

PRESENT: Calouro, Sweeney, Parella, Stuart, and Herreshoff

ALSO PRESENT: Antonio A. Teixeira, Town Administrator  
Andrew M. Teitz, Esq., Assistant Town Solicitor  
A. Archie Martins, Town Sergeant

The Council met in regular session on Wednesday evening, January 6, 2016 in the Town Hall, Council Chambers, beginning at 7:01 o'clock PM, Council Chairman Calouro presiding:

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

Sweeney/Stuart - Voted unanimously to approve the Consent Agenda withholding agenda items CC1 and HH7 for further consideration.

Prior to the vote taken, Council Chairman Calouro suggested that agenda items CC1 and HH7 might be withheld for further consideration.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - November 12, 2015

Herreshoff/Stuart - Voted unanimously to approve these minutes as prepared and presented.

2. Town Council Meeting - December 16, 2015

Herreshoff/Stuart - Voted unanimously to approve these minutes as prepared and presented.

B. PUBLIC HEARINGS

C. ORDINANCES

1. Ordinance #2015-24, Chapter 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-143, Parking prohibited at all times ("no parking" space - Court Street), **2<sup>nd</sup> reading**

Stuart/Sweeney - Voted unanimously to consider this action to constitute the

Second Reading for adoption of Ordinance #2015-24. Advertise in local newspaper.

2. Ordinance #2015-25, Chapter 1, General Provisions, Section 1-7, General penalty; continuing violations (increase maximum general penalty fee from \$100 to \$500), **2<sup>nd</sup> reading**

Stuart/Sweeney - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2015-25. Advertise in local newspaper.

3. Ordinance #2015-26, Chapter 16, Motor Vehicles and Traffic, Article VI, Junked or Abandoned Vehicles, Section 16-235, Redemption of vehicles (increase impoundment fee from \$15 to \$75), **2<sup>nd</sup> reading**

Stuart/Sweeney - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2015-26. Advertise in local newspaper.

D. LICENSING BOARD - NEW PETITIONS

1. Peter Gresch, d/b/a Grasmere, 4 Franklin Street - request for Junk and Secondhand Dealer's License, **call for public hearing January 27, 2016**

Herreshoff/Parella - Voted unanimously to call for a public hearing to consider this petition for Wednesday, January 27, 2016, beginning at 7:00 o'clock PM. Advertise in local newspaper.

E. LICENSING BOARD - RENEWALS

1. Robert Vanderhoof, d/b/a Roberto's, 450 Hope Street - six-month review of Dancing and Entertainment License (issued July 23, 2015)

Herreshoff/Sweeney - Voted unanimously to extend this license for a full-term.

Prior to the vote taken, Councilman Herreshoff asked to know if there have been any reported incidents with Police Chief Canario responding that there have been no incidents.

F. PETITIONS - OTHER

G. APPOINTMENTS

1. Public Service Appointments

a. Personnel Board (term to expire December 2019)

1. Terri Moreira, 6 Proto Lane - interest/reappointment

Councilman Stuart nominated Ms. Moreira for reappointment.

There were no counter-nominations.

Stuart/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Moreira with term to expire in December 2019.

b. Juvenile Hearing Board (2) (terms to expire December 2018)

1. Tim A. Kemmy, 28 Lindbergh Avenue - interest/reappointment

**LATE ITEM**

2. Wayne Marshall, 33 Cooke Street - interest/appointment

**LATE ITEM**

3. Linda Lou DuBois, 21 Riverview Avenue - interest/reappointment

Stuart/Sweeney - Voted unanimously to interview all of these candidates at the convenience of the parties.

Prior to the vote taken, Councilman Stuart suggested that it may be advisable to interview the candidates for the position since the Council has not had the opportunity to do so previously.

Council Chairman Calouro agreed with Councilman Stuart and suggested that it may be advisable to have an interview with all of the candidates and in particular have a conversation with those who have served for many years to learn about the board and its challenges. Council Chairman Calouro noted that Ms. DuBois and Ms. Kemmy have served on the board perhaps before 1991.

- c. Conservation Commission (2) (terms to expire December 2018)
  - 1. Clifford C. Woods, 133 Poppasquash Road - not seeking reappointment
  - 2. Jay Maciel, 81 King Philip Avenue - interest/appointment
  - 3. Alison Ring, 61 Mulberry Road - interest/reappointment

**LATE ITEM**

Councilman Stuart nominated Ms. Ring for reappointment.

There were no counter-nominations.

Stuart/Sweeney - Voted unanimously to instruct the Clerk to cast one ballot in favor of Ms. Ring with term expire in December 2018.

Stuart/Sweeney - Voted unanimously to send a letter of thanks for service to Mr. Woods.

Stuart/Sweeney - Voted unanimously to interview Mr. Maciel at the convenience of the parties.

- d. Planning Board - Auxiliary Member (to fill unexpired term to expire July 2018)
  - 1. Richard Ruggiero, (21 Kingswood Road) - interest/appointment

Stuart/Sweeney - Voted unanimously to elevate Stephen Katz to the position of first auxiliary member and to set an interview for Mr. Ruggiero at the convenience of the parties.

H. OLD BUSINESS

1. Councilman Stuart re Metacom Avenue Traffic Study, **continued from September 30, 2015**

Stuart/Parella- Voted unanimously to instruct the Clerk to send a letter to the State Department of Transportation requesting that said Department might attend a workshop in Bristol to discuss pending projects in Bristol including Metacom Avenue.

Prior to the vote taken, Councilman Stuart reported that he and Town Administrator Teixeira met with Public Works Director McBride regarding some pending public works projects. He noted that there have been conversations about Metacom Avenue for some time and that Metacom Avenue improvements have been considered since the 1980s.

Councilman Stuart suggested that the plans concerning Metacom Avenue must be "unified" and that he would like for the Town to send a letter to the State Department of Transportation indicating this need.

Councilman Herreshoff noted that Metacom Avenue has "impossible congestion" and that there was a "big push" ten or twelve years ago to make some improvements. Councilman Herreshoff recalled that some of the plans appeared to be questionable since these involve adding lanes in some areas and not others and suggested that the Town should be cautious about these questionable plans.

Councilman Stuart noted that there are some road cuts pending for Metacom Avenue and that these should be coordinated with any plans for paving, etc.

Councilwoman Parella agreed with Councilman Stuart and noted that the Warren "trench" along Main Street is a "long strip of mess." She agreed also that it is necessary to coordinate all activities so that the road is not disturbed after any paving might be completed.

Councilman Sweeney noted that the Comprehensive plan includes some roundabout intersections on Metacom Avenue and stated that he supports a circulation plan with roundabouts. He added that he appreciates the thought that went into this plan.

2. Town Treasurer Goucher re Report on Maritime Center Capital Project, **continued from December 16, 2015**

a. Town Treasurer Goucher re Maritime Center Budget Update

Stuart/Sweeney - Voted unanimously to continue this matter until the meeting of January 27, 2016.

Prior to the vote taken, Council Chairman Calouro reported that he attended a meeting with some of the parties earlier today and that he is still in need of further information.

Town Treasurer Goucher reported that the Capital Project Commission is acting very cautiously and that the situation will become clearer as time passes.

Council Chairman Calouro stated that he is aware of the Council's concern that the project should remain within the available budget.

Councilman Herreshoff agreed with Council Chairman Calouro and stated that he hopes that the result of the project will be as good as possible within the available budget. He suggested that more time is needed to collect information suggested there may be a future meeting to discuss the matter further.

Councilman Herreshoff noted that he attended the recent Capital Project Commission meeting and commended Town Treasurer Goucher for her work as chairman of this commission since there is a good focus on the financial aspects of the project.

3. Council Clerk Cirillo re Capital Borrowing 2016, (Council Chairman Calouro's prerogative from December 16, 2015)

Stuart/Sweeney - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, the Clerk noted that a meeting has been scheduled for February 3.

Council Chairman Calouro noted that the capital budget is a "live animal" and that it is sometimes necessary to evaluate same in order to "deal with surprises."

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re Public Notice - Proposed Rule-Making and Public Hearing, February 9, 2016

Stuart/Sweeney - Voted unanimously to receive and place this matter on file.

2. Oryann Lima, Chairman, Historic District Commission re Amendments to Rules of Procedure Exemption from Review and Administrative Review and Approval Authority

- a. Revised Historic District Commission Amendments to Rules of Procedure Exemption from Review and Administrative Review and Approval Authority (red-lined version)
- b. 2015 Administrative Approvals (informational)

Stuart/Sweeney - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Assistant Solicitor Teitz explained that the report provided is informational in nature. He also explained that the report features 78 "sign off" approvals which represents an increase in administrative approvals versus past years. He noted that the Commission has agreed to allow a broader range of those permits which may receive administrative approvals.

Councilwoman Parella stated that she approved of expanding the list of those permits requiring only administrative approval. She asked to know if the installation of solar panels will be added to this list.

Assistant Solicitor Teitz responded that there does not appear to be a demand for this and that the only application which was filed for solar panels was approved by the Commission.

Assistant Solicitor Teitz noted that the historic district has many street trees and that these generally shade areas normally used for solar panels making the panels unworkable and that he has worked with this issue also in Providence.

Councilwoman Parella noted that she believes that the Historic District Commission is now more "user friendly."

Councilman Stuart thanked the Commission for putting forth the revisions to their rules and regulations.

3. Director of Community Development Williamson re Comprehensive Community Plan Update (public hearing scheduled January 12, 2016), **1<sup>st</sup> reading**

Stuart/Sweeney - Voted unanimously to consider this action to constitute the first reading of the Comprehensive Community Plan update.

Prior to the vote taken, the Clerk distributed a memorandum from Director of Community Development Williamson providing an outline of the highlights of the changes to the plan.

4. Town Treasurer Goucher re Resolution to Borrow (Equipment Capital Lease)
  - a. (draft) Resolution

Parella/Stuart - Voted unanimously to adopt this resolution to authorize capital borrowing in the amount of \$512,032 indicated on the attached "Equipment" list.

Prior to the vote taken, Town Treasurer Goucher noted that this resolution covers the lease of items \$713,000 of capital equipment which will cost \$512,032 due to a Department of Environmental Management grant. She explained that the rate of the borrowing is 1.9% and that the equipment to be acquired is listed on the last page of the resolution.

Public Works Director McBride noted that the plan includes the acquisition of a new non-water type street sweeper which will reduce dust and dirt and is generally a better product than the Town's current equipment.

A further discussion ensued regarding the remainder of the equipment with Public Works Director McBride explaining that one of the current recycling trucks has safety concerns and another is "questionable."

Council Chairman Calouro asked to know the year of the truck with safety concerns with Public Works Director McBride responding that he was uncertain but that it was probably from 2000.

A further discussion ensued regarding a backhoe with Councilman Sweeney asking to know if some of the old equipment has a trade-in value with Public Works Director McBride responding that there is some trade-in value.

Council Chairman Calouro asked to know if there was any downside to this proposal with Town Treasurer Goucher explaining that this proposal represents relatively small borrowing. Councilman Herreshoff noted that the payback seems to be \$82,000 for seven years. He asked to know if there are other outstanding borrowing issues with Town Treasurer Goucher noting that the Town purchased other vehicles similarly in recent years. She added that this is considered a good way to finance.

Councilman Sweeney stated that he believes this to be a "smart investment" in consideration of the safety concerns.

Councilman Herreshoff asked to know about the catch basin cleaning machine with Public Works Director McBride providing a description of the basic operation of the new machine and the rationale for its purchase.

Councilman Herreshoff asked to know if the current machine used by Wastewater personnel might be utilized to clean the catch basins instead of purchasing a new piece of equipment.

Public Works Director McBride explained that the Wastewater equipment is sometimes utilized already but that the new piece of equipment does not use water and can therefore be used year-round.

Councilman Herreshoff noted that it is advisable for departments to cooperate with the use of their equipment as much as possible.

5. Council Clerk Cirillo re (draft) Budget Workshop Schedule for Fiscal Year 2016-2017

Sweeney/Stuart - Voted unanimously to amend the draft Budget Workshop schedule to commence at 5:30 o'clock PM for the workshop scheduled for March 24, 2016 and to ask the Clerk to amend the presentation schedule accordingly and also to set the date of the public hearing at April 25, 2016, commencing at 7:00 o'clock PM.

Prior to the vote taken, Council Chairman Calouro noted that the proposed date of the public hearing of April 20 was "challenging" since Councilman Sweeney was not available on that date.

Councilwoman Parella noted that March 24 is Holy Thursday and suggested that it may be advisable to change that workshop date to accommodate those who wish to attend church services.

It was agreed that Council members could come early (at 5:30 o'clock PM vs. 7:00 o'clock PM) on March 24 which would also allow time to attend church services on that date.

A discussion ensued regarding April 20 with Council Chairman Calouro noting that April 25 would be the last possible date to hold the public hearing and to still conform to the advertising requirements of the Town Charter and applicable State law.

The Clerk stated that he did not recommend having the public hearing on April 25 since this would leave no opportunity to reschedule if necessary. He added that there is a Presidential Preference Primary to be held on April 26 and that this requires that the Clerk's office will have office hours beginning at 5:00 o'clock AM on the suggested day after the Public Hearing. He added that the office will likely not close until 11:00 o'clock PM that same evening making for a very busy week.

J. BILLS & EXPENDITURES

K. SPECIAL REPORTS

L. TOWN SOLICITOR

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

*It is hereby noted for the record that action on this agenda item took place at the conclusion of the public agenda as found below.*

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Calouro

- a. Happy New Year - Council Chairman Calouro extended New Year's greetings to those present.
- b. Solar Panels - Council Chairman Calouro noted that he is informed by Tax Assessor Belair that the installation of solar panels will not impact tax assessments and that there will be information regarding this matter forthcoming at a future meeting.
- c. 20 MPH School Zone - Council Chairman Calouro reported that he is working with the State Representatives concerning the installation of 20 MPH school zone speed signs along certain areas of Hope Street.
- d. Walley School - Council Chairman Calouro suggested that the Town should set improvements to Walley School as a priority since the building should be made habitable so that it may be utilized.

2. Sweeney

- a. Happy New Year - Councilman Sweeney also extended New Year's greetings to those present.
- b. Recycling - Councilman Sweeney noted that the Town is in a "transition period" for its recycling efforts.

3. Parella

- a. Happy New Year - Councilwoman Parella also extended New Year's greetings to those present.
- b. Recycling - Councilwoman Parella noted that this week's recycling article in the Providence Journal by Sarah Kite-Reeves was particularly useful since it provided information on being a "good recycler" and not a perfect one.
- c. Flags - Councilwoman Parella suggested that the Town should have policy to fly flags on the "major" flag poles (Town Common, Hope & Thames intersection) during the entire year. She noted that the flags are sometimes removed due to bad weather and that she was reminded by a constituent that military personnel are guarding the country in bad weather.

Public Works Director McBride agreed with Councilwoman Parella but added that the Town must be concerned that only flags in good condition should be flown and that the weather will sometimes tear the flags.

A discussion ensued regarding the cost of flags with Council Chairman Calouro explaining that the Council seems to have "zero objection" to providing a sufficient flag budget.

#### 4. Stuart

- a. Holiday Season - Councilman Stuart noted the recent holiday season.
- b. Recycling - Councilman Stuart noted that some property owners with rental properties would like to hold a workshop with the Council regarding the new recycling ordinance. He added that the Council must remain cognizant of the diminishing capacity of the Johnston landfill.
- c. Happy New Year - Councilman Stuart also wished those present a happy new year and observed that the budget season will begin soon.
- d. Thank You for Service - Councilman Stuart thanked Mike Davis and Archie Martins for their services this evening.

5. Herreshoff

a. Flags - Councilman Herreshoff stated that he has received telephone calls concerning the absence of flags on certain flagpoles. He noted that it is acceptable for homeowners to remove their flags during the cold-weather months but that the Town should display theirs every day of the year.

Councilman Herreshoff noted that he would like to see a flag on the flagpole on the Town Common and that there should be a spotlight illuminating this during the evenings. He added that there should also always be a flag illuminated at the intersection of Hope and Thames Streets.

Councilman Herreshoff added that he believes that the Town should have a policy to allow for some, if not all, flags on Town flagpoles to fly during the winter.

Town Administrator Teixeira noted that the Town does have a policy and that this policy includes removal of some of the Town's flags due to *harsh* winter weather.

Town Administrator Teixeira explained that the practice is necessitated due to the cost of the flags which range from \$375 to \$400 each and that severe winds ruin the flags very quickly in winter. He noted that the one on the Town Common may not last for one month in winter. He also noted that there is a spotlight aimed at that particular flag already.

A discussion ensued regarding the source of the flags and the various sizes of flags displayed by the Town in the various locations.

Town Administrator Teixeira noted that the Town is able to have some of the torn flags repaired in order to save money and that the repairs are completed by members of the Senior Center.

b. Tinker Bristol and Heritage Hall of Fame - Councilman Herreshoff noted that the "Tinker Bristol" project appears to be going well and also that the Rhode Island Heritage Hall of Fame continues its interest in locating a headquarters in Bristol. He

noted that there may be some resolution to this effort during 2016.

c. Happy New Year - Councilman Herreshoff also offered New Year's greetings to those present.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

1. Students - Town Administrator Teixeira noted that the semester break appears to be over and he welcomed the various students back to Town.

2. Cautions - Town Administrator Teixeira suggested that citizens should be cautious about leaving their animals out of doors during the winter months and also suggested that neighbors should check on their elderly and infirmed counterparts during the cold weather.

----

CITIZENS PUBLIC FORUM

----

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. Bristol Housing Authority - November 12, 2015
2. Bristol Warren Regional School Committee - November 23, 2015
3. Bristol Housing Authority - December 10, 2015

(CA) BB. BUDGET ADJUSTMENTS

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

1. Tax Assessor/Collector Belair - Recommended Abatements & Additions for January 2015

(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 - December 29, 2015

Stuart/Sweeney - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Council Chairman Calouro noted some line items in the budget appeared to be over expended. Town Treasurer Goucher reported that she was aware of these and that in some cases the expenses should have been allocated to capital budget funds and that she plans to reclassify these.

Council Chairman Calouro also noted that most of the "Human Resources" grant recipients have received their funding. He explained that this was a problem in the past and that he was pleased to know that the operation was running more smoothly.

(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 January

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

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

1. Amy Rose Weinreich, CMC, Charlestown Town Clerk re Resolution in support of Legislation on Controlling Blasting

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

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

1. Junk and Secondhand Dealer's License Renewal Petitions - Just Ducky and Jesse/James Antiques (granted December 16, 2015)
2. Resolution re Mooring and Docking Fees (adopted December 16, 2015)
3. Warrant - Renee A. Bilotti, Personnel Board
4. Council Clerk Cirillo to Janet Coit, Director, Rhode Island Department of Environmental Management re Rhode Island Heritage Hall of Fame
5. Council Clerk Cirillo to Hector Angel, d/b/a Casa Margaritas Mexican Restaurant re Class B-Victualler Liquor License Renewal
6. Council Clerk Cirillo to Asia Davidson, d/b/a Gooding Grille re Class B-Victualler Liquor License Renewal
7. John Bento, Chairperson, Bristol Warren Regional School Committee to Elizabeth Burke Bryant, Co-Chair, Funding Formula Study Committee, et al re support of restoring regional state aid incentive

Herreshoff/Sweeney - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Council Chairman Calouro reported that there is a formula funding study committee at the State level and that Warren and Bristol are attempting to restore some of the previously granted "bonus" funding that was awarded to regional districts. He explained that the school district is slated to lose an additional \$753,000 and he is hopeful that the effort will stop the "slip-slide."

Council Chairman Calouro also reported that there will be additional meetings and that he will be presenting additional reports in the future.

8. Coastal Resources Management Council - January 2016 Calendar
9. Brian K. Wrigley, P.E., Senior Project Engineer, BETA Group, Inc. to David Turin, Water Enforcement Unit, United States Environmental Protection Agency re USEPA Administrative Order - Quarterly Report

**(CA) II. DISTRIBUTIONS/NOTICE OF MEETINGS**  
(Office copy only)

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

1. North and East Burial Grounds Commission - December 16, 2015
2. Zoning Board of Review - January 4, 2016
3. Bristol Warren Regional School District - Schedule of Meetings, Week of December 20, 2015
4. Bristol Warren Regional School District - Schedule of Meetings, Week of December 27, 2015
5. Bristol County Water Authority Finance Committee - December 30, 2015
6. Bristol County Water Authority Board of Directors - December 30, 2015 (revised)
7. Historic District Commission - January 7, 2016
8. Bristol Housing Authority - Special Meeting, December 28, 2015
9. Bristol Warren Regional School District - Schedule of Meetings, Week of January 3, 2016
10. Bristol Warren Regional School Committee Policy and Curriculum Subcommittee - January 4, 2016

**(CA) JJ. CLAIMS (REFERRALS)**

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

(CA) KK. CLAIMS (DENIALS)

**Approval of consent agenda="Motion to deny these claims and refer same to the Insurance Committee and the Interlocal Trust for response to claimant."**

(CA) LL. CURB CUT PETITIONS AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS

**Approval of consent agenda="Motion to grant this curb cut per the recommendation of, and any conditions specified by, the Director of Public Works."**

----

Sweeney/Stuart - Voted unanimously to convene in Executive Session pursuant to RIGL § 42-46-5(a)(2) to consider the "Litigation Status Report" as found in agenda item L1 at 8:25 o'clock PM.

Stuart/Herreshoff - Voted unanimously to resume open session and seal the minutes of the Executive Session at 8:45 O'clock PM.

Council Chairman Calouro announced that no action was taken in Executive Session.

There being no further business, upon a motion by Councilman Herreshoff, seconded by Councilman Stuart and voted unanimously, the Chairman declared this meeting to be adjourned at 8:46 o'clock PM.

---

Louis P. Cirillo, CMC  
Council Clerk