

**AMENDED\* (August 4, 2014)**

**NOTE: IF COMMUNICATIONS ASSISTANCE IS NEEDED OR ANY OTHER ACCOMMODATIONS TO ENSURE EQUAL PARTICIPATION, PLEASE CONTACT THE TOWN CLERK'S OFFICE AT 253-7000. ANYONE REQUESTING INTERPRETIVE SERVICES FOR THE DEAF OR HARD OF HEARING 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.**

**PLEASE BE ADVISED THAT THE COUNCIL INTENDS TO DISCUSS AND/OR ACT UPON EACH AND EVERY ITEM APPEARING ON THIS AGENDA**

DATE: August 6, 2014

TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: August 27, 2014 - Town Council Meeting  
September 17, 2014 - Town Council Meeting  
October 8, 2014 - Town Council Meeting  
October 29, 2014 - Town Council Meeting

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

- A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)
  - 1. Town Council Meeting - July 16, 2014 (action items only)
  
- B. PUBLIC HEARINGS
  - 1. Thach Gio Hyunh, for Pandaria Corporation, d/b/a Jin's, 531 Wood Street - application for transfer of stock for BV Intoxicating Beverage License to Chen Weiguang and Weiting Liu, for Pandaria Corporation, d/b/a 531 Asian Cuisine (new stockholders/name)

**\*AMEND** a. Recommendation - Chief of Police (deny)

**\*AMEND** b. Recommendation - Fire Chief

C. ORDINANCES

1. Ordinance #2014-08, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times (removal of bus boxes), **2<sup>nd</sup> reading for adoption**

D. LICENSING BOARD - NEW PETITIONS

1. Thach Gio Hyunh, for Pandaria Corporation, d/b/a Jin's, 531 Wood Street - application for transfer of stock for BV Intoxicating Beverage License to Weiguang Chen and Weiting Liu, for Pandaria Corporation, d/b/a 531 Asian Cuisine (new stockholders/name), (see agenda item B1 above)
2. Weiguang Chen, d/b/a 531 Asian Cuisine, 531 Wood Street - request for Victualling License

**\*AMEND**

- a. Recommendation - Chief of Police (deny)

3. Weiguang Chen, d/b/a 531 Asian Cuisine, 531 Wood Street - request for Dancing and Entertainment License

**\*AMEND**

- a. Recommendation - Chief of Police (deny)

**\*AMEND**

- b. Recommendation - Fire Chief

4. Michael Mizrahi, d/b/a State Street Tavern, 29 State Street - request for Sidewalk Alcohol Service License, **continued from July 16, 2014**

5. Asia Davidson, d/b/a Gooding Grille, 200 Gooding Avenue - request for Dancing and Entertainment License

**\*AMEND**

- a. Recommendation - Chief of Police (approve)

**\*AMEND**

- b. Recommendation - Fire Chief

E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

1. Elizabeth Brito, Chairman, Animal Shelter Fundraising Committee - fundraising update re new animal shelter
2. Paul J. Viveiros, 4 Seigel Street - request for "no parking" spaces
  - \*AMEND a. Recommendation - Chief of Police
  - \*AMEND b. Recommendation - Director of Public Works
3. Lynn S. Boudreau, 36 Harrison Street - request for review of parking on Harrison Street
  - a. Lynn S. Boudreau re amended petition
  - \*AMEND b. Recommendation - Chief of Police
  - \*AMEND c. Recommendation - Director of Public Works
4. Michael Marshall, 47 Kickemuit Avenue re Harbormaster's Department
5. Lynn Shaw, for Bristol Merchants Association re musicians to perform Friday evenings through August 2014

G. APPOINTMENTS

1. Public Service Appointments
  - a. Historic District Commission (1) (term to expire in July 2017); (1) (unexpired term to expire in July 2015); and (1 Auxiliary) (unexpired term to expire in July 2016)
    1. Eric Hertfelder, 9 Howe Street - not seeking reappointment
  - b. Economic Development Commission - Alternate Member (unexpired term to expire in September 2014)
    1. Marco Capaldi, 281 High Street - interest/appointment

H. OLD BUSINESS

1. Bryan and Devon McWilliams, 114 Hopeworth Avenue - petition re removal and replacement of two (2) trees, **continued from July 16, 2014**
  - a. Tree Warden King re supplemental report
2. Councilman Stuart re request to discuss reinstatement of Citizens' Revaluation Advisory Committee, **continued from July 16, 2014**
3. Councilman Herreshoff re Drainage on Fairview Drive, **continued from July 16, 2014** (see agenda item K2)
4. Animal Shelter Capital Project Committee minutes - June 5, June 12, June 25, and July 10, 2014 (also found in the AA section below)
5. Councilman Stuart re Road Improvement Program **(Councilman Stuart's prerogative July 16, 2014)**
6. Councilman Stuart re Rockwell School Zone **(Councilman Stuart's prerogative July 16, 2014)**

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Pamela M. Marchand, P.E., Executive Director, Bristol County Water Authority - correspondence re BCWA
2. Director of Community Development Williamson re Close-out of Franklin Street Corridor Redevelopment Plan (repeal of resolution and ordinance)
3. Town Administrator Teixeira re Updates; removal of bus boxes, and Fairview Drive (see agenda item K2 below)
- \*AMEND** 4. Councilman Herreshoff re Large Trucks using Hope Street through Center of Town

J. BILLS & EXPENDITURES

K. SPECIAL REPORTS

1. Allen Klepper re BCWA Monthly Report for August
2. Director of Community Development Williamson re July Report for Drainage Committee

**\*AMEND**

3. Town Administrator Teixeira re Stacey Carter - Monthly Report for June 2014 (see attached)

L. TOWN SOLICITOR

1. Solid Waste and Recycling Services Agreement with Rhode Island Resource Recovery Corporation for 2015-2017
2. (Assistant Town Solicitor Teitz) re Town of Portsmouth vs. Michael P. Lewis, et al, Defendants' Preliminary Objection and Emergency Motion to Stay/Hold Plaintiff's Motion for Restitution and Disgorgement of Tolls in Abeyance
3. (Assistant Town Solicitor Teitz) re Town of Portsmouth vs. Michael P. Lewis, et al, Defendants' Emergency Motion for a Protective Order
4. (Assistant Town Solicitor Teitz) re Town of Portsmouth vs. Michael P. Lewis, et al, Defendants' Motion to Dismiss for Mootness
5. (Assistant Town Solicitor Teitz) re Town of Portsmouth vs. Michael P. Lewis, et al, Town of Bristol and Town of Tiverton's Motion for Hearing of Joint Motion to Intervene

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella
2. Herreshoff
3. Calouro
4. Stuart
5. Sweeney

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

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CITIZENS PUBLIC FORUM

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Consent Agenda Items:

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

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

1. Harbor Commission - June 2, 2014
2. Harbor Commission - July 14, 2014
3. Bristol Warren Regional School Committee - June 23, 2014
4. Planning Board - May 13, 2014
5. Planning Board - June 10, 2014
6. Historic District Commission - June 5, 2014
7. Animal Shelter Capital Project Committee - June 5, 2014 (also found in the H section above)
8. Animal Shelter Capital Project Committee - June 12, 2014 (also found in the H section above)
9. Animal Shelter Capital Project Committee - June 25, 2014 (also found in the H section above)
10. Animal Shelter Capital Project Committee - July 10, 2014 (also found in the H section above)

**(CA) BB. BUDGET ADJUSTMENTS**

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

1. Tax Assessor/Collector Belair - Recommended Abatements & Additions for August 2014

**(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 - July 31, 2014
2. Town Treasurer Goucher re 5 Year Budget Forecast (FY 2015 - 2019)

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

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

**(CA) EE. UTILITY PETITIONS**

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

1. Department of Public Works - Road Cut Permits

**(CA) FF. UPCOMING APPOINTMENTS**

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

1. Public Service Appointments for August

**(CA) GG. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED**

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

**(CA) HH. DISTRIBUTIONS/COMMUNICATIONS**

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

1. Council Clerk Cirillo to Public Works Director Galuska re removal of "accessible parking" space - 628 Wood Street
2. Dancing and Entertainment License Renewal Petition - Sip N Dip Donuts (granted June 25, 2014)

3. Town Administrator Teixeira to Richard Clayton, President, Horsley Witten Group, Inc. re award of RFP #808 - Consultant Services for Planning/Engineering of Hazard Mitigation Plan Update
4. Town Administrator Teixeira re award of RFP #811 - Compost Marketing to Agresource, Inc.
5. Resolution authorizing Assessment of Valuations and Levy of Taxes, Fees and Assessments (signed copy)
6. Council Clerk Cirillo to Town Administrator Teixeira re thank you
7. Marlene K. LeRoy, Director of Development, Meals on Wheels of RI re thank you for support
8. Private Investigator's License Renewal Petitions - Vincent Lunney, Jr., and Frank Vento, Jr. (granted July 16, 2014)
9. Town Administrator Teixeira re absence August 11 - 15, 2014
10. Warrant - Victor G. Cabral, Jr., Historic District Commission
11. Warrant - Dr. Thomas Enright, Historic District Commission
12. Council Clerk Cirillo to Public Works Director Galuska re "accessible parking" space - 77 Union Street
12. Council Clerk Cirillo to Public Works Director Galuska re removal of "accessible parking" space - 628 Wood Street
13. Timothy J. Dodd, Esq., for Prudence Ferry, Inc. re Bristol Dock Lease (discussed in Executive Session July 16, 2014)

**(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 July 20, 2014
2. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - July 21,  
2014
3. Bristol Warren Regional School Committee BWEA  
Contract Negotiations Team - July 22, 2014
4. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - July 23,  
2014 (cancelled)
5. Bristol Warren Regional School District -  
Schedule of Meetings, Week of July 27, 2014
6. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - July 28,  
2014
7. Bristol Warren Regional School Committee -  
Special Business Meeting, July 22, 2014
8. Bristol Warren Regional School Committee  
Budget/Facilities Subcommittee - July 23,  
2014 (cancelled)
9. Bristol County Water Authority Board of  
Directors - July 30, 2014
10. Bristol Warren Regional School District -  
Schedule of Meetings, Week of August 3, 2014
11. Bristol Warren Regional School Committee -  
Special Business Meeting - August 4, 2014
12. Bristol Warren Regional School Committee  
Policy and Curriculum Subcommittee - August  
4, 2014
13. Harbor Commission - August 4, 2014

**(CA) JJ. CLAIMS**

**Approval of consent agenda="Motion to refer these items to  
the Insurance Committee and at its discretion to the  
Interlocal Trust."**

1. Theresa C. Kruger, 1014 Hope Street, M4 re claim for damages
2. Noreen Lapointe, 7 Captain Street re claim for damages

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

jmw