

**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 28, 2009                      TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: November 3, 2009 - Guests of Charter Review  
Commission  
November 11, 2009 - Town Council Meeting  
December 9, 2009 - Town Council Meeting  
January 6, 2010 - Town Council Meeting

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

Public Hearing re 2008 Comprehensive Plan

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Special Town Council Meeting - October 3, 2009
2. Town Council Meeting - October 7, 2009

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

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

1. North and East Burial Grounds Commission - April 27, 2009
2. Historic District Commission - September 3, 2009
3. Harbor Commission - Appeal Hearing, October 5, 2009

4. Harbor Commission - October 5, 2009
5. Bristol Warren Regional School Committee - July 13, 2009
6. Bristol Warren Regional School Committee - August 3, 2009
7. Bristol Warren Regional School Committee - August 17, 2009
8. Bristol Warren Regional School Committee - September 14, 2009
9. Planning Board - September 8, 2009
10. Bristol County Water Authority/Public Relations/Personnel Committee - October 7, 2009
11. Bristol County Water Authority/Engineering Committee - October 7, 2009
12. Bristol County Water Authority/Audit Finance Committee - October 7, 2009
13. Bristol County Water Authority/Board of Directors - September 9, 2009
14. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - September 24, 2009

B. OLD BUSINESS

1. Town Administrator Mederos re overnight parking in vicinity of Town Common, **continued from August 26, 2009**
2. Phyllis Bravo, 155 Franklin Street, Unit 5F (Crow's Nest Condominiums) - request for reimbursement re past real estate assessments, **continued from October 7, 2009**
  - a. Town Solicitor Ursillo to Phyllis Bravo re petition concerning review of past tax assessments

3. Councilman Herreshoff re Ferry Road Repair, **continued from October 7, 2009**
4. (Councilman Barboza) re rental apartment house at 629 Wood Street
  - a. Town Code Section 10-41 (j), Disorderly house
5. Establishment of Noise Study Committee

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Director of Community Development Williamson re proposed amendments to 2008 Comprehensive Plan required by RI Statewide Planning Department, **2<sup>nd</sup> reading**
2. Intoxicating Beverage License Renewals for 2009-2010
  - a. Recommendation - Town Administrator and Police Chief

D. ORDINANCES

1. 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, **2<sup>nd</sup> reading for adoption**
2. Ordinance #2009-15, CHAPTER 19, Peddlers, Hawkers and Itinerant Vendors, Article I, In General, Section 19-2, Rules governing peddlers, **1<sup>st</sup> reading**

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo re Recommended Abatements & Additions for October, 2009

2. Tax Assessor Spagnolo re Recommended Abatements & Additions for October, 2009

(CA) F. APPOINTMENTS

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

1. Public Service Appointments
  - a. Noise Study Committee
    1. Nathan Calouro, 66 Charles Street - interest/appointment
    2. Christy Nadalin, (9 Church Street) - interest/appointment
    3. Peter B. Wilbur, Strategic Planning & Government Relations, Roger Williams University - interest/appointment
    4. Joseph D. Antinucci, (90 Van Wickle Lane) - interest/appointment
    5. Thomas A. Pasqual, Jr., 37 Prospect Street - interest/appointment
    6. David P. Raposa, 6 Rego Avenue - interest/appointment
  - b. North and East Burial Grounds Commission
    1. Reinhard Battcher, III, 190 Wood Street - letter of resignation
    2. Charles Cavalconte, 88 Church Street - interest/appointment

G. LICENSING BOARD - NEW PETITIONS

1. Jen Cavallaro, d/b/a The Beehive Café, 10 Franklin Street - request for a BV Limited Intoxicating Beverage License

H. LICENSING BOARD - RENEWALS

1. Intoxicating Beverage License Renewals for 2009-2010 (see item C2 also)

2. Sunday Sales License Renewals for 2009-2010
  - a. Recommendation - Town Administrator and Police Chief
3. Victualling License Renewals for 2009-2010
  - a. Recommendation - Town Administrator and Police Chief
  - b. Recommendation - Water Pollution Control Facility
4. Amusement Devices/Game Room License Renewals for 2009-2010
5. Holiday Sales License Renewals for 2009-2010
  - a. Recommendation - Town Administrator and Police Chief
6. Carriage License Renewal for 2009-2010
  - a. Recommendation - Town Administrator and Police Chief

**(CA) I. UTILITY PETITIONS**

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

1. WPCF - Sewer Permits
2. DPW - Road Cut Permits
3. The National Grid - petition to relocate pole on Annawamscutt Drive
  - a. Recommendation - Director of Public Works

**J. PETITIONS - OTHER**

1. Gerald T. Murphy, Esquire for Marie C. Kiefer, 24 Obery Street, Plymouth, MA re claim for personal injury

2. Edward J. Correia for 4<sup>th</sup> of July Committee - request use of Town Beach to host a carnival/fair, August 6 - 15, 2010
  - a. (Edward J. Correia) re 4<sup>th</sup> of July Committee proposal
  - b. Recommendation - Director of Parks and Recreation
3. Director of Parks and Recreation Burke - request for funding re Silver Creek Field Studies project
4. Berta Raposo for St. Elizabeth Church, 577 Wood Street - request use of Town Common to host a fundraising carnival, September 16 - 19, 2010
5. William Tomasko, Member, Rhode Islanders for Fair Elections - request to address Council re endorsement of legislation creating a voluntary public financing system for elections in RI

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Jean M. Fecteau, Gloucester Town Clerk - request support of resolution in opposition to Gov. Carcieri's plan for additional cuts to cities and towns
2. Town Administrator Mederos re IRS Seminar concerning American Recovery and Reinvestment Act tax credits and benefits, November 18, 2009
3. Town Administrator Mederos re adoption of Gov. Carcieri's Executive Order 04-10 concerning designation of National Incident Management System
4. Director of Community Development Williamson re application for zoning map change of Christopher Francis for ELJ, Inc., 703 Metacom Avenue, Plat 92A, Lots 35 and 59 from GB (General Business) to M (Manufacturing) with conditions, **1<sup>st</sup> reading and call for public hearing on December 9, 2009**

5. Rhode Island Ethics Commission re meeting scheduled concerning draft of new General Commission Advisory 2009-4 relating to Secondary Employment for Public Officials and Employees, November 3, 2009
6. Director of Community Development Williamson re Fire Department Headquarters/Rescue Station selected for a "Green Building of America Award" by Real Estate & Construction Review
7. Director of Community Development Williamson - request matter re funding for permit tracking software be referred to Town Solicitor to draft a User Fee ordinance
8. (Principal Planner Tanner) for Raymond Payson, Chair, Conservation Commission/Member, Open Space Committee and Stephan Brigidi, Co-Chair, Open Space Committee - request consideration of dissolving the Open Space Committee and appointing interested members to the Conservation Commission

L. **BILLS & EXPENDITURES**

1. Bid #685 - 2009 Drainage Improvement Project
2. Bid #686 - 2009 Fall Tree Planting
3. Bid #687 - Document Shelving

(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 22, 2009

P. **PROCLAMATIONS & CITATIONS**

1. Commendation - Joao B. Valentim, Bristol Sports Club 2009 "Man of the Year"

(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 56 Dewolf Avenue
2. Resolution re opposition to State law mandating binding arbitration for school teachers (signed copy)
3. Susan DeSack, Chairperson, Exeter-West Greenwich Regional School Committee re resolution opposing mandatory binding arbitration for teachers
4. Jean Ann W. Guliano, Chairperson, East Greenwich School Committee re resolution opposing legislation mandating binding arbitration for teacher contracts
5. Coastal Resources Management Council - Maintenance Certificate M 2009-10-011 granted to perform maintenance work to stormwater drainage system at the junction of Thames and State Streets
6. Kim Casci, East Providence City Clerk re resolution opposing mandatory binding arbitration legislation for teacher contracts
7. Class F Intoxicating Beverage License granted to St. Elizabeth Church/Holy Ghost, 577 Wood Street for a Fundraising Event on October 24, 2009
8. Class F Intoxicating Beverage License granted to St. Elizabeth Church/CYO, 577 Wood Street for a Fundraising Event on November 7, 2009
9. Town Clerk/Council Clerk Cirillo to Beryl Borden, President, Eastern R.I. Cooperative Extension re current job description and candidate profile for appointment to the board of director's position
10. Town Solicitor Ursillo to Henry Sousa re denial of pension request for service on the board of canvassers

11. Council Clerk Cirillo to Sen. David Bates, et al re resolution in opposition to binding arbitration for teachers
12. (Kathleen Viera Beaudoin, Portsmouth Town Clerk) re resolution in opposition to binding arbitration for teacher contracts
13. Catherine Kaiser, Chairperson, Jamestown School Committee re resolution re opposition to binding arbitration legislation for teacher contracts
14. Warrant - William Cain, Auxiliary Member to the Recreation Board
15. Richard B. Iannitelli, Chairperson, Smithfield School Committee re resolution in opposition to mandatory binding arbitration for teachers
16. Donna L. Giordano, MMC, Westerly Town Clerk re resolution opposing mandatory binding arbitration for teachers
17. Bristol County Water Authority - Executive Director's Report, October 2009 (miscellaneous correspondence)
18. Town Solicitor Ursillo to Stephen D. Lombardi, West Des Moines, IA re use of the town seal for unofficial business
19. Town Clerk Cirillo to Fausto Anguilla, Chairman, Charter Review Commission re Charter Review Questions 1984-2004
20. Sandra M. Giovanelli, Cumberland Town Clerk re resolution in opposition to binding arbitration for teacher contracts

**(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 October 5, 2009

2. Bristol Warren Regional School Committee  
Student Hearing Subcommittee - October 5,  
2009
3. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - October 5,  
2009
4. Bristol Warren Regional School Committee  
Policy/Community Affairs Subcommittee -  
October 6, 2009
5. Board of Fire Engineers - October 5, 2009
6. Bristol County Water Authority/Public  
Relations/Personnel Committee - October 7,  
2009
7. Bristol County Water Authority/Engineering  
Committee - October 7, 2009
8. Bristol County Water Authority/Audit Finance  
Committee - October 7, 2009
9. Bristol County Water Authority/Board of  
Directors - October 14, 2009
10. Fire Department (& Rescue/Training  
Headquarters) Capital Project Committee -  
October 8, 2009
11. Recreation Board - October 13, 2009
12. Zoning Board of Review - November 2, 2009
13. Bristol Warren Regional School Committee -  
Schedule of Meetings, Week of October 12,  
2009
14. Bristol Warren Regional School Committee -  
October 13, 2009
15. Bristol Warren Regional School Committee  
Student Hearing Subcommittee - October 13,  
2009
16. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - October 19,  
2009

17. Bristol County Water Authority - November 2009 Meetings
18. Bristol Warren Regional School District - Schedule of Meetings, Week of October 19, 2009
19. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - October 19, 2009
20. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - October 22, 2009
21. Charter Review Commission - Meeting Schedule
22. Charter Review Commission - October 20, 2009
23. Charter Review Commission - November 3, 2009
24. Bristol Warren Regional School District - Schedule of Meetings, Week of October 26, 2009
25. Bristol Warren Regional School Committee - October 26, 2009
26. Bristol Warren Regional School Committee Future Enrollment & Facilities Task Force - October 27, 2009
27. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - October 26, 2009

S. TOWN SOLICITOR

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

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. CORDEIRO
3. PARELLA
4. BARBOZA
5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

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**CITIZENS PUBLIC FORUM**

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ADJOURNED: \_\_\_\_\_

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