

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

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

ALSO PRESENT: Antonio A. Teixeira, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor
A. Archie Martins, Town Sergeant

The Council met in regular session on Wednesday evening, May 4, 2016 in the Town Hall, Council Chambers, beginning at 7:02 o'clock PM, Council Chairman Calouro presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Calouro presented a special Town Commendation to Police Chief Canario who was recently named one of several "Men Who Make A Difference" by the Women's Resource Center.

Council Chairman Calouro noted that Councilman Sweeney was a previous year's recipient of this award.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Sweeney/Stuart - Voted unanimously to approve the Consent Agenda.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - April 25, 2016
(action items only)

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

2. Town Council Special Meeting - April 27, 2016
(action items only)

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

3. Town Council Meeting - April 13, 2016 (action items only)

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Stuart/Sweeney - Voted unanimously to suspend the regular order of business to consider agenda item H1 at this time.

It is hereby noted for the record that the discussion and action concerning agenda item H1 appears, in place, below.

B. PUBLIC HEARINGS

1. Ben Luk, for Bristol Buffet LLC, d/b/a Bristol Buffet, 180 Mount Hope Avenue - request for BV Limited Intoxicating Beverage License (see agenda item D1 also)

a. Recommendation - Town Administrator and Fire Chief (approve)

LATE ITEM b. Recommendation - Town Administrator and Chief of Police (approve)

Stuart/Sweeney - Voted unanimously to close the public hearing.

Prior to the vote taken, Council Chairman Calouro opened the public hearing.

Speaking in favor of the petition was Cynthia Esposito of 186 Mt. Hope Avenue.

Ms. Esposito testified that Mr. Luk has improved the property to make it "impeccable" and that she has been a patron of the restaurant and found it to be "very nice."

Ms. Esposito also explained that she believes that the improvements to the Bristol Buffet property have raised area property values and that she was in favor of the granting of a license.

There was no additional testimony provided in favor of the granting of a license; and no testimony provided in opposition to the granting of a license.

C. ORDINANCES

1. Ordinance #2016-03, Chapter 18, Parks and Recreation, Article I, In General, Sections 18-7

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

and 18-11, (new) Article IV, Alcohol Use and Sale on Town Property, (new) Sections 18-80 – 18-83 (alcohol use on public property), **2nd reading for adoption**

- a. (Town Solicitor Ursillo) re suggested amendment to include "whereas" clause

Sweeney/Stuart - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2016-03, to include the "whereas" clause, as written, and also to include language as recommended by the Interlocal Trust as follows:

Section 18-81(5) Applicant must retain and be responsible for the cost of a police detail with number of police officers as specified by the Police Department, and Section 18-83(2) Third party caterer must provide a certificate of insurance showing general liability and workers compensation coverage for a minimum of \$1 million of coverage which names the Town of Bristol as additional insured.

Herreshoff/Sweeney - Voted unanimously to review this ordinance after a period of six months in practice (November 16, 2016)

Prior to the votes taken, Councilwoman Parella stated that this ordinance is easy to read and that the "preamble" (a/k/a whereas clause) improves the ordinance to make its intention more clear.

She expressed concern that all events held in public parks should not include alcoholic beverages and that she did not wish to disrupt the use of Town parks as places that families may enjoy independently of organized events.

Councilwoman Parella added that the accommodation made possible through the adoption of this ordinance is clearly for non-profit entities and Town sponsored events only and not for other purposes.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Councilman Stuart agreed that the intended use is for non-profit entities having public events and noted that the previously discussed application for park use, as provided by the City of Newport seemed to cover many more potential uses than expected in Bristol including fireworks which are expressly forbidden.

Councilman Stuart noted the recommendations as provided by the Interlocal Trust on March 30 and the Council agreed that these would be included in the final version of the ordinance.

A further discussion ensued regarding the Newport application with the Council in agreement that the application is an administrative function and that the Parks and Recreation Department, in cooperation with the Town Administrator should have its own application; incorporating suggestions from other communities as these may be applicable.

Councilman Herreshoff stated that the proposed ordinance appeared to be "thoughtful" and that he was comfortable with it. He suggested that the ordinance might be reviewed after a trial period of six (6) months.

2. Ordinance #2016-06, Chapter 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Section 17-82, Number of licenses (to increase number of class BV limited licenses from 5 to 6), **2nd reading for adoption**

Sweeney/Parella - Voted unanimously to consider this action to constitute the second reading for adoption of Ordinance #2016-06. Advertise in local newspaper.

D. LICENSING BOARD - NEW PETITIONS

1. Ben Luk, for Bristol Buffet LLC, d/b/a Bristol Buffet, 180 Mount Hope Avenue - request for BV Limited Intoxicating Beverage License (see agenda item B1 above)
 - a. Recommendation - Town Administrator and Fire Chief (approve)

- LATE ITEM**
- b. Recommendation - Town Administrator and Chief of Police (approve)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Parella/Stuart - Voted unanimously to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Peter Petrarca, Esq., an attorney representing the petitioner, noted for the record that Mr. Luk has been in business in a neighboring town for 31 years and that he (Mr. Luk) is qualified to hold a license. He stated that he wished to have this information on the record should someone object to Mr. Luk's holding a license

Mr. Petrarca was informed that the Public Hearing was already concluded earlier this evening and that there was no testimony provided in opposition to the granting of a license to Mr. Luk at that public hearing.

A discussion ensued regarding the ownership of the real estate and the proposed holder of the license. It was noted that these are two separate entities but that Mr. Luk is a principal for both.

2. Ethan M. Tucker, d/b/a The Mint Gallery, 433 Hope Street - request for Holiday Sales License

a. Recommendation - Town Administrator and Fire Chief (approve)

LATE ITEM b. Recommendation - Town Administrator and Chief of Police (approve)

Stuart/Sweeney - Voted unanimously to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

3. Courtney Poissant, d/b/a Common Pub & Grille, 421 Wood Street - request for One-Day Sunday Dancing and Entertainment License (each Sunday through June 5, 2016)

a. Recommendation - Town Administrator and Fire Chief (approve)

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

LATE ITEM b. Recommendation - Town Administrator and Chief of Police (approve)

Sweeney/Stuart - Voted unanimously to grant these licenses for hours from 9:00 o'clock PM until 12:30 o'clock AM per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, the petitioner appeared before the Council.

A discussion ensued regarding the proposed late hour with Councilman Herreshoff suggesting that it may be advisable to consider an earlier ending time since this business is located in a neighborhood and that there may be a noise disturbance. He noted that the Council may be forced to "pull the rug" in this case and that he would prefer not to have to do so.

Town Solicitor Ursillo noted that the licenses may be revoked for cause and that there would be a need for a hearing before doing so.

Councilman Stuart agreed that the neighborhood should be of concern and that the Council was being asked to approve multiple dates at this time.

Councilwoman Parella asked to know if the ending time might be set at 11:00 o'clock PM.

Ms. Poissant explained that her intention is to accommodate those persons working in the restaurant "industry" and that her reasoning is to offer a place where wait-staff and other working in area establishments may be able to enjoy the entertainment she plans to provide after work on a Sunday night.

Ms. Poissant added that she plans to discount food and beverages to those persons working in the "industry."

Councilwoman Parella noted that Ms. Poissant plans to have karaoke and that this form of entertainment does not tend to be too loud.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Ms. Poissant agreed that the entertainment is not planned to be excessively loud and that she intends to leave doors and windows closed at the facility.

Councilman Sweeney suggested that these several licenses might be considered as a "test case."

4. Liduino Areia, for St. Elizabeth's Church Holy Trinity Committee, 577 Wood Street - request for One-Day Dancing and Entertainment License (May 20, 21 & 22, 2016)

- a. Recommendation - Town Administrator and Fire Chief (approve)

- LATE ITEM** b. Recommendation - Town Administrator and Chief of Police (approve with conditions)

Parella/Stuart - Voted unanimously to grant this license per the recommendations received and conditions imposed and also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Councilwoman Parella asked to know if this might be a duplicate license from an earlier meeting. It was noted that it may be the case and that the previous license, if any, would stand.

5. Jacqueline Vaughn, d/b/a Mumma's Real Lemonade, 15 Gorham Place - request for Hawkers and Peddlers License

- LATE ITEM** a. Recommendation - Town Administrator and Chief of Police (deny)

Herreshoff/Stuart - Voted unanimously to deny this petition, due to the request for a static location, based upon the recommendations received.

Prior to the vote taken, it was noted that the Council's basic objection is due to the request to vend at a "static" location.

Town Solicitor Ursillo observed that the Hawker's and Peddler's license is intended for use on public property and that if

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

someone wishes to vend from private property, he or she should operate from a storefront and that the zoning use must be compatible.

E. LICENSING BOARD - RENEWALS

1. Sidewalk Use License Renewals 2016-2017

- a. Recommendation - Town Administrator and Director of Public Works (approve with conditions)

LATE ITEM b. Recommendation - Town Administrator and Chief of Police (approve with conditions)

LATE ITEM c. Recommendation - Town Administrator and Code Compliance Coordinator (*received at meeting*)

Stuart/Sweeney - Voted unanimously to grant these licenses per the recommendations received and conditions imposed and also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, the Clerk noted the receipt of a recommendation from the Code Compliance Coordinator, recommending approval. The Coordinator reported that Floral Symphony has relocated to Gooding Avenue and that the Zenabelle establishment advertises a pending relocation to a store front on Wood Street. He suggests that these licenses should not be renewed accordingly.

F. PETITIONS - OTHER

1. Nicholas Cromwell, 649 Hope Street - request for Council consideration to allow non-profit moorings be charged resident fee

- a. Recommendation - Town Administrator and Harbormaster (deny)

Sweeney/Stuart - Voted to continue this matter until the meeting of May 25, 2016 in order to receive further factual data. Voting in favor of the

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

motion were Council Chairman Calouro, Councilman Sweeney, Councilwoman Parella, and Councilman Stuart. Councilman Herreshoff was recused.

Prior to the vote taken, Councilman Herreshoff recused himself from this matter and left the Council table.

Mr. Cromwell appeared before the Council and explained that he holds the position of volunteer board chairman of East Bay Sailing. He noted that the organization operates out of Bristol Yacht Club and has a symbiotic relationship with that entity.

Mr. Cromwell noted that East Bay Sailing involves many people and that it has been in operation for thirty years and that support of the organization is growing.

Mr. Cromwell explained that the previous Harbormaster considered the non-profit status of the organization by allowing it to pay a residential fee rate and that this was applied to those moorings holding the small "teaching" boats operated by East Bay Sailing. He added that the current Harbormaster interprets the fee structure in that this particular entity does not qualify for the residential rate since this is intended for resident persons and not otherwise.

Councilwoman Parella asked to know the number of moorings with Mr. Cromwell responding that there are 15 moorings impacted by this decision.

Councilwoman Parella suggested that it may be appropriate to create an additional category to consider those moorings used by bona-fide non-profit entities. She also suggested that it may be advisable to provide a discounted rate but that this rate may fall between the rate allowed to resident citizens and the commercial rate.

Harbormaster Marsili reported that there is no special rate established and that it would be up to the Council to create one if its honorable body so chooses.

Councilwoman Parella stated that if the Council were to create a new category, it perhaps should be educational purposes only and not necessarily in general for non-profit entities.

Mr. Cromwell reported that he attended a recent meeting of the Harbor Commission and the Commission endorsed the idea of

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

allowing his agency to use the residential rate. Mr. Cromwell suggested that this exception might be allowed to all of those entities possessing status according to section 501 (c) (3) of the tax code.

Councilwoman Parella stated that the Council may consider a special rate for a "sailing school." With Mr. Cromwell agreeing that the Council may wish to change the definition of "residential" for determining rates.

Councilman Sweeney observed that the bill was increased by \$2400.

Mr. Cromwell informed the Council that he is aware that the residential rate increased for this year and that his group is willing to pay the new residential rate. He explained that his bill was for \$5000 and that the increase in the residential rate would mean that East Bay Sailing Foundation would pay \$400 more than it did last year.

Councilman Sweeney asked to know if the new rate posed an inordinate hardship with Mr. Cromwell responding that the new mooring rate would force his agency to raise its tuition significantly and that he is concerned that East Bay Sailing Foundation would not remain competitive due to this increase. He added that he would anticipate having to raise the fee per student from \$50 to \$100 for a two week session and that this increase would drive away customers.

Council Chairman Calouro asked to know how many students are in the program with Mr. Cromwell responding that there are 300 children and 50-60 adults.

Councilwoman Parella stated that she does not believe that the commercial rate would be appropriate for a sailing school but that there perhaps should be a specific category to cover this.

Mr. Cromwell suggested that the term "educational" would be appropriate since this would clearly define the reason for the special rate. He noted that this category would benefit the larger community of those offering sailing/boating instruction.

Councilman Stuart asked to know what might be done in other communities.

Harbormaster Marsili reported that he did not recall any educational rates in other communities but that he did not look

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

specifically for these when reviewing comparable rates. He explained that he would have to go back and review the data to see if any educational rates are applied elsewhere.

A discussion ensued regarding the overall revenue for the fees to be collected and stated that he was informed that the new increase in fees was not reflected in the revenue projections.

Council Chairman Calouro expressed concern that the Council and other spent a great deal of time and energy to establish the new fees and that he is hesitant to make changes now that these are in place. He added that he did not wish to shift the burden of the budget to others but added that none of his comments reflect upon the obvious quality of the sailing school.

Council Chairman Calouro noted that based upon the increase in fees and the number of students he calculates that the increase in cost per student would be \$10 and that he did not find this amount to appear burdensome.

Mr. Cromwell noted that the practice of paying the residential rate has been in place for nearly thirty years and that he was not asking for anything new but rather that he was asking the Council to confirm the past practice and perhaps codify it for future reference.

Councilwoman Parella suggested that there should be a confirmation of the adopted revenue projections to determine whether or not the new fees are clearly reflected in these projections.

A discussion ensued.

Councilwoman Parella noted that perhaps the Council will find that there will be no loss in the revenues based upon the method used to calculate the revenues.

Council Chairman Calouro suggested that questions concerning this matter should be returned to the Clerk and that the Clerk will provide these to Mr. Cromwell.

2. Jacqueline Vaughn, 15 Gorham Place - request for Council consideration to allow selling of beverages from stationary location

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Prior to the vote taken, Todd Thien, of 31 Burnside Street, addressed the Council and explained that he is appearing on behalf of the petitioner who could not be present this evening.

Mr. Thien explained that Ms. Vaughn sells her product at the Mount Hope Farm Farmers' Market and that she would like to be able to sell it at other places in Town. He added that she is trying to obtain certification to be a bottler of the beverages.

Councilwoman Parella suggested that it may be easier for Ms. Vaughn to operate from a storefront or perhaps to "link-up" with an existing coffee shop.

Mr. Thien explained that Ms. Vaughn does not possess a Wholesaler's License.

Town Solicitor Ursillo explained that Ms. Vaughn's request is similar to those received in the past from those persons wishing to vend fireworks from a tent. He expressed caution that the Town has determined that it does not wish to allow this type of activity and that opening up to any vendor would lead to problems disallowing others.

Town Solicitor Ursillo added that this is a zoning issue and that the code would not allow a second business operating from a parking lot. He suggested that vendors wishing to sell from stationary locations should set up shop in a building which is zoned correctly for the activity.

Councilwoman Parella noted that there are many opportunities to vend during the summer, citing several farmers' markets and other venues where vending would be allowed.

Town Solicitor Ursillo noted that the Council may issue a license for a "lemonade truck" provided that the truck conforms to the rules for its operation.

Council Chairman Calouro suggested that Ms. Vaughn and Mr. Thien should speak to the Economic Development Coordinator.

3. Cheryl Burns, Interim Executive Director, Art Night Bristol Warren - request for use of Maritime Center to hold 5th Anniversary Season Opening Night Celebration event, May 5, 2016

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

- a. Recommendation - Town Administrator and Harbormaster (approve)

Herreshoff/Sweeney - Voted unanimously to grant this petition subject to conformance to all laws and ordinances and further subject to the securing of a "host liability" insurance certificate with the Town listed as additional insured.

G. APPOINTMENTS

1. Public Service Appointments for April

- a. Planning Board (2) (terms to expire April 2019)
 - 1. Armand G. Bilotti, 2 Stephen Drive - interest/reappointment
 - 2. Michael W. Rossi, 190 Hope Street - interest/reappointment

Councilman Sweeney nominated Messrs. Bilotti and Rossi for reappointment.

There were no counter-nominations.

Sweeney/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of the two nominees with terms to expire in April 2019.

- b. Police Pension Fund-Board of Trustees (term to expire April 2019)
 - 1. Michael A. Lenarcic, 155 Ferry Road - interest/reappointment

Councilman Stuart nominated Mr. Lenarcic for reappointment.

There were no counter-nominations.

Stuart/Sweeney - Voted unanimously to close nominations and to instruct the

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Clerk to cast one ballot in favor of the nominee with term to expire in April 2019.

2. Town Administrator Teixeira re Appointment of Tree Warden

Sweeney/Stuart - Voted unanimously to continue this matter until the meeting of May 25, 2016.

H. OLD BUSINESS

1. Councilman Stuart - request for status of response from RI DOT to attend workshop re pending projects in Bristol, **referred to Town Administrator April 13, 2016**
 - a. Town Administrator Teixeira re Metacom Avenue Project Update from RIDOT Representative

It is hereby noted for the record that discussion concerning this agenda item took place at the commencement of this evening's agenda following agenda item A3.

It is also noted for the record that there was no action taken regarding this agenda item.

Appearing before the Council were Maureen McHugh and Steve Pristawa from the Rhode Island Department of Transportation (DOT).

The DOT visitors provided a PowerPoint presentation concerning the proposed improvements to Metacom Avenue; explaining that these improvements will include certain currently problematic intersections and that these intersections are known to have high "crash rates."

The intersections are listed as Chestnut Street and Annawamscutt Drive, Michael Drive and Tupelo Street and Bay View Avenue and the entrance to the CVS plaza.

The project is considering the possible installation of new traffic signals and turning lanes and that pavement and signage is within the project limits.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

It was noted that the project will be advertised in October with construction to occur in the spring.

Council Chairman Calouro asked if the real estate matters have been resolved with Mr. Pristawa explaining that the State plans to take only small strips and that the property owners will be compensated for these strips of land.

Mr. Pristawa noted that the planned left-turn lanes should improve traffic flow and reduce congestion. He added that the improvement should be very noticeable.

Councilman Sweeney asked to know if there will be any improvements for pedestrians with Ms. McHugh explaining that the project will include some four-sided crosswalks with pushbutton controls, audible messages, and ADA compliant wheel chair ramps.

Councilman Sweeney noted that the Hope Street rehabilitation project seemed to go well because there was good communication between the State, Town and private citizens. He added that he considers safety to be paramount and that he is pleased to learn about the plans to ease traffic congestion and improve intersections.

Councilman Sweeney stated that he would like for the State to address turning lanes since adding traffic lanes would be cost-prohibitive. He also stated that the choice may be either having shoulders or a central turning lane.

Council Chairman Calouro noted that the Town of Bristol is more than just its downtown and that he believes the described improvements will "calm down" traffic.

Councilman Stuart noted that the BCWA is here to speak about a new water main and that he is hopeful that the water main project and the road improvement project will be coordinated.

Councilman Sweeney expressed concern that if the project is not well-coordinated, the road may be torn-up multiple times.

Ms. McHugh explained that the State contacted BCWA, National Grid and Verizon about the project. She added that she is aware that National Grid will be completing some repairs in the road bed in anticipation of the State's plans.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Council Chairman Calouro noted that since there is a plan to begin work in 2017 that it would be wise to inform the public of this plan as soon as possible.

2. Town Treasurer Goucher re Report on Maritime Center Capital Project, **continued from April 13, 2016**

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

Prior to the vote taken, Town Treasurer Goucher reported that it is exciting to see the project "shape-up" and that she hoped to have a report on the work on the exterior walls. She added that the Capital Project Commission expects the building will be ready for an official opening on May 20, 2016.

Councilman Herreshoff stated that it may be necessary to leave the south side of the building alone versus overspending the budget.

Town Treasurer Goucher noted that there was \$85,000 remaining for the structural portion of the project.

William Goneau, a member of the Capital Project Commission, reported that he enjoyed serving on the Commission during this project and that the Commission was able to get engineering services to evaluate the building. He noted that the Commission kept a very tight watch on the budget and is determining what to do with the additional funds that are available.

Council Chairman Calouro stated that he did not wish to be "penny wise and pound foolish" and asked that the Council might hear a plan at its next meeting.

Councilwoman Parella suggested that any report forthcoming might be made available to the Council prior to the next meeting so that it might be reviewed.

Council Chairman Calouro thanked the Capital Project Commission for its attention to this project.

3. Councilman Herreshoff re "Clean Bristol", **continued from April 13, 2016**

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Prior to the vote taken, Councilman Stuart reported that Earth Day was "wonderful."

Town Administrator Teixeira reported that the Town purchased a new sidewalk vacuum cleaner and that Public Works Director McBride is working on a schedule for its use. Town Administrator Teixeira also reported that the Town sweeping machine crew is working on the south side of Town.

A discussion ensued regarding street sweeping signage and the process undertaken to sweep the Town streets.

Town Administrator Teixeira stated that he is hopeful that the downtown merchants will cooperate with the street sweeping.

Donald Squires of 9 Tobin Lane informed the Council that this topic was of interest to him. He explained that he observes that some residents put out their trash and leave it unsecured so that it blows about. He added that some landscaping people cut grass and it is also allowed to blow about into the street and on to the sidewalk.

Mr. Squires suggested that the Town might consider enacting an ordinance requiring that trash must be secured.

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Susan H. Rabideau, PE, Engineering Project Manager, Bristol County Water Authority re presentation on upcoming project - Water Main Replacement in Metacom Avenue

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

Prior to the vote taken, Pamela Marchand, BCWA Executive Director, explained that the Authority is working with the State regarding water service to the Veterans Home property and that it helped with the new design. She noted that the work provided the opportunity to replace the line from the tank to Annawamscutt Drive.

She further explained that the State cooperated with the Authority with the help of the local General Assembly delegation to get the utilities in order prior to next year's planned repaving of Metacom Avenue.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

Ms. Rabideau added that an information flyer was mailed to area residents indicating the work area. She also added that the planned work will ultimately save on the cost of paving the intersections.

Ms. Rabideau explained that water will be provided to the area through above ground pipes and that the contractor for the project is D'Ambra.

Ms. Rabideau also explained that there is a public informational session being held to answer questions and that there will be informational advertisements published in the newspaper.

Ms. Rabideau reported that the work will commence on May 16, 2016, and that it is estimated to last 120 days. She added that there will be no work done during the week of the Fourth of July since much extra traffic is anticipated during that time.

Council Chairman Calouro asked to know if the public will be able to notice a difference in their water service with Ms. Rabideau responding that the water will be warmer.

Ms. Rabideau also reported that there will be signage warning the public that work is in process. She added that she does not anticipate any evening work.

Councilman Stuart asked to know when the road cuts will be assessed for final paving with Ms. Rabideau responding that there will be at least ninety days before final paving.

Ms. Marchand noted that the planned improvements will take place over a period of several years and that these will include a new, larger pumping station.

Council Chairman Calouro asked to know how residents might receive answers to questions with Ms. Marchand suggesting that residents may call the Water Authority on the telephone.

After the vote taken, Peter Hewett of 11 Wendy Drive asked to know if this project is planned and included in the BCWA budget with Ms. Marchand responding that it is planned and budgeted.

2. Ginny Hanson, Co-Chair, Bristol Veterans Council, et al re invitation to participate in Memorial Day Ceremonies and Parade, May 30, 2016

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

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

3. Judy Squires, for Fourth of July Committee re license Plate Campaign

Stuart/Sweeney - Voted unanimously to continue this matter until the meeting of June 15, 2016.

Prior to the vote taken, Ms. Squires, and Town Crier Michael Rielly appeared before the Council and explained that the Fourth of July Committee is undergoing a marketing campaign for its commemorative license plate program. Ms. Squires reported that the Committee has reservations for 650 license plates and must reach a goal of 900 license plates to complete the program.

Ms. Squires explained the details of the program and noted that the Committee is planning as "media blitz" to promote it with the goal of achieving the needed 900 orders by July 4, 2016.

It was noted that Councilwoman Parella has been named Interfaith Speaker for the Fourth of July Celebration.

Mr. Rielly suggested that the license plates are excellent gifts for Mother's Day.

Town Administrator Teixeira noted that those wishing to order license plates may leave their applications at the Town Hall.

4. Wayne Zina, Fundraising Committee Chair, Hydraulion Engine and Hose Company No. 1, et al re Fundraising Event, August 27, 2016

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

Prior to the vote taken, Mr. Zina described his event and thanked the Council for allowing him to speak about it. He noted his e-mail address as bfdfundraiser@gmail.com

Councilwoman Parella stated that she was pleased to learn that the event will not include alcoholic beverages.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

5. Director of Community Development Williamson re 2016 RIDEM Recreation Acquisition & Development Grants - request for authorization to submit grant application for Waterfront Boardwalk project

- LATE ITEM** a. Director of Community Development Williamson re Waterfront Boardwalk project revised plans and cost estimate

Sweeney/Stuart - Voted unanimously to authorize the submission of this application and to further authorize the Town Administrator to sign all documents pertinent thereto.

Prior to the vote taken, Director of Community Development Williamson reported that this grant application would provide funding to continue the waterfront boardwalk from the Every Ready Fire Station to the State Street Dock and that this was now a "missing link" to the boardwalk.

Director of Community Development Williamson stated that the matching portion of this grant would be \$81,400.

6. Director of Community Development Williamson re 2016 RIDEM Recreation Acquisition & Development Grants - request for authorization to submit grant application for Legion Square (a/k/a Loafer's Corner) project

- LATE ITEM** a. Director of Community Development Williamson re Legion Square project plans and revised cost estimate

Stuart/Sweeney - Voted unanimously to authorize the submission of this application and to further authorize the Town Administrator to sign all documents pertinent thereto.

Prior to the vote taken, Councilman Herreshoff suggested that the Town should take care not to disturb the present function of the area.

Director of Community Development Williamson agreed with Councilman Herreshoff and noted that the area is now well-used.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

She added that the plans are simple and basic and that there is no intention to "over-improve" the area

7. Recreation Director Burke - request for support of RIDEM grant submissions for Independence Park projects

Sweeney/Herreshoff - Voted unanimously to authorize the submission of this application and to further authorize the Town Administrator to sign all documents pertinent thereto.

Prior to the vote taken, Recreation Director Burke reported that the amount requested in the grant is \$800,000 and that it is an 80/20 matching grant. He added that the matching amount may come from another source such as the Fish and Wildlife funds. He explained that he plans to apply for both the grant and the needed matching funds.

8. Cindy Elder, Executive Director, Coggeshall Farm Museum - request for support of Resolution re Green Economy Bond Issue
 - a. (draft) Resolution in support of Green Economy Bond

Sweeney/Stuart - Voted unanimously to adopt this Resolution as written.

9. Economic Development Coordinator Pflaumer - request for support of Proclamation recognizing National Small Business Week
 - a. (draft) Proclamation re National Small Business Week, May 1, 2016 through May 7, 2016

Stuart/Parella - Voted unanimously to adopt this Proclamation as written.

Prior to the vote taken, Business Development Coordinator Jessica Pflaumer explained that the goal of this observance is to recognize all small businesses including retailers and restaurateurs.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

10. Councilman Stuart re 2016 Road Improvement Program

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

Prior to the vote taken, Councilman Stuart provided an update on the road program. He explained that this program may be furthered in subsequent years if the \$17 million bond is approved by the voters.

Councilman Stuart explained that he has been working closely with Town Administrator Teixeira and Public Works Director McBride and that the "pot hole killer" program is in discussion. He added that the goal is to keep the project moving forward and to keep the citizens informed of the progress.

11. Coastal Resources Management Council re Public Re-Notice - Application of Kellie Brown for Residential Boating Facility, 10 King Philip Avenue (deadline to request hearing, May 12, 2016)

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

12. Coastal Resources Management Council re Public Notice - Application of Christine & Ray Frizzell, James & Karen Forden and Scott & Melissa Pattie for Residential Boating Facility, 15 Sandy Lane (deadline to request hearing, May 15, 2016)

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

13. Town Solicitor re Lease of Real Property - Quito's Shellfish and Restaurant (discussion/action may take place in Executive Session per agenda item L4 below)

It is hereby noted for the record that action concerning this agenda item took place at the conclusion of the public agenda as found below per agenda item L4 (N.B. matter was continued to May 25, 2016).

J. **BILLS & EXPENDITURES**

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

***AMEND ITEM 1.** Bid #841 - EMS & Fire Department Services Billing

Parella/Sweeney - Voted unanimously to refer this matter to the Fire Chief and Town Administrator to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following proposals as submitted:

Yr.		1 st Three Yr.	2 nd Three
Comstar, Inc.	Rowley, MA	4%	4%
NE Medical Billing	Rumford, RI	4%	4%
The Dawson Group	E. Providence, RI	6%	6%
Automated Medical	Fall River, MA	3%	4%

Fire Chief DeMello explained that he is reviewing the proposals and that the proposals have conditions to evaluate beyond the percentages.

K. SPECIAL REPORTS

1. Allan Klepper, Barrington Director, Bristol County Water Authority (BCWA) - Monthly Report for May

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

L. TOWN SOLICITOR

1. Assistant Solicitor Teitz, et al re Recent RI Supreme Court Decision - Attorney's Fees for Zoning Appeals.

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

2. Request for Executive Session pursuant to RIGL § 42-46-5(a)(2) litigation - Bristol Warren Regional School District

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.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

3. Request for Executive Session pursuant to RIGL § 42-46-5(a)(2) litigation - Clipboard v. Bristol

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.

4. Request for Executive Session pursuant to RIGL § 42-46-5(a)(5) lease of real property - Quito's Shellfish and Restaurant

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. Keep Bristol Clean - Council Chairman Calouro reported that the annual Keep Bristol Clean event drew 150 participants and that everyone did a great job.

b. King Phillip Little League - Council Chairman Calouro reported that KPLL opening day was last weekend.

c. Rogers Free Library Services - Council Chairman Calouro reported that Rogers Free Library provides free services.

d. Legislative Approval - Council Chairman Calouro reported that the General Assembly approved the Town's request to have a local bond issue on the November Ballot. He explained that this bond for \$17 million will help pay for roads, drainage, open space, etc., and that the available funds will aid the Town in obtaining matching funds from the State and Federal Governments.

2. Sweeney

a. Maritime Center - Councilman Sweeney noted that the Maritime Center will open tomorrow.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

b. LED Lighting - Councilman Sweeney reported that Recreation Director Burke is working to obtain LED lighting for Asylum Road.

c. Mother's Day - Councilman Sweeney noted the approach of Mother's Day and extended holiday wishes concerning same.

3. Parella

a. Happy Mother's Day - Councilwoman Parella wished a happy Mother's Day to all mothers.

4. Stuart

a. Interfaith Speaker - Councilman Stuart congratulated Councilwoman Parella upon her selection as Interfaith Speaker for the Fourth of July Celebration.

b. Mother's Day - Councilman Stuart also wished a happy Mother's Day to all mothers.

c. Budget Concluded - Councilman Stuart commented that the budget process for this year is now concluded and that everyone worked very hard on this year's budget.

d. Davis and Martins - Councilman Stuart thanked Messrs. Davis and Martins for their services this evening.

5. Herreshoff

a. Too Many Late Items - Councilman Herreshoff observed that the Council agenda contains too many late items.

b. Cleaning - Councilman Herreshoff suggested that cleaning of the public streets and sidewalks should be prioritized. He also suggested that some of the more unkempt might be afforded a higher priority for cleaning.

c. Blowers - Councilman Herreshoff stated that blowers were ineffective in cleaning the streets since they simply move rubbish from one place to another. He

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

suggested that the Town should use vacuum cleaners instead of blowers.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

a. Congratulations to Chief Canario - Town Administrator Teixeira congratulated Chief Canario upon his being chosen as one of the Men Who make a Difference for 2016.

b. Recycling Demonstration - Town Administrator Teixeira reported that DPW held a recycling demonstration at the Bristol Housing Authority.

c. Girls Softball/Graduation - Town Administrator Teixeira noted that the Girls Softball League began its 2016 season and that the Roger Williams University Graduation will be held this coming weekend.

d. Mother's Day - Town Administrator Teixeira wished Happy Mother's Day to all mothers especially to his mother-in-law, Mary Mascagna, who is 93 years old.

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. Historic District Commission - March 3, 2016
2. Historic District Commission - Site Visit, March 4, 2016
3. Economic Development Commission - March 14, 2016
4. Bristol Warren Regional School Committee - March 28, 2016
5. Bristol Warren Regional School Committee - April 18, 2016

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

(CA) BB. BUDGET ADJUSTMENTS

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

1. Tax Assessor/Collector Belair re Recommended Abatements & Additions - May 2016

(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 - April 6, 2016
2. Town Treasurer Goucher re Budget Report Summary - Monthly/Quarterly Period Ending March 31, 2016

(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."

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

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

1. Leigh A. Botello, CMC, East Greenwich Town Clerk re Resolution Opposing S 2263 Relating to Elections School Closings

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

1. Dog Kennel License Renewal Petition re All Paws Inn (granted April 13, 2016)
2. Peter V. Alviti, Jr., P.E., Director, RIDOT to Council Clerk Cirillo re response to letter of January 20, 2016 - participation in workshop to discuss Highway Safety Improvements Project
3. Town Solicitor Ursillo re Town of Bristol Provisional Budget
4. Town Administrator Teixeira re RFP #839 Spring Tree Planting - Awarded to Samuel Kinder and Bro., Inc.
5. Dennis E. Hoyle, CPA, Auditor General to Susanne Greschner, Chief, Division of Municipal Finance, Department of Revenue re Certification of Emergency Situation
6. Susanne Greschner, Chief, Division of Municipal Finance, Department of Revenue to Town Administrator Teixeira re Auditor General's Certification of Emergency Situation
7. Town Administrator Teixeira re RFP #837 LED Streetlight Conversion Project - Awarded to Siemens Industry, Inc.
8. Smithfield School Committee Resolution on Gun Free Schools
9. Jaren L. Rhodes, Secretary (Acting), State Planning Council re Notice of Public Hearings, May 26, 2016 - FFY 2017-2025 Draft State Transportation Improvement Program (STIP) and Amendment #7 to 2013-2016 State Transportation Improvement Program
10. Council Clerk Cirillo to Senator Felag, et al re Bond Legislation 2016 - Capital Improvements

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

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

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

1. Planning Board - April 12, 2016
2. North and East Burial Grounds Commission - April 13, 2016
3. Fourth of July Committee - April 13, 2016
4. Fourth of July Committee - Drum Corps Show Subcommittee, April 14, 2016
5. Fourth of July Committee - Miss/Little Miss Fourth of July Pageant Subcommittee, April 19, 2016
6. Fourth of July Committee - Fourth of July Ball Subcommittee, April 19, 2016
7. Bristol Warren Regional School District - Schedule of Meetings, Week of April 17, 2016
8. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee, March 28, 2016
9. Bristol Warren Regional School Committee - April 18, 2016
10. Recreation Board - April 26, 2016
11. (Fourth of July Committee) - License Plate Subcommittee, April 27, 2016
12. Bristol Warren Regional School District - Schedule of Meetings, Week of April 24, 2016
13. Bristol Warren Regional School Committee - Personnel/Contract Negotiations, April 25, 2016
14. Bristol Warren Regional School Committee - April 25, 2016
15. Fourth of July Committee - Reception for Military & Town Officials Subcommittee, April 26, 2016
16. Harbor Commission - May 2, 2016
17. Bristol Warren Regional School District - Schedule of Meetings, Week of May 1, 2016

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

18. Bristol Warren Regional School Committee - Policy and Curriculum Subcommittee, May 2, 2016

19. Fourth of July Committee - May 3, 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."

(CA) MM. MISCELLANEOUS ITEMS REQUIRING COUNCIL APPROVAL

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

Stuart/Sweeney - Voted unanimously to convene in Executive Session pursuant to RIGL § 42-46-5(a)(2) and (5) per agenda items L2, L3, and L4 at 9:46 o'clock PM.

Sweeney/Herreshoff - Voted unanimously to resume open session and seal the minutes of the Executive Session at 10:47 o'clock PM.

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

Stuart/Sweeney - Voted unanimously to continue the matters I13 and L4 to the meeting of May 25, 2016.

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MAY 4, 2016

There being no further business, upon a motion by Councilman Sweeney, seconded by Councilman Stuart and voted unanimously, the Chairman declared this meeting to be adjourned at 10:48 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk