

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JANUARY 31, 2018

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

ALSO PRESENT: Steven Contente, Town Administrator
Michael A. Ursillo, Esq., Town Solicitor
A. Archie Martins, Town Sergeant

The Council met in regular session on Wednesday evening, January 31, 2018 in the Town Hall, Council Chambers beginning at 7:02 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.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - January 10, 2018

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

2. Town Council Special Meeting - January 10, 2018

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

B. PUBLIC HEARINGS

C. ORDINANCES

1. Ordinance #2018-01, Chapter 27, Taxation, Article I, In General, (new) Section 27-12, Volunteer firefighter/EMS tax incentive program (to establish firefighter tax incentive), **2nd reading for adoption**

Sweeney/Parella - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2018-01 as amended. Advertise in local newspaper.

Prior to the vote taken, Councilman Tyska questioned the need to have a "sunset clause" in the ordinance and stated that he would

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prefer if there was no provisions which would have the ordinance automatically expire.

Councilwoman Parella noted that the Council has the power to change the ordinance at any time and that the sunset clause was merely a formality.

Town Solicitor Ursillo noted that the ordinance contains the "sunset clause" so that the Council may use that time use the time prior to date specified in the sunset clause to reflect upon the result of the ordinance and determine if it achieved its promise of improving the number of volunteers coming forward to serve the department. He noted that the Council would likely also examine the costs and determine if these are cost-effective.

Town Solicitor Ursillo also noted that the Council could remove the sunset clause if it wished to do so and agreed with Councilwoman Parella that it could instead simply repeal the ordinance if it found that it was not working effectively.

Fire Chief DeMello explained that the program contains a self-evaluating component and that he plans to report on the effectiveness of the program each year. He agreed with Town Solicitor Ursillo that it would be possible for the Council to change the ordinance if it is not working effectively. Fire Chief DeMello also suggested that the ordinance might be amended slightly to change from a "calendar year" to a "fiscal year" in the "Reporting provision (h)." He suggested that a fiscal year would be more in line with the budget process for evaluating the program.

Council Chairman Calouro suggested that the sunset provision was appropriate since it compels the Town to examine the effectiveness of the program. He suggested that the sunset provision might remain but rather that it should be extended to a period of five years rather than one.

Councilman Tyska stated that he thought the term for the sunset clause "expiration date" was too negative as suggested that the Town might choose a more positive description.

Town Solicitor Ursillo offered the following language for in amendment to subsection (m):

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“(m) Reauthorization date: This ordinance and all of its benefits must be reauthorized by the Town Council prior to July 1, 2023.”

Councilwoman Parella stated that she did not object to the amendments, but noted that the Council will likely have to examine the effectiveness of the program annually anyway when it considers the Town budget.

2. Ordinance #2018-02, Chapter 24, Solid Waste Management, (new) Article V, Plastic Bags, (new) Section 24-131 et seq. (to prohibit the use of plastic bags for retail checkout of goods), **1st reading**

- a. Supporting Documentation

Sweeney/Stuart - Voted to consider this action to constitute the first reading of Ordinance #2018-02. Advertise in local newspaper. Voting in favor of this action were Council Chairman Calouro, Councilman Sweeney, Councilman Tyska, and Councilman Stuart. Voting opposed was Councilwoman Parella.

Prior to the vote taken, Councilwoman Parella stated that she did not generally favor a plastic bag ban.

3. Ordinance #2018-03, Chapter 24, Solid Waste Management, Article IV, Mandatory Recycling, Section 24-120, Sunset provision (to revoke sunset provision), **1st reading**

Sweeney/Stuart - Voted unanimously to consider this action to constitute the first reading of Ordinance #2018-03. Advertise in local newspaper.

D. LICENSING BOARD - NEW PETITIONS

1. Kendall Reiss, d/b/a Kendall Reiss Gallery & Studio, 469 Wood Street - Request for Holiday Sales License
 - a. Recommendation - Town Administrator and Fire Chief

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- b. Recommendation - Town Administrator and Chief of Police

Stuart/Parella - 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.

- 2. Fernando Afonso, d/b/a Central Fish Market, 465 Wood Street - Request for Victualling License

- a. Recommendation - Town Administrator and Department of Water Pollution Control

- b. Recommendation - Town Administrator and Chief of Police

Sweeney/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.

- 3. Fernando Afonso, d/b/a Central Fish Market, 465 Wood Street - Request for Holiday Sales License

- a. Recommendation - Town Administrator and Chief of Police

Sweeney/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.

- 4. Kali Cordes, d/b/a Kali's Cottage Pet Boarding, 10 Hampden Road - Request for Dog Kennel License

- a. Recommendation - Town Administrator and Chief of Police

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Sweeney/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, Councilman Stuart noted that all new licensees are reviewed after six months.

The Clerk reminded the Council that all Dog Kennel Licenses renew during the month of May.

5. Michelle Mazzenga, for Walgreen Eastern Co., d/b/a Rite Aid #10218, 580 Metacom Avenue - Request for Holiday Sales License (new ownership)
 - a. Recommendation - Town Administrator and Chief of Police

Stuart/Parella - 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.

E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

G. APPOINTMENTS

1. Public Service Appointments-January

- a. (Police Chief Canario) re Recommended List of Special Constables, Private Investigators, Matrons and Retiree Officers for 2018

Councilman Sweeney nominated the slate of Special Constables, Private Investigators, Matrons, and Retiree Officers as recommended by the Chief of Police.

There were no counter-nominations.

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

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Clerk to cast one ballot each in favor of the slate of Special Constables, Private Investigators, Matrons, and Retiree Officers, as recommended, for the ensuing term.

- b. (Fire Chief DeMello) re Recommended List of Special Constables/Fire Police for 2018

Councilman Stuart nominated the slate of Special Constables/Fire Police as recommended by the Fire Chief.

There were no counter-nominations.

Stuart/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of the slate of Special Constables/Fire Police, as recommended, for the ensuing term.

- c. Harbormaster (term to expire January 2021)
 - 1. Gregg Marsili, 9 Etelvina Court - interest/reappointment

Councilman Sweeney nominated Harbormaster Marsili for reappointment.

There were no counter-nominations.

Sweeney/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Harbormaster Marsili with term to expire in January 2021.

- d. Assistant Harbormasters (9)
 - 1. David F. Guertin, 38 Byfield Street - interest/reappointment
 - 2. Alan D. Leach, 25 Pawtucket Avenue - interest/reappointment
 - 3. Scott D. Marino, 131 Mulberry Road - interest/reappointment

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4. John Motta, 87 Perry Street - interest/reappointment
5. William Teixeira, 48 Walley Street - interest/appointment (currently serves as an auxiliary harbormaster)
 - i. Recommendation - Harbormaster

Councilman Sweeney nominated the slate of Assistant Harbormasters, as recommended, and with conditions as specified by the Harbormaster, for reappointment/appointment, as follows:

- Thomas Guthlein
- Alan Leach
- Charles Lombardo
- Scott Marino
- John Motta
- Adam Salinaro
- Louis Frattarelli
- David Guertin
- Dan Blount
- William Teixeira

There were no counter-nominations.

Sweeney/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each if favor of the slate, as recommended and with the conditions as specified, for the ensuing term.

- e. Auxiliary Harbormasters (9)
 1. Nathan Gallison, 39 Ansonia Avenue - interest/reappointment
 2. George Gatos, 55 State Street - interest/reappointment
 3. Patrick Guthlein, 15 Elmwood Drive - interest/reappointment

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4. Ryan Medeiros, 34 Basswood Drive - interest/reappointment
5. Andrew Mulvey, 3 Tina Court - interest/reappointment
6. Joseph Simeone, 42 Roosevelt Drive - interest/reappointment
7. William Teixeira, 48 Walley Street - interest/reappointment (see agenda item Gld5 above)
 - i. Recommendation - Harbormaster

Councilman Sweeney nominated the slate of Auxiliary Harbormasters as recommended by the Harbormaster for appointment as follows:

- Patrick Guthlein
- Seth Alix
- Matthew DeWolf
- Ryan Medeiros
- Andrew Mulvey
- Joseph Simeone
- George Gatos

There were no counter-nominations.

Sweeney/Stuart - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of the slate, as recommended and with the conditions as specified, for the ensuing term.

- f. Tree Warden
 1. Steven Saracino, 255 Bulgarmarsh Road, Tiverton - interest/reappointment (supporting documents attached)
 - a. Recommendation - Town Administrator

Councilman Stuart nominated Mr. Saracino for reappointment.

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There were no counter-nominations.

Stuart/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Saracino for the ensuing term.

Prior to the vote taken, Councilman Stuart noted that the Town of Bristol has many "historic" trees and that the Tree Warden is working on a plan to cooperate with National Grid on its tree trimming program and that this plan will save money.

Councilwoman Parella expressed concern that earlier tree trimming by National Grid resulted in every tree resembling a "Y" shape and suggested that greater care might be taken to prevent over-pruning. She also suggested that the Tree Warden might investigate ways to determine if older trees are hollow and posing threats to nearby power lines.

- g. Bristol Housing Authority - Tenant Position (term to expire January 2023)
 - 1. Patricia A. Sardinha, 1014 Hope Street, E2 - interest/reappointment
 - a. Recommendation - M. Candace Pansa, Executive Director, Bristol Housing Authority
 - 2. Ruth Lombardi, 1014 Hope Street, K7 - interest/appointment

Stuart/Sweeney - Voted unanimously to instruct the Clerk to set an interview for Ms. Lombardi preferably for the Special Meeting set for Wednesday, February 7, 2018.

- h. Board of Tenants' Affairs (2) (terms to expire January 2020)
 - 1. Elizabeth Burns, 1014 Hope Street, D2 - interest/reappointment

Councilman Sweeney nominated Ms. Burns for reappointment.

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There were no counter-nominations.

Sweeney/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Burns with term to expire in January 2020.

H. OLD BUSINESS

1. Councilman Stuart re Request for Status Update - Construction Easements and Final Draft of Tanyard Brook Phase 2, **continued from September 13, 2017**

Stuart/Sweeney - Voted unanimously to continue this matter for a progress report at the meeting to be held on August 22, 2018.

Prior to the vote taken, Director of Community Development Williamson reported that the Town has secured construction easements from Garfield Avenue to Richmond Street which represents the first segment of the project.

Town Administrator Contente noted that this is a "great day" and credited Director of Community Development Williamson with this achievement. He explained that Director of Community Development Williamson's work is fair to both the property owners and the taxpayers of the Town.

2. Councilwoman Parella re Request Support for Implementation of Textile Recycling Program in Bristol, **continued from January 10, 2018**

Sweeney/Parella - Voted unanimously to continue this matter until the meeting of February 28, 2018.

Prior to the vote taken, Town Solicitor Ursillo reported that he has been negotiating an agreement with the recycling company and this date received the company's latest proposal which has not yet been reviewed by him.

He suggested that the matter might be continued until February 28, 2018 at which time he would plan to present a contract for the Council to consider.

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I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Director of Community Development Williamson re CDBG-DR Grant Application for Tanyard Brook Culvert Replacement - Phase 2

Stuart/Parella - Voted unanimously to authorize this grant application and to further authorize Town Administrator Contente to sign all pertinent documents on behalf of the Town.

Prior to the vote taken, Director of Community Development Williamson noted that this grant funding is to support remediation programs for communities which sustained flooding damage as a result of hurricanes Sandy, Irene, and Nemo. She noted that sandbag records kept by Carol Mello, the current Assistant to the Town Administrator and former Secretary to the Department of Public Works Director, were critical in making the Town's case that it experienced damage during these storms.

Director of Community Development Williamson noted that the Town meets all of the criteria for this grant and that she is optimistic that it will receive some funding.

Town Administrator Contente thanked Director of Community Development Williamson for her work on this project.

2. Council Clerk Cirillo re (draft) Budget Workshop Schedule for Fiscal Year 2018-2019

Tyska/Stuart - Voted unanimously to amend the schedule to move the sessions scheduled for March 26, 27, 28, and April 2 to March 23, April 2, 3, and 4, respectively, and to approve the schedule as amended.

Prior to the vote taken, the Clerk reported hearing from Councilman Tyska that he was not available for the second week of budget workshops. The Clerk suggested that the Council might agree to a one week hiatus in the schedule and postpone the provisional vote several days into that week.

The Clerk noted that making this change would leave the final adoption portion of the recommended schedule intact and would

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allow for the remainder of the typical fiscal schedule (printing of tax bills, etc.) to move forward without delay.

A discussion ensued with the Council in agreement that its honorable body will meet on Friday, March 23.

J. BILLS & EXPENDITURES

1. RFP #871-2 - 2018 Full Revaluation

Stuart/Sweeney - Voted unanimously to refer this matter to the Town Administrator to act in the best interest of the Town.

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

Tyler Technologies	Moraine, OH	\$396,000
Vision Government	Hudson, MA	\$411,000
Northeast Revaluation	Warwick, RI	\$374,800

Councilwoman Parella asked to know when the process will begin with Town Treasurer Goucher responding that the process will begin as soon as the contract is signed.

K. SPECIAL REPORTS

1. Allan Klepper, Barrington Director, Bristol County Water Authority - Monthly Report for February

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

L. TOWN SOLICITOR

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Calouro

2. Sweeney

a. Fundraising - Councilman Sweeney reported that there will be a fundraising activity to support the American Cancer Society at Bristol Total Fitness on

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March 4, 2018 from 9:00 o'clock AM until 12:00 o'clock PM.

b. Super Bowl - Councilman Sweeney noted that the Super Bowl will be held on Sunday, February 4. He extended best wishes to the New England Patriots.

3. Tyska

a. Providence Boat Show - Councilman Tyska announced that the annual Providence Boat Show will be held on February 2-4.

b. Jamestown Distributors - Councilman Tyska announced that Jamestown Distributors employs three high school students in cooperation with Mt. Hope High School. He noted that this program will help prepare graduating students for their career paths.

c. FCTV - Councilman Tyska announced that he switched his cable provider to Full Channel.

d. Capital Budget Workshop - Councilman Tyska noted that the Council will hold a capital budget workshop on Wednesday, February 7, 2018 beginning at 6:30 o'clock PM in the Town Hall, Council Chambers.

4. Parella

a. Valentine's Day - Councilwoman Parella noted that the Council's next meeting is February 28 and wished those present a Happy Valentine's Day.

b. Robotics State Finals - Councilwoman Parella noted that the State finals for robotics teams will take place in the near future. She extended best wishes to the participants.

5. Stuart

a. Capital Budget Workshop - Councilman Stuart also noted the upcoming capital budget workshop.

b. Road Program - Councilman Stuart reported that he will meet with Public Works Director McBride and Town Administrator Contente next week concerning the upcoming road improvement program.

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c. Solarize Bristol - Councilman Stuart reported that there will be a Solarize Bristol social hour on Friday, February 9, 2018 at 39 State Street.

d. Thanks to Davis and Martins - Councilman Stuart thanked Messrs. Mike Davis and Archie Martins for their services this evening.

e. Snowstorm Safety - Councilman Stuart offered advice for safety during snowstorms.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

1. Capital Budget Workshop - Town Administrator Contente, too, announced the upcoming Capital Budget Workshop to be held on February 7, 2018 beginning at 6:30 o'clock PM in the Town Hall.

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 Warren Regional School Committee - December 11, 2017
2. Bristol Housing Authority - December 14, 2017
3. North & East Burial Grounds Commission - October 11, 2017
4. North & East Burial Grounds Commission - November 15, 2017
5. Harbor Commission - January 8, 2018
6. Zoning Board of Review - October 30, 2017
7. Zoning Board of Review - November 6, 2017

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8. Planning Board - December 14, 2017
9. Bristol Warren Regional School Committee - January 8, 2018
10. Conservation Commission - October 3, 2017
11. Conservation Commission - November 7, 2017

(CA) BB. BUDGET ADJUSTMENTS

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

1. Tax Assessor/Collector DiMEO re Recommended Abatements & Additions - December 2017

(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 - January 25, 2018

(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 Water Pollution Control - Sewer Permits

(CA) FF. UPCOMING APPOINTMENTS

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

1. Public Service Appointments-February

(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

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

1. Coastal Resources Management Council - Semi-Monthly Meeting, January 9, 2018
2. (Town Treasurer Goucher) re Citrin Cooperman & Company, LLP - Financial Statements, Year Ended June 30, 2017
3. (Town Treasurer Goucher) re Milliman - Police Retirement Plan Actuarial Valuation, Fiscal Year 2018-19 (revised July 1, 2017)
4. Elizabeth Brito, on behalf of Rogers Free Library Board of Trustees re Strategic Plan, Executive Summary
5. Steven W. Pristawa, P.E., Secretary, State Traffic Commission to Council Clerk Cirillo re Approval to Develop Parking Plan in Vicinity of Driveway to Brunsen House Condominiums, 249 Hope Street
6. Council Clerk Cirillo to Owen E. Trainor III re Christmas Festival Committee - Thank You for Service
7. Borrowing Resolutions (signed original)
8. Richard P. Morrison and Dawn Morrison v. Bristol Land Conservation Trust, Inc. and Town of Bristol Zoning Board of Review and Town of Bristol Planning Board, C.A. No. PC-2009-5800 - Defendants' Motion to Dismiss Pursuant to Rule 41(b)
9. Steven W. Pristawa, P.E., Secretary, State Traffic Commission to Council Clerk Cirillo re Approval to Implement Metacom Avenue Corridor Pilot Program
10. Council Clerk Cirillo to Cheng Liang Yu re Class B-Victualler Liquor License Renewal - IFC Inc., d/b/a Sawa Asian Bistro, 531 Wood Street
11. Coastal Resources Management Council - Semi-Monthly Meeting, January 23, 2018

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

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

1. Fourth of July Committee-Parade Subcommittee - January 9, 2018
2. North & East Burial Grounds Commission - January 17, 2018 (rescheduled from January 10, 2018)
3. Bristol County Water Authority-Board of Directors - January 11, 2018 (amended)
4. Conservation Commission - January 18, 2018 (rescheduled from January 11, 2018)
5. Technical Review Committee - January 17, 2018
6. Technical Review Committee - January 16, 2018
7. Rogers Free Library-Board of Trustees - January 18, 2018
8. Bristol Warren Regional School District - Schedule of Meetings, Week of January 14, 2018
9. Bristol Warren Regional School Committee-Budget/Facilities Subcommittee - January 16, 2018
10. Fourth of July Committee - January 17, 2018
11. Historic District Commission - February 1, 2018
12. Bristol Warren Regional School District - Schedule of Meetings, Week of January 21, 2018
13. Bristol Warren Regional School Committee-Policy & Curriculum Subcommittee - January 22, 2018
14. Bristol Warren Regional School Committee-Budget/Facilities Subcommittee - January 22, 2018
15. Bristol Warren Regional School Committee-Personnel/Contract Subcommittee - January 22, 2018

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16. Bristol Warren Regional School Committee -
January 22, 2018
17. Technical Review Committee - January 23, 2018
(11:00 AM)
18. Technical Review Committee - January 23, 2018
(10:00 AM)
19. Christmas Festival Committee - February 15, 2018
20. Bristol Warren Regional School District Joint
Finance Committee - January 25, 2018
21. Fourth of July Committee-Parade Subcommittee -
February 7, 2018
22. Bristol Warren Regional School District -
Schedule of Meetings, Week of January 28, 2018
23. Zoning Board of Review - February 5, 2018
24. Board of Canvassers - February 1, 2018

(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."

1. Paige Munro-Delotto, Ph.D., Esq., for Renee
Kaizer - Claim for Damages

(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."

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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 8:10 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk