

**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: March 24, 2010                              TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: March 20, 2010 - Tri-Town Council Meeting with  
  General Assembly Delegation  
  March 23, 2010 - Budget Workshop  
  March 25, 2010 - Joint Finance Committee Meeting  
  March 31, 2010 - Special Town Council Meeting  
  re Public Hearing on Zoning Ordinance  
  amendments & zoning map change  
  application of ELJ, Inc.  
  April 12, 2010 - Special Town Council Meeting  
  re Vote on Provisional Budget  
  April 14, 2010 - Town Council Meeting  
  April 26, 2010 - Public Hearing on Budget  
  May 5, 2010 - Town Council Meeting (Final  
  Council Consideration of Budget)

Proclamation: Parks and Recreation

Commendations: Mt. Hope High School 2009-2010 Winter Wrestling  
  - Varsity

  Mt. Hope High School 2009-2010 Winter  
  Gymnastics - Varsity

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

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Executive Session (sealed -  
Council only) - October 28, 2009

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

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

1. Noise Study Committee - January 26, 2010
2. Board of Fire Engineers - March 1, 2010
3. Zoning Board of Review - January 4, 2010
4. Charter Review Commission - February 18, 2010
5. Historic District Commission - January 7, 2010
6. Historic District Commission - February 4, 2010
7. Planning Board - February 9, 2010
8. Bristol County Water Authority/Board of Directors - Special Meeting, February 17, 2010
9. Bristol County Water Authority/Audit Finance Committee - March 3, 2010
10. Bristol County Water Authority/Engineering Committee - March 3, 2010
11. Bristol County Water Authority/Public Relations/Personnel Committee - March 3, 2010
12. Bristol Housing Authority - February 11, 2010

**B. OLD BUSINESS**

1. Brian W. Kirsch, 28 Paine Avenue - request to designate Paine Avenue as a one-way street, **continued from March 3, 2010**
2. Frank R. Vento, Sr., 16 Charlotte Drive - request for abandonment of a portion of Leahy Drive, **continued from March 3, 2010**
  - a. Michael S. Grant, Real Estate Representative, National Grid re proposed abandonment
  - b. Recommendation - Planning Board

3. Councilman Barboza re interim report of the Noise Study Committee, **continued from March 3, 2010** (consider appropriation not to exceed \$2600 for noise meter and training)
  - a. Council Clerk Cirillo re Council Contingency FY 2009-2010
4. Kathy and Greg Norden, 40 Van Wickle Lane re noise issues
5. Judith Squires, General Chairman, 4<sup>th</sup> of July Committee - request permission to sell food items and be given the authority to contract outside vendors for the various 4<sup>th</sup> of July events; Aerial Photo, Orange Crate Derby, Concert Series, **continued from March 3, 2010**
6. Paul Rodrigues for East Bay ARC of RI - request for motor vehicle tax exemption, **continued from March 3, 2010**
7. Ellen Winsor, Jamestown Town Council re testimony of Weaver's Cove Energy to Rhode Island Senate LNG Task Force presented on March 9, 2010
8. Councilman Herreshoff re additional LNG hearing
  - a. Marcia MacClary, Director Public Affairs, Weaver's Cove Energy re thank you for opportunity to address LNG project on March 3, 2010 and invitation to return for future discussion
9. Gerry Turbeville, CDBG Program Manager re Block Grant for FY 2010
  - a. Community Development Block Grant projects and programs
  - b. Resolution re authorization for Town Administrator Mederos to file CDBG application
10. Director of Community Development Williamson re Animal Shelter Capital Project Committee, etc.

11. Save Bristol Harbor re special appropriation for LNG opposition
12. Town Administrator Mederos (Edward M. Tanner, Principal Planner) re update on Hope Street Roadway Reconstruction Project

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Director of Community Development Williamson re zoning map change application of Charles Alexandre/Alexandre Family Trust for property located at 418 Metacom Avenue (Plat 155, Lot 20) from R-10SW (Residential) to LB (Limited Business), **2<sup>nd</sup> reading**

a. Recommendation - Planning Board

D. ORDINANCES

1. Ordinance #2010-08, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-146, Parking time limited in designated places, (Wood Street), **2<sup>nd</sup> reading for adoption**
2. Ordinance #2010-09, CHAPTER 16, Motor Vehicles and Traffic, Article IX, Residential Parking, Section, 16-343, Residential parking zone (Columban Drive), **1<sup>st</sup> reading**
3. Ordinance #2010-07, CHAPTER 11, Fees and Charges, Section 11-3, GeoTMS User Fee, **2<sup>nd</sup> reading for adoption**, (continued from March 3, 2010)

(CA) E. BUDGET ADJUSTMENTS

**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. Board of Fire Engineers
  - 1. Fire Chief Martin re Board of Fire Engineers 2010
- b. Harbor Commission (2) (terms to expire 3/2013)
  - 1. John Evans, 4 Hillside Road - interest/reappointment
  - 2. David F. Miller, 70 Gibson Road - interest/reappointment
  - 3. John Troiano, 707 Hope Street - interest/appointment
- c. Zoning Board of Review (term to expire 3/2015)
  - 1. David R. Simoes, 5 Echo Farm Drive - interest/reappointment
- d. Board of Canvassers (term to expire 3/2016)
  - 1. Council Clerk Cirillo to John E. Faria, Chairman, Democratic Town Committee re Board of Canvassers' appointment
    - a. John E. Faria, Chairman, Democratic Town Committee re recommendation - Charles Alexandre, 23 Cottage Street
  - 2. Council Clerk Cirillo to Thomas M. Carroll, Chairman, Republican Town Committee re Board of Canvassers appointment
- e. Board of Canvassers - Alternate Member (vacancy, term to expire 3/2014)
  - 1. John E. Faria, Chairman, Democratic Town Committee re recommendation - Herculano Falcoa

f. Post Retirement Benefits Fund - Board of Trustees

1. Lee P. Traibman, 30 Maple Road,  
Warren - resignation

g. Historic District Commission

1. Stephan Brigidi, 93 Highland Road -  
resignation

2. Eric Hertfelder, 9 Howe Street -  
interest/appointment

(CA) 2. Public Service Appointments for April

G. LICENSING BOARD - NEW PETITIONS

1. Ruth Vermilyea, d/b/a East Bay Consignment, 156 Bayview Avenue - request for a Junk and Second Hand Dealer's License to sell furniture consignments and used books, **call for a public hearing on April 14, 2010**

2. Karen A. Alegria, d/b/a King Philip Inn, 400 Metacom Avenue - request for transfer of BV Intoxicating Beverage License to John DaSilva, d/b/a Accommodating Catering, **call for a public hearing on April 14, 2010**

H. LICENSING BOARD - RENEWALS

1. Cesspool License Renewals for 2010-2011

a. Recommendation - Town Administrator and Water Pollution Control Facility

2. Tattoo License Renewals for 2010-2011

3. Ron Moran, 213 Mt. Hope Avenue, d/b/a R.M.T., Inc. - six (6) month review of Drainlayer's License

a. Recommendation - Town Administrator and Director of Public Works

(CA) I. UTILITY PETITIONS

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

1. DPW - Road Cut Permits

J. PETITIONS - OTHER

1. Craig/Is Ltd. Investigative Group for Main Street America Assurance Company a/s/o David Almeida re claim for property damage
2. Sandra Tolley, Chair, First Congregational Church Fund Raising Event - request to hold "Art Affair on the Fence" on the corner of Bradford and High Streets, August 21, 2010 (rain date August 28, 2010)

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Kathy Silva, Newport City Clerk - request for support of resolution encouraging the return of the America's Cup challenge to Newport
2. Councilman Herreshoff re dedication of American Revolution Monument at Independence Park, July 4, 2010
3. Director of Community Development Williamson and Principal Planner Tanner - request for Executive Session pursuant to RIGL §42-46-5 (a) (5)
4. Lane Sparkman, Coordinator, Sense of Pride - presentation re Mosaico's Sense of Pride Program
5. Dan Beardsley, Executive Director, Rhode Island League of Cities and Towns - request for Council consideration of draft resolution in opposition to Senate Bill 2010 - S 2603; mandating terms and conditions of expired teacher contracts remain effective until a collective bargaining agreement is reached (legislation attached)
  - a. Draft resolution re above matter
6. Harry L. Staley, Chairman, Rhode Island Statewide Coalition - request for Council consideration of draft resolution re repeal

of financial mandates pertaining to municipal and school employee pensions, health insurance cost-sharing, and public school employee health care benefits

a. Draft resolution re above matter

7. Louise R. Phaneuf, Burrillville Town Clerk re opposition to House Bill 2010 - H 7276; An Act Relating to Taxation - Tax Sales (legislation attached)

L. BILLS & EXPENDITURES

1. Bid #694 - Replacement Tree Planting, Independence Park
2. Bid #695 - Picnic Tables
3. Bid #696 - Condominium Complex Recycling Collection
4. Town Treasurer Day - Inter-department Line Item Transfer Request re June 30, 2009 Audit
5. Town Treasurer Day - Inter-department Line Item Transfer Request re contribution to Save the Bay in opposition to LNG proposal

(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, March 19, 2010

P. PROCLAMATIONS & CITATIONS

1. Commendation - Detective Scott A. Ramsey, years of service to the Police Department
2. Commendation - Sergeant Steven P. Calenda, years of service to the Police Department
3. Commendation - Brian Dutra, Eagle Scout Court of Honor



(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. Council Clerk Cirillo to Beverly Najarian, Deputy Chief of Staff, Office of the Governor re thank you for assistance in keeping DCYF offices in Bristol open
2. Coastal Resources Management Council - March 2010 Calendar
3. Coastal Resources Management Council re consideration of application by Alfred & Maria DosAnjos to alter the location and layout of a previously authorized residential boating facility at 41 Shore Road
4. Council Clerk Cirillo to Lorraine A. Derois, CMC, Barrington Council Clerk, et al re request for support of House Bill 7014; concerning bridge safety
5. Warrant - David Charette, 3rd Alternate Member to the Redevelopment Agency
6. Council Clerk Cirillo to Richard L. Nagle, Vice President, Appraisal Resource re award of RFP #691 - 2010 Statistical Update Reappraisal and Complete Revaluation
7. James C. Dollins, Vice Chairman, Harbor Commission to Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission re proposed transport/storage of LNG in Rhode Island/Southeastern Massachusetts waters
8. Warrant - Stephan Brigidi, Newport & Bristol County Convention & Visitors Bureau
9. Council Clerk Cirillo to Gregg Landes, Vice President, Weaver's Cove Energy re thank you for attending March 3<sup>rd</sup> Council meeting and agreeing to provide additional information concerning the Weaver's Cove/Hess LNG proposal

10. (Tina W. Freeman, Foster Town Clerk) re resolution requesting support in opposition to House Bill 5931 and Senate Bill 606; reduce RI Housing foreclosure period
11. Amy Rose Weinreich, Charlestown Deputy Town Clerk re request for support of resolution re the establishment of a "Blue Alert" program in the State of Rhode Island
12. Mary LeBlanc, Westerly Deputy Town Clerk re resolution opposing mandatory binding arbitration on monetary matters for teachers
13. Council Clerk Cirillo to U.S. Sen. Jack Reed re thank you for action concerning proposed LNG terminal and request to provide recommendation for upcoming appointment to FERC board
14. Dale S. Holberton, CMC, South Kingstown Town Clerk re consideration of resolution in support of House Bill 2010 - H 7014; concerning bridge safety
15. Lisa A. Mattscheck, Office Manager, Coastal Resources Management Council - Meeting Notice for March 23, 2010 to consider the application of Gunter Hafer to construct a residential boating facility at 333 Poppasquash Road
16. Rhode Island Interlocal Risk Management Trust re meetings scheduled to report developments at The Trust, March 18, 19 & 24, 2010
17. W. Michael Sullivan, Director, Department of Environmental Management re approved appointment of Samuel C. Kinder as official tree warden for 2010
18. U.S. Sen. Jack Reed, et al to Hon. Hillary Clinton, Secretary of State, U.S. Department of State, et al re resolution expressing support for the people affected by the natural disasters on Madeira Island
19. Tax Assessor Spagnolo to Town Administrator Mederos re sewer assessment abatements concerning Courtyard Condominiums

20. Michael J. Mendoza, d/b/a Hot Bodeez Tanning Center, 349 Metacom Avenue re Holiday Sales License Renewal petition (granted October 28, 2009)
21. Council Clerk Cirillo re letter in support of Save Bristol Harbor's LNG presentation
22. Town Administrator Mederos to Samuel Kinder, Kinder & Brother, Inc. re award of Bid #693 - Spring Tree Planting
23. Warrant - Adam McGovern, Economic Development Commission

**(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(office copy only)

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

1. Bristol County Water Authority/Board of Directors - March 10, 2010
2. Bristol County Water Authority/Public Relations/Personnel Committee - March 3, 2010
3. Bristol County Water Authority/Engineering Committee - March 3, 2010
4. Bristol County Water Authority/ Audit Finance Committee - March 3, 2010
5. Charter Review Commission - March 3, 2010 (amended)
6. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - March 4, 2010
7. Bristol Warren Regional School District - Schedule of Meetings, Week of March 8, 2010
8. Bristol Warren Regional School Committee - Workshop, March 8, 2010
9. Recreation Board - March 9, 2010

10. Bristol County Water Authority - March 2010 Meetings
11. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - March 11, 2010
12. Charter Review Commission - March 18, 2010
13. Bristol Warren Regional School District - Schedule of Meetings, Week of March 15, 2010
14. Bristol Warren Regional School Committee Budget/Facilities Subcommittee - March 15, 2010
15. Bristol County Water Authority - April 2010 Meetings
16. Charter Review Commission - March 24, 2010
17. North and East Burial Grounds Commission - March 22, 2010
18. Rogers Free Library/Board of Trustees - March 24, 2010
19. Bristol Warren Regional School District - Schedule of Meetings, Week of March 22, 2010
20. Bristol Warren Regional School Committee Personnel/Contract Subcommittee - March 22, 2010
21. Bristol Warren Regional School Committee - March 22, 2010
22. Bristol Warren Regional School Committee - Meeting with JFC, March 25, 2010

S. TOWN SOLICITOR

1. Ian C. Ridlon, Esq., General Counsel and Director of Legal Services, Rhode Island Interlocal Risk Management Trust - request for support of draft resolution re H7278, H7777, H7277, H7280, and S2349; proposed legislative amendments to protect public officials/employees against personal lawsuits (legislation attached)

- a. Draft resolution re above matter
- b. Previous Council action from April 1, 2009 re above matter

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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