

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 15, 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, May 15, 2013 in the Town Hall, Council Chambers, beginning at 7:05 o'clock PM, Council Chairman Parella presiding:

**Adoption of Town Budget 2013-2014; Schedules "A,"  
"B" and "C," continued from May 6, 2013**

Herreshoff/Calouro - Voted  
unanimously to continue this  
matter until May 22, 2013.

**MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA**

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

- A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)
1. Town Council Special Meeting - April 22, 2013  

Herreshoff/Calouro - Voted  
unanimously to approve these  
minutes as prepared and presented.
  2. Town Council Meeting - April 24, 2013 (action  
items only)  

Herreshoff/Calouro - Voted  
unanimously to approve these  
minutes as prepared and presented.
  3. Town Council Special Meeting - May 6, 2013  
(action items only)  

Herreshoff/Calouro - Voted  
unanimously to approve these  
minutes as prepared and presented.
- B. PUBLIC HEARINGS
1. William J. Delaney, Receiver for Prince  
Investment Group, LLC (Ricc's North End  
Trattoria), 200 Gooding Avenue - Request for

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Transfer of Class B-V Intoxicating Beverage License to B. Peter Sebring, Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar (new name/owner), (combine with agenda items D1 and D2), **continued from April 24, 2013**

a. Jerry Durante, Credit Manager, All American Foods, Inc. re Claim for Unpaid Debt

**LATE ITEM**

b. Recommendation - Department of Water Pollution Control

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

Calouro/Stuart - Voted unanimously to grant transfer of this alcoholic beverage license and to grant a victualling license per the recommendations received and subject to conformance to all laws and ordinances, payment of all fees, taxes, and levies and settlement of all claims.

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

Town Solicitor Ursillo explained that since the former business was in receivership, the license timing was held in abeyance pending the action of the receiver. He noted that the receiver may request transfer of the license to a new entity.

Mr. Sebring explained that he plans to open a restaurant as an outlet for the oysters he cultivates.

There was no other testimony in favor of the transfer and no remonstrance presented in opposition thereto.

C. ORDINANCES

1. Ordinance #2013-08, Chapter 22, Sewers and Sewage Disposal, Article IV, Private Wastewater Disposal, Division I, Generally, Sections 22-110, License for removal of sludge and 22-111, Expiration of license and license fees, **2<sup>nd</sup> reading for adoption**

Herreshoff/Calouro - Voted  
unanimously to consider this action  
to constitute the second reading  
for adoption of Ordinance #2013-08.  
Advertise in local newspaper.

2. Ordinance #2013-09, Chapter 22, Sewers and Sewage Disposal, Article X, Sewer Service Charges, Section 22-401, Infiltration and inflow charge for new developments (sewer service charges), **2<sup>nd</sup> reading for adoption**
  - a. Town Solicitor Ursillo - Explanatory Memo re Effect of Proposed Amendment to Sewer Service Charges

Calouro/Sweeney - Voted unanimously  
to consider this action to  
constitute the second reading for  
adoption of Ordinance #2013-09.  
Advertise in local newspaper.

D. LICENSING BOARD - NEW PETITIONS

1. William J. Delaney, Receiver for Prince Investment Group, LLC (Ricc's North End Trattoria), 200 Gooding Avenue - Request for Transfer of Class B-V Intoxicating Beverage License to B. Peter Sebring, Bristol Oyster Bar, LLC, d/b/a Bristol Oyster Bar (new name/owner), (see agenda item B1 above), **continued from April 24, 2013**

*It is hereby noted for the record that discussion and action concerning this agenda item appears at agenda item B1 as found above.*

2. B. Peter Sebring, for Bristol Oyster Bar, 200 Gooding Avenue - Request for Victualling License (see agenda item B1 above), **continued from April 24, 2013**

*It is hereby noted for the record that discussion and action concerning this agenda item appears at agenda item B1 as found above.*

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3. Town Clerk Cirillo re Peddlers Licenses Limit for 2013-2014 (currently 10 licenses allowed and 4 licenses granted)

- a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted unanimously to set the limit for Peddlers Licenses for 2013-2014 at the current level of ten (10) licenses maximum.

4. Vin Lunney, Jr., 140 Bay View Avenue - Request for Private Investigator's License

- a. Recommendation - Town Administrator and Chief of Police

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

5. Adam Couto, for British Beer Company, 29 State Street - Request for Sidewalk Use License

- a. Recommendation - Town Administrator and Chief of Police

**LATE ITEM**

- b. Recommendation - Town Administrator and Code Compliance Coordinator

Calouro/Sweeney - Voted unanimously to grant this license with a firm statement that no alcohol is allowed to be consumed on the public sidewalk, allowing for a maximum of three tables, and per 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, a discussion ensued regarding this petition with Council members in agreement that the license carries the responsibility of the applicant to assure that

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no alcoholic beverages are served or consumed at the outdoor tables.

Councilman Stuart emphasized that there must be three (3) tables only allowed.

E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

1. Edward J. Correia, for Fourth of July Committee - Request for Use of Town Common for Setting up and Operating Carnival, June 23 - July 5, 2013

a. Recommendation - Town Administrator and Chief of Police

**LATE ITEM**

b. Recommendation - Town Administrator and Director of Parks

Herreshoff/Stuart - Voted  
unanimously to grant this petition  
per the recommendations received.

Prior to the vote taken, Councilman Herreshoff stated that the carnival on the Town Common carries a long tradition but expressed concern that there have been cases when the Common was "trashed" by the equipment, trucks, etc. He explained that this will happen typically when there has been a great deal of rain prior to the arrival of the carnival or when rain falls prior to removal of the carnival equipment and the tires chew up the turf.

Town Administrator Teixeira informed the Council that the carnival is required to provide insurance coverage for damage to the Town Common.

Council Chairman Parella stated that the Parks and Recreation use permit requires that there be a damage deposit.

2. John Paul Fernandes, for St. Michael's Church, 399 Hope Street - Request for Permission to Hold 3<sup>rd</sup> Annual "Art in the Close" Event, June 8, 2013 (rain date June 15, 2013)

a. Recommendation - Town Administrator and Director of Public Works

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- b. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted unanimously to grant this petition per the recommendations received.

- 3. Lynn Shaw, for Bristol Merchants Association - Request for Permission to Hold Annual Fall Sidewalk Sales, October 12 - 14, 2013

- a. Recommendation - Town Administrator and Chief of Police

Stuart/Sweeney - Voted unanimously to grant this petition per the recommendations received.

- 4. Elizabeth A. Fernandes, 4 Eisenhower Court - Request for Curb Cut

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

**LATE ITEM**

- b. Tree Warden re Removal of Trees

Stuart/Sweeney - Voted unanimously to grant this petition per the recommendations received with the cost to be borne by the petitioner.

- 5. Helga Piccoli, Treasurer, Bristol Art Museum, (corner of Hope and Wardwell Streets) - Request for Permission to Hold 7<sup>th</sup> Annual "Art al Fresco" Show, July 28, 2013 (rain date August 4, 2013)

- a. Recommendation - Town Administrator and Chief of Police

Herreshoff/Calouro - Voted unanimously to grant this petition per the recommendations received.

Prior to the vote taken, Councilman Calouro noted that he visited the Art Museum project site and found the project to be "spectacular" thus far.

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6. Robert E. Black, George Patton Associates, 55 Broadcommon Road - Request for Curb Cut
  - a. Recommendation - Town Administrator and Director of Public Works

Calouro/Stuart - Voted unanimously to grant this petition based upon the recommendations received with the cost of same to be borne by the petitioner.

G. APPOINTMENTS

1. Public Service Appointments
  - a. Planning Board (2) (terms to expire April 2016)
    1. Kenneth J. Marshall, 2 Marshall Court - interest/reappointment
    2. Armand G. Bilotti, 2 Stephen Drive - interest/reappointment

Councilman Herreshoff nominated Mr. Marshall and Mr. Bilotti for reappointment.

There were no counter-nominations.

Herreshoff/Calouro - Voted unanimously to close nominations and to instruct the Clerk to cast one vote each in favor of Messrs. Marshall and Bilotti with terms to expire in April 2016.

- b. Capital Project Commission (term to expire May 2018)

- LATE ITEM**
1. Matthew White, 1 Overlook Drive - interest/reappointment

Councilman Herreshoff nominated Mr. White for reappointment.

There were no counter-nominations.

Herreshoff/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast

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one ballot in favor of Mr. White  
with term to expire in May 2018.

- c. Personnel Board (to fill unexpired term  
to expire December 2014)
  - 1. Elizabeth Rene, 11 Lincoln Avenue -  
interest/appointment
  - 2. Camille Dale, 66 Collins Street -  
interest/appointment

Calouro/Sweeney - Voted unanimously  
to instruct the Clerk to set an  
interview at a time convenient to  
the parties.

H. OLD BUSINESS

- 1. Peggy Hicks, 31 Bradford Street - Petition  
for Removal of Handicapped Parking Space (129  
Bradford Street), **2<sup>nd</sup> reading for adoption**

Herreshoff/Calouro - Voted  
unanimously to consider this action  
to constitute the second reading  
for adoption of a request for  
removal of a handicapped parking  
space. Inform Public Works  
Department.

- 2. (Draft) Resolution re Proposed Changes to  
RIPTA Route 60

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

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

- 1. Jeffrey M. Willis, Deputy Director, Coastal  
Resources Management Council re Notice of  
Public Hearing, June 11, 2013 - proposed  
change to Maps of Water Use Categories  
(deadline for comments June 3, 2013)

Calouro/Sweeney - Voted unanimously  
to instruct the Clerk to request  
recommendations on these CRMC

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notices from the Harbormaster's Office.

Prior to the vote taken, Councilman Herreshoff suggested that the Council might receive advice on the various CRMC notices from the Harbormaster prior to its consideration of same.

2. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re Notice of Public Hearing, June 25, 2013 - proposed changes to Salt Pond Region Special Area Management Plan (deadline for comments June 3, 2013)

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

3. Paul D'Amico, Chairman, Firemen's Memorial and Welfare Committee re Request for Support of Program

Stuart/Sweeney - Voted unanimously to appropriate \$100 from Town Council Contingency in support of this purpose and to instruct the Clerk to provide an ad-copy for a full page advertisement.

4. Michael Marshall, 47 Kickemuit Avenue re Harbormaster's Office

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

5. Steven E. Skuba, Chair, Memorial Committee, Bristol Veterans Council re Veterans Memorial Garden, Etc.

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

Prior to the vote taken, Mr. Skuba informed the Council that he found that DaPonte applied only one treatment of weed killer.

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Councilman Herreshoff stated that he believes this to be insufficient and that the weed killer should be applied more often.

Council Chairman Parella agreed that more attention should be provided to the Garden to keep it attractive. She suggested that Town Administrator Teixeira might look into the matter and redirect the landscaper if necessary.

Town Administrator Teixeira noted that he has been aware of the issues with the Garden and knows that there is a "burnt edge" which requires touching-up.

It was noted that some of the trees are quite large and cannot be trimmed any longer. Mr. Skuba agreed to get a proposal for making improvements to the Garden.

Councilman Calouro asked to know if the matter should be referred to Recreation Director Burke who has responsibility for the park maintenance contract.

Council Chairman Parella noted that extraordinary expenses would have to be approved.

Recreation Director Burke reported that of the Town's eighteen parks, the Memorial Garden is the most important and that he supervises its maintenance regularly. He added that the weed killer is applied four times per year and perhaps more often than that. He added that the trees planted were the wrong type of trees and that constant pruning makes the trees look "straggly."

Recreation Director Burke agreed to get a list of more appropriate trees with Councilman Stuart suggesting that the Tree Warden should be asked for a recommendation.

Councilman Herreshoff stated that he agreed with Recreation Director Burke that this was the most important park and that it should be given priority.

A discussion ensued regarding the cannons formerly located in front of the Burnside Memorial Building. Mr. Skuba noted that there was "scuttlebutt" concerning the present location of the cannons.

He explained that these appear to be of the Civil War vintage and asked to know if Councilman Herreshoff knew about their whereabouts since these may have been sent out for carriage repair while Councilman Herreshoff was in office.

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Councilman Herreshoff stated that he did not recall having any dealings with the cannons but agreed to help if possible in locating them.

Mr. Skuba suggested that anyone with information regarding the cannons should contact him.

A discussion ensued regarding the photograph illustrating the cannons with the Clerk noting that the photograph seems to predate the current Town Hall.

Councilman Stuart stated that he hopes that the Memorial Garden will be returned to a pristine state with Town Administrator Teixeira agreeing to examine the lawn maintenance contract.

6. (Draft) Resolution - Bristol Fourth of July Celebration 2013

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

At this point in the meeting, Councilman Herreshoff excused himself indicating that he had a brief speaking commitment elsewhere and that he would return shortly (7:45 o'clock PM).

7. Norman Lowrey, 480 Metacom Avenue re Suggestions for Promoting New Businesses to Locate in Bristol

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

Prior to the vote taken, the Council thanked Mr. Lowery for his suggestions.

8. Coastal Resources Management Council - Public Notice re adopted changes to Ocean Special Area Management Plan, Chapters 8 and 11

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

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9. Council Chairman Parella re Update on Tanyard Brook Rehabilitation Projects Phase I and Phase II
  - a. Beta Group, Inc. - Tanyard Brook Phase II Conceptual Plan

Calouro/Stuart - Voted unanimously to refer this matter to Town Administrator Teixeira and Town Treasurer Goucher to investigate funding possibilities and to report on same at the meeting of June 5, 2013.

Prior to the vote taken, Michael Grilli reported that the project was nearly complete and that it met the expectations for containing storm flow. He added that additional asphalt work must be completed.

Mr. Grilli suggested that BETA is present this evening to discuss a Phase II plan and the routing of same.

Kevin Aguiar provided a packet of photographs.

A discussion ensued regarding standing water with Mr. Aguiar explaining that he believed that re-establishing the plantings in the area would mitigate much of the standing water. He added that there is an alternate plan to place some "notches" in the box culvert to drain some of the water if the plantings do not remove it successfully.

Councilman Calouro asked to know why the notches might be added regardless of the plants with Mr. Aguiar explaining that the plants will need the water and that the area is a wetland and must be maintained as such. He added that the swales are in place and that the notches will be easily added if necessary. He added that there are "weep holes" under the existing drains.

A discussion ensued regarding the depth of the standing water.

Mr. Aguiar turned the discussion to the Phase II plan and explained that the location of the brook in proximity to houses in the neighborhood was problematic. He added that some sheds and pools are located on top of the culvert.

Council Chairman Parella noted that Mrs. Gaspar reports that her driveway and fence are not as they should be.

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Mr. Aguiar reported that the work on Phase I is not totally complete and that there is a "punch list" of things remaining to do including the Gaspar fence and driveway.

Mr. Aguiar noted a diagram of Phase II illustrating the close proximity of the brook to several buildings along the 3000 foot route to the reservoir.

Council Chairman Parella noted that the previous Council discussed the idea of dredging the reservoir and extending it to create more storage capacity.

Mr. Aguiar stated that a goal of the project is to both add water retention capacity and improve the culvert. He added that the number of bends in the culvert restricts the rate of flow. He added that the last time that Phase II was studied was in 2002 or 2004 and that much of the flow originates on Metacom Avenue in the area of Franklin Street.

Council Chairman Parella asked to know about the design funding for Phase II with Town Administrator Teixeira explaining that the design will cost \$200,000 and that Town Treasurer Goucher can provide details about this funding.

Council Chairman Parella asked to know if original bond funds remained available with Town Administrator Teixeira explaining that there was not much remaining in this funding source.

Council Chairman Parella stated that it would be important to have a design ready and that there are always opportunities to fund "shovel ready" projects.

Council Chairman Parella asked to know the timing of the design phase with Mr. Grilli responding that some of the work is already completed and that permitting was needed. He added that it may be possible to advertise in late December for a spring construction phase.

Councilman Stuart asked to know if there was a cost estimate with Mr. Grilli responding that it may be possible to have a good estimate by Labor Day.

Council Chairman Parella asked to know about easements with Mr. Grilli responding that easements will be needed.

Councilman Calouro suggested that the design phase should consider improvements to the State Street Reservoir.

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Mr. Aguiar reported that a conceptual plan for the reservoir was considered but that the DEM participation "fell short."

Councilman Sweeney asked to know the depth of the reservoir and if it may be dredged deeper.

Mr. Aguiar noted that the reservoir has a "long history" and that the spill gate is a limiting factor.

Council Chairman Parella asked to know if the Town will pursue permits to dredge the reservoir with Mr. Aguiar responding that it would be very costly to dredge the reservoir with little benefit. He added that these considerations lead to the recommendation to expand the reservoir rather than dredging it.

Council Chairman Parella noted that the "bottom line" of this discussion is to agree to the completion of the design for Phase II toward a realistic construction project. Mr. Aguiar agreed with Council Chairman Parella.

Council Chairman Parella stated that she is pleased to know that Phase I is successfully completed and that the project was found to be less difficult than originally anticipated.

Town Administrator Teixeira suggested that the matter might be referred to him and that he will make a determination regarding the available funding for Phase II. Town Administrator Teixeira agreed that it is important to proceed at this point.

Council Chairman Parella stated that she believes that funding for design is available.

Councilman Calouro asked to know if the Council will consider multiple options with Mr. Aguiar responding that BETA will provide options and recommendations in the Town's best interest.

10. Director of Community Development Williamson re Roger Williams University Community Partnership Center Presentation - Proposed Maritime Center Phase 2 Business Plan (executive summary attached)

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

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Prior to the vote taken, Director of Community Development Williamson reported that the project was worked upon by University students, Interim Harbormaster Calouro, and the Harbormaster's office. The University students provided a report in PowerPoint format and reviewed the recommended marketing plan including a "welcome package" which will be provided to visitors containing information and discount coupons. It was noted that having an appropriate website was key to the marketing effort. They suggested that the current website should be updated.

The students provided an outline of the feasibility and cost estimate to rehabilitate the armory. It was noted that the cost estimate is \$1.7 million and that a grant of \$850,000 is a possibility and also that \$750,000 is included in the capital project bond.

It was noted that the next steps were to wait for the grant and to continue working with the Harbormaster and harbor "partners" to determine the needed improvements.

Council Chairman Parella thanked the Roger Williams University students and faculty members for their participation.

Councilman Stuart noted that the Harbor Commission Advisory Committee was also present and thanked the members on behalf of the Council.

11. Director of Community Development Williamson and Principal Planner Tanner re Wayfinding System Plan Update

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

Prior to the vote taken, Director of Community Development Williamson reported that the next step would be a public meeting to present concepts and that this would be scheduled through the Town Administrator's office.

12. Talia Policelli, Policy Aide, State of Rhode Island, Office of the General Treasurer re Resolution - Municipal Road and Bridge Revolving Fund

Calouro/Sweeney - Voted unanimously to adopt this resolution.

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13. Stephan Brigidi, of SJS, LLC re Request for Council Consideration to Deny Bristol County Water Authority's Proposed Billing Change

Stuart/Calouro - Voted unanimously to instruct the Clerk to provide a "letter of concern" with copies to the three Bristol BCWA Directors and BCWA Executive Director Pamela Marchand.

Prior to the vote taken, Council Chairman Parella stated that the plan as proposed by the BCWA was "absurd."

Councilman Stuart stated that he spoke to two of the BCWA directors and that they reported that the BCWA has received a significant amount of feedback on the topic.

14. Nancy E. Dobie, Chairwoman, Rhode Island Ocean Tides Senior Games, Inc. re Request for Support of Organization

Stuart/Calouro - Voted unanimously to appropriate \$100 from Town Council Contingency and to instruct the Clerk to prepare an advertisement on behalf of the Council.

**\*AMEND ITEM**

15. Town Administrator Teixeira re Request for Executive Session Pursuant to RIGL § 42-46-5(a)(5) Acquisition and/or Lease of Property

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

J. BILLS & EXPENDITURES

K. SPECIAL REPORTS

L. TOWN SOLICITOR

1. Town Solicitor Ursillo re Sakonnet River Bridge Tolls

Calouro/Sweeney - Voted unanimously to authorize the Administration to obtain a traffic analysis to

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discover the impact to Route 136 resulting from the imposition of tolls on the Sakonnet River Bridge.

Stuart/Calouro - Voted unanimously to instruct the Clerk to send a letter to the local legislative delegation, Governor Chafee, Speaker of the House, President of the Senate, and Majority and Minority Leaders of both legislative bodies explaining the Town's concern regarding the potential for a negative impact to business, traffic, public safety, etc., as a result of the imposition of tolls on the Sakonnet River Bridge.

Calouro/Sweeney - Voted unanimously to instruct the Clerk to draft a resolution of support for Portsmouth v. RIDOT et al.

Prior to the vote taken, Town Solicitor Ursillo reported that there is a two-pronged approach to the matter and that he plans to keep the Council updated on its progress.

A discussion ensued concerning the bridge toll issue. Police Chief Canario reported that his department conducted a preliminary study this afternoon and further reported that officers counted seven (7) tractor trailers passing the police station during a brief period of time. He noted that the tractor trailers were from Wal-Mart, etc., and noted that this particular traffic was unusual; leading him to believe that it may be the transportation companies' attempt at utilizing a new route on a trial basis in anticipation of the bridge tolls.

Police Chief Canario speculated that the increase in traffic would result in "gridlock from the Mount Hope Bridge to the Warren line." He added that the gridlock will hamper the movement of emergency vehicles along Metacom Avenue (Route 136) since this is the only artery that joins the emergency vehicles to the various neighborhoods.

He suggested that there might be a workshop to discuss the matter in greater detail and that the Town should ask the State Department of Transportation to conduct a traffic study to confirm his informal findings.

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Council Chairman Parella suggested that there was no need for a workshop with the Council in order for the Administration to move forward since the matter seems to be shaping up to become a "disaster" as the traffic was already difficult and would certainly be worsened by the traffic caused by those avoiding the toll.

Councilman Herreshoff returned at this point in the meeting (9:16 o'clock PM).

She added that she recently learned that certain moderately sized delivery trucks do not qualify for a transponder so that there will be no relief from the full toll burden for those who commonly traverse the bridge for commercial purposes.

Council Chairman Parella stated that it is necessary for legislators to understand this quandary and noted that the local legislative delegation has raised this issue but that it has "fallen on deaf ears."

She relayed that the Council, by consensus, agrees that the Administration may obtain traffic studies, etc., without specific Council approval.

Police Chief Canario clarified that his informal study revealed that seven (7) tractor trailers from Wal-Mart, Home Depot, etc. passed the police station within a 15-minute period, leading to the Mount Hope Bridge. He asserted that the time for the trucks to shift gears between traffic signals along Metacom Avenue will exacerbate the already slow traffic.

Councilman Stuart reminded those present that the road in question is only one lane in each direction and speculated that the increased traffic will also cause the "infrastructure" to fail prematurely.

After the first vote taken Council Chairman Parella suggested that the Council should correspond with various state officials indicating the Council's concern.

After the second vote taken, Peter Hewett of 11 Wendy Drive asked to know if the Portsmouth lawsuit will result in a stay on the bridge tolls with Town Solicitor Ursillo responding that he was not certain of the result of the Portsmouth action. He added that the lawsuit requests a stay.

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Mr. Hewett noted that the information provided by the DOT indicates that there will be no significant impact upon Bristol County which he considers to be a "crock." He recommended that the Council should formally express its concern about the toll situation.

Council Chairman Parella noted that there have been letters and resolutions sent already and that the local General Assembly members are "on board" regarding this issue.

She added that she would prefer if the State considered a toll on Interstate Route 95 instead.

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

a. Bristol Art Museum - Council Chairman Parella suggested that the Council might consider making a grant to the Bristol Art Museum Capital Campaign. She noted that the Museum would like for the Council to consider \$5000 over two years.

b. Mike Davis - Council Chairman Parella thanked Mr. Davis for his videographer services.

2. Herreshoff

a. Animal Shelter - Councilman Herreshoff questioned the "business arrangement" for the Animal Shelter project and noted that Assistant Solicitor Teitz maneuvered through the "minefield." Councilman Herreshoff suggested that the Town Solicitor's office should examine the contract and that he (Councilman Herreshoff) would appreciate having more detailed information concerning it since he believes the contract to be "faulty." Town Solicitor Ursillo responded that he believes the areas that were of concern have been resolved.

b. Winter Moths - Councilman Herreshoff asked to know if the Town plans to apply insecticide to the trees having winter moth larvae. Recreation Director Burke responded that there is no plan to do so this year. He added that the Town did apply the insecticide for three (3) years and the result is being monitored and that he received only three (3) telephone complaints thus far this year.

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Councilman Herreshoff asked to know if the Tree Warden has been made aware of the past spraying program, etc. with Recreation Director Burke responding that he will contact Tree Warden King.

c. Watering Trees - Councilman Herreshoff asked Public Works Director Galuska if it was possible to water the newly planted trees along Hope Street. Public Works Director Galuska responded that there was no plan to do so. A discussion ensued regarding the conversion of an old truck to a "tank truck" which could be used to water the trees.

Town Administrator Teixeira agreed to investigate the matter and Director of Community Development Williamson reported that Principal Planner Tanner was investigating the use of watering bags for newly planted trees.

d. *Sequoiadendron Giganteum* - Councilman Herreshoff noted that the giant sequoias that were planted some time ago on the Town Common in recognition of the four original proprietors of the Town were "having problems."

Recreation Director Burke noted that the trees were diseased and lacked necessary nutrients and that he contacted the Rhode Island Tree Society concerning this matter.

Councilman Herreshoff suggested that Arborist Christopher Fletcher might be contacted to make an assessment of the trees.

e. Tree Warden Policy - Councilman Herreshoff asked for a "white paper" describing the Tree Warden's tree removal policy, noting that the Town needs a "systematic game plan."

Town Administrator Teixeira noted that there is a manual for making a determination on tree removal and that he is aware that the Tree Warden is utilizing this manual. He added that he (Town Administrator Teixeira) often examines the trees and that he is in agreement with the Tree Warden's assessments.

f. History Signage - Councilman Herreshoff raised the issue he previously brought to the

attention of the Council concerning history signage on the idea of the "Freedom Trail" in Boston. He added that he believes that the Council should appoint a subcommittee to plan this further.

Council Chairman Parella noted that this should coincide with the efforts of the "wayfinding" project.

Councilman Herreshoff and Recreation Director Burke asked to participate on the subcommittee.

Council Chairman Parella asked to know who is on the already existing Wayfinding Committee with Director of Community Development Williamson responding that Public Works Director Galuska, Michael Byrnes, Peggy Hicks, Town Treasurer Goucher, Recreation Director Burke, and Town Administrator Teixeira are included and that Councilman Herreshoff has expressed interest.

Councilman Herreshoff stated that Lombard Pozzi and Patrick T. Conley should also have a role.

3. Calouro

a. Newport County Chamber of Commerce - Councilman Calouro noted that he attended a meeting of the Newport County Chamber of Commerce to represent Bristol. He noted that the Chamber is in opposition to the plan to impose tolls on the new Sakonnet River Bridge and that there is a negotiation regarding transponders. He added that his experience as a representative to the Chamber thus far has been a "wonderful experience."

b. Art Museum - Councilman Calouro reported that he visited the Bristol Art Museum and found the work on the building to be "beautiful."

c. May Breakfast Last Tuesday - Councilman Calouro reported that the Bristol Housing Authority held a May breakfast.

d. Colt Andrews Talent Show - Councilman Calouro reported that Colt Andrews Elementary School held a talent show and raised funds in support of Hasbro Children's Hospital.

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 15, 2013**

e. Colonial Theater - Councilman Calouro reported that the Colonial Theater held a performance at Kickemuit Middle School and also at Mt. Hope High School at no charge. He noted that the Colonial Theater is the organization responsible for the "Shakespeare in the Park" program he has spoken about previously.

f. Quinta-Gamelin Presentation - Councilman Calouro reported that the Recreation Department heard a presentation by Roger Williams University students regarding rehabilitation possibilities for the Quinta-Gamelin recreation center.

4. Stuart

a. Colt-Andrews Talent Show - Councilman Stuart reported that the Colt Andrews Talent Show benefiting Hasbro Children's Hospital was dedicated to a student at the School.

b. Explore Bristol - Councilman Stuart reported that Explore Bristol hosted some travel writers and "bloggers" who will write on behalf of Town businesses to their readership. He added that several of the Council members and Town Administrator Teixeira were asked to attend and speak to the writers.

c. Valet Parking - Councilman Stuart stated that the Town may wish to accommodate valet parking by area businesses without sufficient on-site parking. He suggested that the Council may wish to have a workshop on this topic and also suggested that Town Solicitor Ursillo may wish to investigate whether or not valet parking was a viable option.

d. Graduates - Councilman Stuart congratulated the Roger Williams University graduates and all of the various graduates this year.

e. Memorial Day Safety - Councilman Stuart noted the approaching Memorial Day weekend and cautioned that citizens should exercise safe practices.

5. Sweeney

a. "Hello Dolly" - Councilman Sweeney reported that the Mt. Hope High School Masqueraders

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presented several performances of "Hello Dolly" and praised the activity as a success. He further reported that the performance included a live orchestra.

b. "Spirit of America" Golf Tournament - Councilman Sweeney reported that the Fourth of July Committee is holding a golf tournament on Saturday, May 18 at the Montaup Country Club in Portsmouth.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

1. Street Sweeping - Town Administrator Teixeira reported that the Town has begun its spring street sweeping and thanked the area residents for their cooperation in clearing the streets of automobiles, etc. in order to accommodate the sweeping crews.

Council Chairman Parella stated that she was pleased to see no-parking signage posted on streets to be swept and that she has been asking for this to be done for some time (the signage).

2. Decommissioned Schools - Town Administrator Teixeira distributed a packet of information concerning the Town's decommissioned schools explaining the current use and maintenance needs. He noted that several groups are interested in utilizing the facilities and that he plans to assess the situation prior to recommending any long-term commitments.

3. BCWA Statutory Amendments - Town Administrator Teixeira noted that the BCWA bill passed today with Peter Hewitt explaining that the bill passed with the exception of the term-limits clause.

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CITIZENS PUBLIC FORUM

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Consent Agenda Items:

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

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 15, 2013**

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

1. Bristol Warren Regional School Committee - March 25, 2013
2. Board of Fire Engineers - April 29, 2013
3. Animal Shelter Capital Project Committee - March 27, 2013
4. Animal Shelter Capital Project Committee - April 4, 2013
5. Animal Shelter Capital Project Committee - April 18, 2013
6. North and East Burial Ground Commission [sic] - January 4, 2013
7. North and East Burial Ground Commission [sic] - February 1, 2013
8. North and East Burial Ground Commission [sic] - March 1, 2013
9. Conservation Commission - April 1, 2013

**(CA) BB. BUDGET ADJUSTMENTS**

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

1. Tax Assessor/Collector Belair re Recommended Abatements & Additions for April 2013

**(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 10, 2013
2. Town Treasurer Goucher re Budget Report Summary - Monthly/Quarterly Period Ending March 31, 2013

**(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS**

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

1. Commendation - Bristol Portuguese School, Twenty-fifth Anniversary

(CA) EE. UTILITY PETITIONS

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

1. Department of Public Works - Road Cut Permits
2. Department of Water Pollution Control - Sewer 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. Maureen Cotter, Chair, South Kingstown School Committee - Resolution re Bus Monitors
2. Debra A. Todd, North Smithfield Town Clerk - Resolution re Bus Monitors
3. Lynn M. Hawkins, Exeter Town Clerk - Resolution re Opposition to House Bill 5953 and Senate Bill 0815 Relating to Agriculture and Forestry - Renewable Energy Facilities
4. Jeannette Alyward, North Kingstown Town Clerk - Resolution re Opposition to Legislation (House Bill 5953 and Senate Bill 0815) Relating to Agriculture and Forestry - Renewable Energy Facilities

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

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

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 15, 2013**

1. Dog Kennel License Renewal Petition - Allison's Pampered Pets (granted March 27, 2013)
2. Amy Rose Weinreich, Charlestown Town Clerk - Resolution re Opposition to Contract Continuation Legislation
3. Warrant - Michael Donahue, Harbor Commission Advisory Committee
4. Council Clerk Cirillo to Sen. David E. Bates, et al. re School Regionalization Bonus
5. Maureen Cotter, Chair, South Kingstown School Committee - Resolution to Eliminate Straight Party Vote
6. Class F1 (Full Bar) Alcoholic Beverage License - Newport Music Festival at Blithewold Mansion, 101 Ferry Road, July 22 & 23, 2013
7. Sidewalk Use License Renewal Petitions - Bristol House of Pizza and Angelina's (granted April 24, 2013)
8. Coastal Resources Management Council - May 2013 Calendar
9. Town Administrator Teixeira re Paramedic Systems, Inc. - Extension to Agreement (signed copy attached)
10. Town Administrator Teixeira to Michael Januario, Sunshine Fuels and Energy Services re Award of Bid 779 - Boiler Replacement Project (Byfield School)
11. Council Clerk Cirillo to Matthew J. Calouro re Attendance at May 14, 2013 Town Council Special Meeting
12. Council Clerk Cirillo to Gregg Marsili re Attendance at May 14, 2013 Town Council Special Meeting

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 15, 2013**

13. Council Clerk Cirillo to David M. Sylvaria re Attendance at May 14, 2013 Town Council Special Meeting
14. Resolution supporting of a Referendum Relating to the Code of Ethics (signed copy)
15. Council Clerk Cirillo to Joseph DeMelo re Thank you for Service
16. Resolution Authorizing Lease-Purchase of Recycling Truck (signed copy)
17. Resolution Supporting Application for Grant to Create Maritime Center (signed copy)
18. Resolution re Establishment of Temporary Dock and Transient Mooring Use Fees (signed copy)
19. Resolutions to Adopt Post Issuance Tax Compliance Procedures (signed copy)

**(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 April 28, 2013
2. Bristol Warren Regional School District Schedule of Meetings - Week of May 5, 2013
3. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - May 6, 2013
4. Bristol County Water Authority Board of Directors Meeting - May 8, 2013
5. Harbor Commission - May 6, 2013
6. North and East Burial Ground Commission [sic] - June 7, 2013
7. Fourth of July Committee - May 8, 2013
8. Bristol County Water Authority Board of Directors - May 8, 2013 (revised)

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 15, 2013**

9. Fourth of July Committee - April 3, 2013
10. Bristol Warren Regional School District  
Schedule of Meetings - Week of May 12, 2013
11. Bristol Warren Regional School Committee  
Meeting/Workshop - May 13, 2013

At the conclusion of the public agenda:

Herreshoff/Sweeney - Voted  
unanimously to move into Executive  
Session pursuant to RIGL § 42-46-5  
(a)(5) at 10:00 o'clock PM.

Stuart/Herreshoff - Voted  
unanimously to resume open session  
and seal the minutes of the  
Executive Session at 10:50 o'clock  
PM.

There being no further business, upon a motion by Councilman  
Stuart, seconded by Councilman Herreshoff and voted  
unanimously, the Chairman declared this meeting to be  
adjourned at 10:51 o'clock PM.

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Louis P. Cirillo, CMC  
Council Clerk