

NOTE: ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE TOWN CLERK'S OFFICE AT 253-7000, 72 HOURS IN ADVANCE OF THE MEETING DATE AND ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR 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.

Revised*

DATE: July 28, 2010 TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: July 26, 2010 **(Cancelled)** - Tri-Town Council Meeting re consideration of draft RFP for a performance audit of the BCWA
July 27, 2010 - Special Town Council Meeting re interviews and Public Hearing on proposed Town Charter amendments
August 18, 2010 - Town Council Meeting
September 15, 2010 - Town Council Meeting
September 29, 2010 - Town Council Meeting

Proclamation - John M. Day, Town Treasurer,
continued from July 7, 2010

Reports: Frank J. Champi, CPA, Principal, Lefkowitz, Garfinkel, Champi & DeRienzo P.C.

Keith Maloney, Chairman, Economic Development Commission

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - June 9, 2010 (preliminary - action items only), **continued from July 7, 2010**
 - a. Complete minutes of July 9, 2010
2. Town Council Meeting - July 7, 2010
3. Town Council Special Meeting - July 15, 2010
4. Town Council Executive Session - May 5, 2010 (sealed - Council only)

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

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

1. Historic District Commission - June 3, 2010
2. Board of Fire Engineers - July 1, 2010

3. Bristol County Water Authority Board of Directors - June 9, 2010
4. Bristol County Water Authority Audit Finance Committee - July 7, 2010
5. Bristol County Water Authority Engineering Committee - July 7, 2010
6. Bristol County Water Authority Public Relations/Personnel Committee - July 7, 2010
7. Animal Shelter Capital Project Committee - June 17, 2010
8. Bristol Warren Regional School Committee - May 24, 2010
9. Bristol Warren Regional School Committee - Workshop/Meeting, June 14, 2010

B. OLD BUSINESS

1. John J. Flanagan, Esquire, for Marie C. Kiefer re claim for personal injury (filed by predecessor counsel and referred to Interlocal Trust October 28, 2009)
2. Herb Moitoso, President, Fourth of July Chief Marshal's Association - request to maintain the War of Independence Monument (located at Independence Park) and surrounding grounds
3. Chairman Marshall re invoice submitted by Attorney DeSisto for services provided concerning Mount Hope Trust loan agreement, **continued from July 7, 2010**
4. Council Chairman Marshall - request for consideration of draft RFP for Performance Audit of the Bristol County Water Authority (with CDM's final report re evaluation of BCWA) and to schedule a Tri-Town workshop, **continued from July 7, 2010**
 - a. Sandra Mack Matrone, Esq., Hinckley, Allen & Snyder, LLP for Bristol County Water Authority re participation at Tri-Town meeting
5. Domenic Raiola, 45 Shore Road re flooding from recent storm, **continued from July 7, 2010**
6. Ardy Jagne, d/b/a My Shisha, 261 Wood Street - request for a Victualling License, **continued from July 7, 2010**
 - a. Recommendation - Town Administrator and Chief of Police
7. Judith M. Anderson, 117 Constitution Street, et al - request to enact proposed ordinance amendment (pursuant to Town Charter Section 503) to Chapter 14 of the Town Code re

Historic Preservation, **continued from July 7, 2010**

- a. Judith M. Anderson, 117 Constitution Street - request for enabling resolution to create a committee to help establish a more user-friendly process for maintaining, restoring, and constructing property in the Historic District
8. Director of Community Development Williamson - request for adoption of the Town's Natural Hazard Mitigation Plan
 - a. Resolution re approval of Natural Hazard Mitigation Plan
9. Town Treasurer Goucher - request for authorization of funds for the purpose of obtaining professional services to evaluate the proposed Animal Shelter site
10. Samuel C. Kinder, Tree Warden to Town Administrator Mederos re winter moth control program

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2nd reading for adoption (continued from July 7, 2010 concerning only proposed Section 28-150 (j), Special use standards for wind energy conversion systems)**

D. ORDINANCES

1. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2nd reading for adoption (continued from July 7, 2010 concerning only proposed Section 28-150 (j), Special use standards for wind energy conversion systems)** (see item C1 also)
2. Ordinance #2010-13, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times, (remove no parking areas on High Street at Reynolds and Byfield schools), **1st reading**

(CA) E. BUDGET ADJUSTMENTS

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

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for July, 2010

(CA) F. APPOINTMENTS

1. Public Service Appointments
 - a. Historic District Commission (to fill vacancy, term to expire July, 2013)
 1. Georgina Macdonald, 125 Poppasquash Road - interest/appointment
 2. Sara Butler, 133 Windward Lane - interest/appointment
 3. Victor Cabral, 122 Mt. Hope Avenue - interest/appointment
 4. Ethan M. Tucker, 1200 Hope Street - interest/appointment
 - b. Historic District Commission - Auxiliary Member (term to expire July, 2013)
 1. Sara Butler, 133 Windward Lane - interest/reappointment
 - c. Harbor Master Cabral re appointment of Walter P. Monroe, 43 King Philip Avenue

(CA) 2. Public Service Appointments for August

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

G. LICENSING BOARD - NEW PETITIONS

1. Ardy Jagne, d/b/a My Shisha, 261 Wood Street - request for a Victualling License, **continued from July 7, 2010** (see item B6 also)
 - a. Recommendation - Town Administrator and Chief of Police
2. Richard Devault for Bristol County Elks, 1 Constitution Street - request for a One-Day Sunday Dancing and Entertainment License, August 29, 2010
 - a. Recommendation - Town Administrator and Chief of Police
3. Stephen Oliveira, d/b/a S. Oliveira Construction Corp., 217 Stafford Road, Tiverton - request for a Drainlayer's License

H. LICENSING BOARD - RENEWALS

1. Veronica Ramos, d/b/a SRC PI, 11 Broadcommon Road - Private Investigator's License renewal petition modifying name and address of company (license granted July 7, 2010)

(CA) I. UTILITY PETITIONS

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

1. The National Grid - request to install a pole at 85 Franklin Street
 - a. Recommendation - Town Administrator and Director of Public Works

(CA) 2. DPW - Road Cut Permits

(CA) 3. WPCF - Sewer Permit

J. PETITIONS - OTHER

1. George W. Burns, III, 82 Washington Street re claim for personal injury
2. Patrick & Lynn Shaw, 12 Carol Avenue re claim for property damage
3. Mark Alano, 450 Hope Street - request for ordinance amendment re parking on Franklin Street

*** (Amend)** 4. M. Luz Rego, 102 Peck Avenue, et al re flooding on Peck Avenue

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Coastal Resources Management Council - notice that Chapter 2 of the RI Coastal Resources Management Program has been amended and the public comment period extended to August 6, 2010 for public hearing scheduled on August 24, 2010 (revised notice)
2. Director of Community Development Williamson and Principal Planner Tanner - request for Executive Session pursuant to RIGL §42-46-5 (a) (5)
3. Town Treasurer Goucher re resolution for Community Septic System Loan Program
 - a. Resolution re Community Septic System Loan Program
4. Grady Miller, Narragansett Town Manager re support of resolution requesting suspension of the current catch share/sector management in the Northeast implemented by the National Oceanic and Atmospheric Administration
5. (Harbor Master Cabral) re proposed ordinance amendment concerning Town Code Section 8-69, Permitting of outhauls
6. Rhode Island Ethics Commission - Request for Comment re proposed new General Commission Advisory re Historic Architect Who are Members of Historic District Commissions, matter to be heard September 14, 2010
7. Town Administrator Mederos re correspondence provided by Town Treasurer Goucher concerning recommended amounts to be re-appropriated and carried forward to 2010-2011 budget

- * (Amend)** 8. John Balzano, d/b/a Tweet's Family Restaurant, 180 Mt. Hope Avenue - request for Council advice re BV Intoxicating Beverage License

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

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

1. (Town Treasurer Goucher) re Revenue and Expenditure Statement, July 23, 2010

P. PROCLAMATIONS & CITATIONS

1. Proclamation - Dudley Hallagan, Chief Marshal for 2010 Fourth of July Celebration
2. Commendation - Mt. Hope High School Boys Lacrosse, Division II State Championship for 2010

(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. Resolution - Authorizing the Assessment of Valuations and levy of Taxes, Sewer Service Fees and Sewer Assessments (signed copy)
2. Jon Wellinghoff, Chairman, Federal Energy Regulatory Commission re response to January 7, 2010 correspondence concerning Weaver's Cove Energy, LLC's Bay Berth Project (previously received FERC communication attached)
3. Mortgage Deed between Mount Hope Trust and Town of Bristol (recorded in Land Evidence July 8, 2010, Book 1544 Page 1)
4. Promissory Note and Agreement between Mount Hope Trust and Town of Bristol
5. Resolution drafted by LNG Working Group re collective opposition to Hess Weaver's Cove LNG Facility (signed copy)
6. Bruce James, Director of Baptist Convention of New England Disaster Relief, et al to Town Administrator Mederos - Certificate of Appreciation re support of volunteers in 2010 flood recovery efforts
7. Coastal Resources Management Council - July 2010 Calendar (amended June 30, 2010)
8. Warrant - Halsey C. Herreshoff, Blue Ribbon LNG Technical/Engineering Committee

9. Warrant - George J. Tamaro, Blue Ribbon LNG Technical/Engineering Committee
10. Warrant - Patrick J. Barosh, Blue Ribbon LNG Technical/Engineering Committee
11. Elyse R. LaForest, Program Manager, Federal Lands to Parks Program, National Park Service, U.S. Department of the Interior to Joseph Calcara, Deputy Assistant Secretary of the Army For Installations and Housing, et al re approval of Town's application to acquire the Quinta-Gamelin U.S. Army Reserve Center and request for assignment of subject property to the National Park Service for conveyance
12. Town Clerk/Council Clerk Cirillo to W. Lincoln Mossop, Barret & Company re thank you for participation at the War of Independence Monument dedication and request for copy of speech for Town records
13. Council Clerk Cirillo to Herb Moitoso, President, 4th of July Past Chief Marshal's Association re thank you for presentation of the War of Independence Monument on July 4, 2010
14. Dedication Program - War of Independence Monument (July 4, 2010)
15. Town Clerk/Council Clerk Cirillo to Melanie Wolfe, Historic District Commission re thank you for service
16. Jamestown Town Council Press Release and Advisory re Jamestown Councilor Ellen Winsor's efforts in promoting an LNG Joint Resolution are those of a private citizen not on behalf of the Town of Jamestown

(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 Audit Finance Committee - July 7, 2010
2. Bristol County Water Authority Engineering Committee - July 7, 2010
3. Bristol County Water Authority Public Relations/Personnel Committee - July 7, 2010
4. Bristol County Water Authority Board of Directors - July 14, 2010
5. Harbor Commission - July 12, 2010
6. Zoning Board of Review - July 12, 2010 (revised agenda)
7. Conservation Commission - July 12, 2010

8. Bristol Warren Regional School District -
Schedule of Meetings, Week of July 12, 2010
9. Bristol Warren Regional School Committee -
July 12, 2010
10. (Bristol Warren Regional School Committee)
Personnel/Contract Subcommittee - July 12,
2010
11. Fire Department (& Rescue/Training
Headquarters) Capital Project Committee -
July 15, 2010
12. Animal Shelter Capital Project Committee -
July 15, 2010
13. Zoning Board of Review - July 19, 2010
14. Bristol County Water Authority - August 2010
Meetings
15. Bristol Warren Regional School District -
Schedule of Meetings, Week of July 19, 2010
16. Bristol Warren Regional School Committee
Budget/Facilities Subcommittee - July 19,
2010
17. Bristol Warren Regional School District -
Schedule of Meetings, Week of July 26, 2010

S. TOWN SOLICITOR

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

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