

NOTE: ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR ANYONE WISHING TO SPEAK ON A MATTER DESIGNATED "CA" (CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.

DATE: October 7, 2009 TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: October 28, 2009 - Town Council Meeting
November 11, 2009 - Town Council Meeting
December 9, 2009 - Town Council Meeting

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Workshop - September 10, 2009
2. Town Council Meeting - September 16, 2009
3. Special Town Council Meeting - September 29, 2009

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

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

1. Bristol County Water Authority/Board of Directors - August 12, 2009
2. Bristol County Water Authority/Audit Finance Committee - September 2, 2009
3. Bristol County Water Authority/Public Relations/Personnel Committee - September 2, 2009
4. Bristol County Water Authority/Engineering Committee - September 2, 2009
5. Planning Board - Special Meeting, July 21, 2009
6. Planning Board - July 14, 2009
7. Harbor Commission - September 14, 2009
8. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - August 27, 2009
9. Bristol Housing Authority, Board of Commissioners - June 18, 2009

10. Redevelopment Agency - July 30, 2009
11. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - September 10, 2009
12. Board of Canvassers - January 29, 2009
13. Board of Canvassers - September 2, 2009

B. OLD BUSINESS

1. Councilman Herreshoff re Tree Infestation, **continued from August 26, 2009**
2. Town Treasurer Day re Rescue Headquarters progress report, **continued from September 16, 2009**
 - a. (Town Treasurer Day) re Financial Statement for Fire Department & Rescue Station project
3. Councilman Barboza re Water Advisory, **continued from September 16, 2009**
4. Councilman Herreshoff re Ferry Road repair, **continued from September 16, 2009**
5. Stephen Cornwall, (Rogers Free) Library Capital Project Committee re completion of project, **continued from September 16, 2009**
6. Rebecca Hanos, 7 Gorham Place, d/b/a Just Dogs - request for a Hawkers and Peddlers License, **continued from September 16, 2009** (see item D2 re proposed ordinance)
7. John E. DelGreco, d/b/a Only A Dollar, 10 Gooding Avenue - request for a Junk and Second Hand Dealer's License, **continued from September 16, 2009**
8. Michael P. Lewis, Director, Department of Transportation to Council Clerk Cirillo re recognition of 225th Fourth of July celebration on "Welcome to Rhode Island" signs in 2010
9. Henry Sousa, 147 Bay Spring Avenue, Barrington - request for a pension re service on the Board of Canvassers
 - a. Previous Council action re the matter of Henry Sousa
 - b. Town Solicitor Ursillo re the matter of Henry Sousa and Rhode Island Pension Laws
10. Town Administrator Mederos re reconsideration of request for support in opposition to binding arbitration legislation (Senate Bill 2009-S0713)

- a. (draft) Resolution re opposition to mandatory binding arbitration for teacher contracts

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

D. ORDINANCES

- 1. Ordinance #2009-13, CHAPTER 10, Environment, Article II, Noise, Section 10-35, Exceptions from article provisions, **1st reading (continued from September 16, 2009)**
 - a. Karen Binder, Executive Director, Blithewold, Inc. to Joseph Antinucci, Van Wickle Lane Association re invitation to discuss Blithewold's operations
 - b. James W. Farley, President, The Mount Hope Trust re proposed noise ordinance change
- 2. Ordinance #2009-14, CHAPTER 29, Soil Erosion, Runoff, and Sediment Control, Article I, In General, Sections 29-2 and 29-3, Article II, Provisions--Procedure, Sections 29-26, 29-27 and 29-33, Article III, Soil Erosion, Runoff and Sediment Control Plan, Sections 29-58 through 29-63, **1st Reading**

(CA) E. BUDGET ADJUSTMENTS

- 1. Tax Assessor Spagnolo re Recommended Abatements & Additions for September, 2009 (supplemental)
- 2. Tax Assessor Spagnolo re Recommended Abatements & Additions for September, 2009

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

(CA) F. APPOINTMENTS

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

- 1. Public Service Appointments
 - a. Economic Development Commission (to fill vacancy term to expire September, 2012)
 - 1. Brian W. Clark, 7 Heritage Road - interest/appointment
 - 2. William Grapentine, 10 Monterey Drive - interest/appointment
 - b. Juvenile Hearing Board - Alternate Member (to fill vacancy term to expire December, 2011)

1. Emily Spinard, 35 Dartmouth Street
- interest/appointment
2. Matthew P. Cabral, 34 Thames Street
- interest/appointment
- c. Recreation Board (to fill unexpired term to expire February, 2010) & Auxiliary Member (to fill unexpired term to expire February 2011)
 1. Joseph Carosi, 114 Berry Lane -
interest/appointment
 2. Karen Kestenberg, 54 Viking Drive -
interest/appointment
 3. William Cain, 109 Constitution Street - interest/appointment
- d. Christmas Festival Committee
 1. (Patricia Baccus, Chairperson, Christmas Festival Committee) re 2009-2010 proposed membership list
- e. Eastern RI Cooperative Extension (to fill vacancy term to expire October, 2010)
- f. Substance Abuse Prevention Task Force
 1. (Victoria White, Chairperson, Substance Abuse Prevention Task Force) re updated 2009-2011 membership list

G. LICENSING BOARD - NEW PETITIONS

1. Ron Moran, 213 Mt. Hope Avenue, d/b/a R.M.T., Inc. - request for a Drainlayer's License

H. LICENSING BOARD - RENEWALS

(CA) I. UTILITY PETITIONS

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

1. DPW - Road Cut Permits

J. PETITIONS - OTHER

1. Phyllis Bravo, 155 Franklin Street, Unit 5F (Crow's Nest Condominiums) - request for reimbursement re past real estate assessments

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Coastal Resources Management Council re Public Hearing scheduled for consideration of proposed changes to the RI Coastal Resources Management Program on October 27, 2009
2. Town Administrator Mederos re 2010 Census Partner Proclamation

3. Director of Community Development Williamson re revisions to 2008 Comprehensive Plan per the request of the RI Statewide Planning Department
4. Town Clerk Cirillo re Non-Profit Entertainment License Policy

L. **BILLS & EXPENDITURES**

1. Bid #684 - Surplus Truck Equipment Sale

(CA) M. **ROUTINE REPORTS**

(CA) N. **FINANCIAL REPORTS**

Approval of consent agenda="Motion to receive and place this item on file."

1. (Town Treasurer Day) re Revenue and Expenditure Statement, October 1, 2009

P. **PROCLAMATIONS & CITATIONS**

(CA) R. **DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)**

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

1. Notice of Town Code Violation re Section 10-41 (j) Disorderly house at 3 Avenir Court
2. Resolution re appointment of representatives to the East Bay Energy Consortium (signed copy)
3. Proclamation re Ovarian Cancer Awareness Month (signed copy)
4. Wendy J.W. Marshall, CMC, Middletown Town Clerk re resolution concerning Ovarian Cancer Awareness Month
5. Town Clerk Cirillo to Arden Engineering Construction, LLC re return of bid documents received after deadline for Bid #683 - Wastewater Treatment Facility and Remote Pumping Stations Improvements
6. Warrant - Patricia Woods, Economic Development Commission
7. Elizabeth G. Brito, Chairperson, Rogers Free Library Board of Trustees to Town Treasurer Day re additional funding request for building maintenance
8. Jodi P. LaCroix, CMC, Charlestown Town Clerk re resolution concerning Ovarian Cancer Awareness Month
9. Wendy J.W. Marshall, CMC, Middletown Town Clerk re resolution opposing mandatory binding arbitration for teacher contracts

10. Proposal of Arnold N. Robinson, AICP re Animal Shelter project (signed copy)
11. Leif Jensen, 16 Constitution Street, et al to Police Chief Canario re excessive motorcycle noise
12. Class F Intoxicating Beverage License granted to St. Elizabeth Church/Santo Cristo Committee, 577 Wood Street for a Fundraising Dinner on September 26, 2009
13. Coastal Resources Management Council re Semi-Monthly Meeting, September 22, 2009
14. Louise R. Phaneuf, Burrillville Town Clerk re resolution concerning Ovarian Cancer Awareness Month
15. Mary Ellen Murano, Executive Assistant, South Kingstown School Committee re resolution opposing mandatory binding arbitration for teacher contracts
16. Complaint for personal injuries re Mary B. Strickland (referred to Interlocal Trust on November 12, 2008)
17. Town Administrator Mederos to Linda J. Maaia, President, Full Channel Cable Television - thank you for support re Last Night concert
18. Leigh Botello, East Greenwich Town Clerk re resolution concerning Ovarian Cancer Awareness Month
19. Jo Eva Gaines, Chairperson, Newport School Committee re resolution opposing mandatory binding arbitration for teacher contracts
20. Michael F. Crowley, Jr., Chairperson, Middletown School Committee re resolution opposing mandatory binding arbitration for teacher contracts
21. Class F Intoxicating Beverage License granted to Our Lady of Mount Carmel Church, State Street for a Fundraiser on October 23, 2009
22. Town Clerk/Council Clerk Cirillo to Mark W. Matrone, Economic Development Commission re thank you for service
23. E. Richard Carpender, Chair, Portsmouth School Committee re resolution opposing mandatory binding arbitration for teacher contracts
24. Coastal Resources Management Council re October 2009 Calendar
25. Rep. Douglas W. Gablinske to Chuck Alves, Deputy Director and Robert A. Smith, P.E. Deputy Chief Engineer, Department of

Transportation re Hope Street roadway reconstruction project

26. Elizabeth J. Cook-Martin, Hopkinton Town Clerk re resolution opposing mandatory binding arbitration for teacher contracts
27. Town Clerk/Council Clerk Cirillo to Warren Rensehausen, Recreation Board and Substance Abuse Prevention Task Force re thank you for service

(CA) RR. 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 September 21, 2009
2. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - September 24, 2009
3. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - September 28, 2009 (10 o'clock AM)
4. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - September 28, 2009 (6:30 o'clock PM)
5. Bristol Warren Regional School District - Schedule of Meetings, Week of September 28, 2009
6. Bristol Warren Regional School Committee - September 28, 2009
7. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - September 30, 2009
8. North and East Burial Grounds Commission - September 28, 2009 (cancelled)
9. North and East Burial Grounds Commission - October 5, 2009
10. Harbor Commission - Special Meeting, October 5, 2009 (6 o'clock PM)
11. Harbor Commission - October 5, 2009 (7 o'clock PM)

S. TOWN SOLICITOR

1. Request for Executive Session pursuant to RIGL §42-46-5 (a) (2)

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. CORDEIRO

3. PARELLA
4. BARBOZA
5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

ADJOURNED: _____

: jmw