ADD ITEM 19. Councilman Herreshoff re flagpole at junction of Hope and Thames Streets

There was no vote taken on this agenda item.

Councilman Herreshoff reported that the flag pole at the junction of Hope and Thames Streets remains out of plumb and he suggested that this should be repaired immediately. He added that he believes there should be some type of barrier to prevent future collisions with the flag pole.

Public Works Director Galuska informed the Council that he is "on it."

Councilman Stuart suggested that a barrier might be in the form of a decorative wall versus a guard rail.

J. BILLS & EXPENDITURES

K. SPECIAL REPORTS

L. TOWN SOLICITOR

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

a. Beach Parking Lot - Council Chairman Parella expressed concern that the Town is charging the Bristol Youth Soccer personnel/attendees for parking in the Town Beach Parking lot. She expressed further concern that the move might discourage volunteerism since the coaches are expected to pay to park.

Recreation Director Burke explained that the ordinance on the parking was established by the Council some time ago and that there are nearby parking lots (horse field and gravel lot) which may be accessed free of charge.

He added that it is generally impossible for the beach parking lot staff to differentiate between those coming to use the soccer field and those

coming to use the beach since these staff are primarily high-school youth and are expected to treat all of those wishing to park equally. He stressed the need to have uniform and precise regulations for the workers to follow.

He also added that the Town looks forward to the revenue derived from the beach parking and that it is budgeted.

Recreation Director Burke expressed concern that some of those related to the soccer association were encouraged to give the booth workers a difficult time about the payment which appeared to be unfair to the workers.

b. Bus Lanes - Council Chairman Parella asked Town Administrator Teixeira to investigate the bus lane situation on Hope Street since the designated bus lanes seem to remain unused by RIPTA. She suggested that someone in authority should observe the use of these lanes and prepare a report.

c. Firefighters Memorial Sunday - Council Chairman Parella reported that the Firemen's Memorial and Welfare Committee plan a Memorial Church Service on Sunday, June 9 beginning at 10:30 o'clock AM followed by the annual parade beginning at 1:00 o'clock PM.

2. Herreshoff

3. Calouro

a. Memorial Day - Councilman Calouro stated that the annual Memorial Day activities were a pleasure to attend. He noted that his uncle Joseph Medeiros, a Korean War hero was present at the event. He recognized Mr. Medeiros' service on behalf of the Council.

4. Stuart

a. Sidewalk Improvements - Councilman Calouro noted that many downtown business owners are planting flowers along the sidewalk in front of their shops. He also noted a plan to place hanging baskets on the light posts in the future.

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b. MHHS Graduation - Councilman Stuart extended the Council's best wishes to the recent graduating class of Mt. Hope High School.

c. Pauline Silva - Councilman Stuart congratulated Pauline Silva, Director of Administration and Finance for the Regional School District upon her receipt of a certification.

d. Special Olympics Torch - Councilman Stuart congratulated the Police Department upon its participation in the recent "Torch Run" for the Rhode Island Special Olympics.

5. Sweeney

a. Fourth of July Schedule - Councilman Sweeney noted that the upcoming Fourth of July event schedule is available on-line.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

1. Day of Portugal - Town Administrator Teixeira reported that the annual "Day of Portugal" will be celebrated on June 9 at the Rhode Island Statehouse.

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. Harbor Commission - May 6, 2013
2. Bristol Housing Authority - April 12, 2013
3. Bristol Warren Regional School Committee - April 8, 2013
4. Planning Board - April 9, 2013

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5. Harbormaster Search Committee - January 10, 2013
6. Harbormaster Search Committee - February 21, 2013
7. Harbormaster Search Committee - February 26, 2013
8. Harbormaster Search Committee - March 11, 2013
9. Harbormaster Search Committee - March 12, 2013
10. Harbormaster Search Committee - March 13, 2013
11. Harbormaster Search Committee - April 11, 2013
12. Harbormaster Search Committee - April 15, 2013
13. Harbormaster Search Committee - April 18, 2013
14. Harbormaster Search Committee - April 22, 2013
15. Harbormaster Search Committee - April 24, 2013
16. Animal Shelter Capital Project Committee - April 25, 2013
17. Animal Shelter Capital Project Committee - May 2, 2013
18. Animal Shelter Capital Project Committee - May 8, 2013
19. Animal Shelter Capital Project Committee - May 14, 2013
20. Bristol Warren Regional School Committee - April 22, 2013
21. Bristol Warren Regional School Committee - May 13, 2013

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(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 Revenue and Expenditure Statement - May 30, 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 Public Works - Road Cut Permits

(CA) FF. UPCOMING APPOINTMENTS

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."

1. Susan M. Flynn, CMC, South Kingstown Deputy Town Clerk re Resolution in Support of Senate Bill 0836 and House Bill 5935 - Municipal Streetlight Investment Act
2. Margaret M. Long, Scituate Town Clerk re Resolution in Opposition to House Bill 6099 - Proposed Legislation to Create the Ocean State Regional Water Authority

Herreshoff/Calouro - Voted
unanimously to instruct the Clerk

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to prepare a similar resolution on behalf of the Town and to send same to the local General Assembly Delegation.

Prior to the vote taken, Councilman Herreshoff stated that the proposal was inadvisable and that it would likely worsen the situation rather than improve it.

Councilman Calouro agreed with Councilman Herreshoff and suggested that the Council oppose the bill.

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

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

1. Borrowing Resolutions re Miscellaneous Sewer Capital Projects (signed copy)

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

2. Coastal Resources Management Council, Semi-Monthly Meeting Agenda - May 14, 2013
3. Victualling License Renewal Petition - Sam's Pizza (granted November 14, 2013)
4. Council Resolution re Bristol Fourth of July Celebration - 2013 (signed copy)
5. Council Clerk Cirillo to Lt. Col. Raymond B. Studley, Interim Director of Rhode Island Public Transit Authority re Council Resolution - RIPTA Route 60 (signed copy attached)
6. Council Clerk Cirillo to General Treasurer Gina M. Raimondo re Council Resolution - Municipal Road and Bridge Revolving Fund (signed copy attached)
7. Council Clerk Cirillo to Sen. David E. Bates, et al re Council Resolution - Municipal Road and Bridge Revolving Fund
8. Council Clerk Cirillo to Harbormaster's Office re Council Request for Recommendations

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- Coastal Resources Management Council (CRMC)
Matters

9. Council Clerk Cirillo to Michael King, Tree Warden re Council Request for Information - Tree Removal Policy
10. Council Clerk Cirillo to Matthew J. Calouro re Town Council Special Meeting, May 22, 2013
11. Council Clerk Cirillo to Gregg Marsili re Town Council Special Meeting, May 22, 2013
12. Council Clerk Cirillo to David M. Sylvaria re Town Council Special Meeting, May 22, 2013
13. Amy Rose Weinreich, Charlestown Town Clerk re Resolution in Opposition to House Bill 5953 and Senate Bill 815 - Renewable Energy Facilities on Farmlands
14. Manuel Pereira, President, Santo Cristo Feast Committee re Invitation to Participate, June 2, 2013
15. Director of Parks and Recreation Burke to David Barboza (Bristol Rotary Club) re Thank You for Support
16. Director of Parks and Recreation Burke to David Moreira, Jr., Manager, Community and Customer Management, RI (National Grid) re Thank You for Support - Earth Day Project, April 22, 2013
17. Council Clerk Cirillo to Bristol BCWA Directors Paul Bishop, Georgina Macdonald, and Frank J. Sylvia re BCWA Proposed Billing Change

Herreshoff/Sweeney - Voted unanimously to redirect this correspondence to Ms. Macdonald, Mr. Bishop, and Mr. Sylvia expressing concern that there was only one Bristol representative present at the hearing concerning the billing change and reaffirm the Council's strong opposition to the proposal.

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Prior to the vote taken, Councilman Herreshoff explained that the Water Authority is considering a proposal to change its billing practice to make property owners versus tenants responsible to ultimately pay water bills.

He noted that the only Bristol member of the Water Authority present when this matter was discussed was Frank J. Sylvia and that he suggested that the correspondence should be redirected to Directors Bishop and Macdonald and Mr. Sylvia and to indicate the Council's strong opposition to the measure.

Councilman Stuart reported that he believes that Ms. Macdonald is currently out of town.

18. Warrant - Armand G. Bilotti, Planning Board
19. Warrant - Kenneth J. Marshall, Planning Board
20. Warrant - Matthew White, Capital Project Commission
21. Council Clerk Cirillo to Public Works Director re Accessible Parking Space (added), 562 Wood Street
22. Council Clerk Cirillo to Public Works Director re Accessible Parking Space (removed), 129 Bradford Street
23. Cheryl A. Fernstrom, CMC, Jamestown Town Clerk re Resolution in Support of Senate Bill 0337 and House Bill 5498 - A Referendum Relating to the Code of Ethics
24. Town Administrator Teixeira to Ron Blanchard, P.E., Site Engineering, Inc. re Award of RFP #778 - Site Work Construction Administration, Animal Shelter Project
25. Council Clerk Cirillo to Director of Community Development Williamson re Roger Williams University Community Partnership - Thank You to Participants (Proposed Maritime Center Presentation)
26. Coastal Resources Management Council, Semi-Monthly Meeting Agenda - May 28, 2013

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27. Council Clerk Cirillo to Sen. M. Teresa Paiva-Weed, et al re Sakonnet River Bridge Tolls
28. Warrant - Charles Cavalconte, Economic Development Commission

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

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

1. Fourth of July Committee - May 21, 2013
2. Bristol County Water Authority Finance Committee - May 23, 2013
3. Bristol Warren Regional School District Schedule of Meetings - Week of May 19, 2013
4. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - May 20, 2013
5. Bristol County Water Authority Annual Meeting - May 28, 2013
6. Bristol County Water Authority Board of Directors - May 28, 2013
7. Bristol Warren Regional School District Schedule of Meetings - Week of May 26, 2013
8. Bristol Warren Regional School Committee Personnel/Contract Negotiation Subcommittee - May 29, 2013
9. Bristol Warren Regional School Committee - May 29, 2013
10. State Street Dock Upgrade Committee - May 20, 2013
11. Bristol County Water Authority - Public Hearing, June 5, 2013 (proposed billing change for landlords/tenants)
12. Bristol Warren Regional School District Schedule of Meetings - Week of June 2, 2013

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13. Bristol Warren Regional School Committee
Policy/Community Affairs Subcommittee - June
3, 2013
14. Harbor Commission - June 3, 2013

At the conclusion of the public agenda:

Herreshoff/Calouro - Voted
unanimously to move into Executive
Session pursuant to RIGL § 42-46-
5(a)(5) - Lease of Real Property,
42-46-5(a)(3) - Security, and
litigation issues pursuant to
Section 42-46-5(a)(2) at 10:19
o'clock PM.

Prior to the vote taken, Town Solicitor Ursillo suggested
that the Council also add an agenda item for discussion
purposes only to include Executive Session to consider
litigation issues pursuant to Section 42-46-5(a)(2).

Herreshoff/Sweeney - Voted
unanimously to resume open session
and seal the minutes of the
Executive Session at 11:29 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 11:30 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk