

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 11, 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, April 11, 2018 in the Town Hall, Council Chambers, beginning at 7:01 o'clock PM, Council Chairman Calouro presiding:

Prior to the commencement of this evening's regular agenda, the Chairman reported that Girl Scout Troop 908 is present to lead the assembly in the Pledge of Allegiance to the Flag. The scouts were joined by members of VFW Post 237.

Also, Karl Antonevich, Commander of VFW Post 237 presented the Town with a "Meritorious and Distinguished Service" award. Town Administrator Contente accepted the award on behalf of the Town.

Also prior to the commencement of this evening's agenda, Town Administrator Contente introduced newly appointed Assistant Recreation Director Timothy Shaw and acknowledged that Recreation Director Burke's last day of work was April 10.

**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 - March 14, 2018**

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

**2. Town Council Budget Workshop - March 19, 2019**

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

**3. Town Council Budget Workshop - March 20, 2018**

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

4. Town Council Budget Workshop - March 22, 2018

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

5. Town Council Budget Workshop - March 23, 2018

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

6. Town Council Special Meeting - April 4, 2018

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

7. Town Council Budget Workshop - April 2, 2018

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

**B. PUBLIC HEARINGS**

**C. ORDINANCES**

1. Ordinance #2018-04, Chapter 11, Fees and Charges, Section 11-1, Comprehensive schedule of fees, Subsection (70), Yard waste/compost (to increase tipping fees from 0.02 to 0.025), **1<sup>st</sup> reading**

Stuart/Sweeney - Voted unanimously to consider this action to constitute the first reading of Ordinance #2018-04. Advertise in local newspaper.

2. Ordinance #2018-05, Chapter 16, Motor Vehicles and Traffic, Article V, Stopping, Standing and Parking, Section 16-151, Parking on Church Street and State Street Docks; violations and fines (to

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prohibit overnight parking on State Street Dock),  
**1<sup>st</sup> reading**

Stuart/Sweeney - Voted unanimously to consider this action to constitute the first reading of Ordinance #2018-05. Advertise in local newspaper.

3. Ordinance #2018-06, Chapter 16, Motor Vehicles and Traffic, Article I, Section 16-1, Definitions; Article V, Section 16-142, Overnight parking prohibited; Article IX, Section 16-344, Procedures for parking in a residential parking zone (to increase weight of vehicles allowed to park overnight from one ton to three tons), **1<sup>st</sup> reading**

Sweeney/Stuart - Voted unanimously to lay this matter on the table.

Prior to the vote taken, Town Solicitor Ursillo noted that the ordinance was in need of significant revision and suggested that the Council might table the version presented.

**D. LICENSING BOARD - NEW PETITIONS**

1. Samuel Glynn, Toasted Bun Hospitality, LLC, d/b/a Statesman Tavern, 31 State Street - Request for Transfer of Class BV Intoxicating Beverage License to: Christopher A. Kleyla, Toasted Bun Hospitality, LLC, d/b/a Statesman Tavern, 31 State Street (new owner), **call for public hearing May 2, 2018**

Stuart/Sweeney - Voted unanimously to call for a public hearing to consider this matter to be held on Wednesday, May 2, 2018 beginning at 7:00 o'clock PM. Advertise in local newspaper.

**E. LICENSING BOARD - RENEWALS**

1. Dog Kennel License Renewals for 2017-2018

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

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

F. PETITIONS - OTHER

1. Beth Russell, for Bristol Rotary Club, PO Box 469  
- Request Use of Maritime Center and Permission to Serve/Sell Alcoholic Beverages for Fundraising Event, May 19, 2018

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

b. Recommendation - Town Administrator and Director of Public Works (approve)

c. Recommendation - Town Administrator and Harbormaster (approve)

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

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

Prior to the vote taken, Councilman Stuart suggested that the parties should remain mindful that part of the event will be set-up outdoors and expressed concern that this should not be done so as to obstruct traffic, etc.

Ms. Russell explained that this event is a "corn hole" tournament to benefit Rotary charities and that the group plans to place only a practice board outside of the building. She added that alcohol will be sold, served, and consumed only inside the building.

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2. Michael T. Byrnes, for British Motorcar Festival - Request for Permission to Serve/Sell Alcoholic Beverages for Special Event at Independence Park, June 8, 2018 and Town Beach/Sports Complex, June 9, 2018

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

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

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

3. Lorelee Reyes, Business Manager, Book Cellar, 100 Factory Street, Nashua, NH - Request Permission to Park on Old Ferry Road and Purchase Used Textbooks from RWU Students

- a. Recommendation - Town Administrator and Police Chief (deny)

Sweeney/Stuart - Voted unanimously to deny this petition per the recommendations received.

Prior to the vote taken, Police Chief Canario explained that there are initially safety concerns regarding the proposed location since this is a very heavily traveled area. He explained that he spoke to the petitioner's representative and suggested that it may be preferable for the petitioner to set-up at the Mt. Hope Farm farmer's market.

Jack Wimme of 22A East Ridge Road, Merrimack, New Hampshire addressed the Council. He explained that he represents the petitioner and that this company has undertaken the practice of purchasing used textbooks for ten years and that the company

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share's the Town's safety concerns. He noted that there is a need to have good visibility in order to be successful.

G. APPOINTMENTS

1. Public Service Appointments-April

a. Planning Board (term to expire April 2021)

1. Anthony D. Murgo, 5 Karen Ann Drive - interest/reappointment

Councilman Sweeney nominated Mr. Murgo 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 Mr. Murgo with term to expire in April 2021.

b. Police Pension Fund Board of Trustees (term to expire April 2021)

1. Raymond C. Falcoa, 55 Brooks Farm Drive - interest/reappointment

Councilman Stuart nominated Mr. Falcoa 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 Mr. Falcoa with term to expire in April 2021.

c. Board of Canvassers (term to expire March 2024)

1. Anthony Rego, Chairman, Democratic Town Committee - Recommendation of Frances C. O'Donnell for Reappointment

Councilman Sweeney nominated Ms. O'Donnell 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. O'Donnell with term to expire in March 2024.

- d. Waypoysset Trust (term to expire January 2020), **continued from March 14, 2018**
  1. Bryan Leffingwell, 4 Massasoit Avenue - interest/reappointment (interviewed April 5, 2018)
  2. Gary Leib, 1281 Hope Street - interest/appointment (interviewed April 5, 2018)

Councilman Sweeney nominated Mr. Leffingwell 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 Mr. Leffingwell with term to expire in March 2020.

- e. Board of Tax Assessment Review (to fill unexpired term to expire December 2018)
  1. Leonard Calandra - Resignation
  2. Anthony Rego, Chairman, Democratic Town Committee - Recommendation of Robert F. Faris for Appointment

Councilman Stuart nominated Mr. Faris for appointment.

There were no counter-nominations.

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Stuart/Sweeney - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Faris to fill the unexpired term with term to expire in December 2018 and also to send a letter of thanks for service to Mr. Calandra.

- f. Michael Rielly, for Christmas Festival Committee re Additional Members - Tami Reis, Brenda Gorman, and Michael Gorman

Councilman Sweeney nominated Ms. Reis, Ms. Gorman, and Mr. Gorman for appointment.

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 Ms. Reis, Ms. Gorman, and Mr. Gorman for the ensuing term.

**H. OLD BUSINESS**

1. Councilman Stuart re Discussion on BCWA Interconnect with East Providence and Pawtucket, **continued from March 14, 2018**

*It is hereby noted for the record that this agenda item was discussed and action taken concurrently with agenda item H2 as noted below.*

2. Discussion with BCWA Directors re Sale/Depletion of Assets, **continued from February 28, 2018**

Stuart/Sweeney - Voted unanimously to combine agenda items H1 and H2.

Stuart/Parella - Voted unanimously to communicate the Council's resolve to the BCWA Board of Directors that the BCWA should both bring the matter of the alternate Bristol County water source directly to the East Providence City Council and also that the BCWA



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should solicit the assistance of State officials to secure a desirable route.

Prior to the vote taken, BCWA Directors Georgina Macdonald and Juan Mariscal appeared before the Council. Council Chairman Calouro noted that Director Frank J. Sylvia was excused.

Ms. Macdonald informed the Council that the Board's focus is on the urgent need for an alternate water source and that its "stumbling block" is the City of East Providence since the City and the BCWA cannot seem to reach an agreement on the route for the alternate water line.

Ms. Macdonald indicated that the problem appears to rest in a schism between the City Manager and the City Council. She added that the Board has impressed upon its Executive Director Pamela Marchand to continue to work toward a solution to the problem.

Ms. Macdonald also noted that the Board would like to divest of its Massachusetts reservoirs but that it is not permitted to do so. She noted that the current treatment plant is severely antiquated and that it is operated periodically. She explained that the BCWA is aware that upgrading the plant would cost significantly more than a new pipeline.

Councilman Stuart noted that there has been a long process in attempting to obtain permission from East Providence. He added that there had been conversations about soliciting help from the members of the General Assembly to somehow bring about an agreement between the BCWA and the City of East Providence.

Councilman Stuart noted that Senator Whitehouse will be appearing at Roger Williams University and that water is apparently on his agenda. He (Councilman Stuart) suggested that perhaps the Senator may also be of assistance with the alternate/redundant water supply for BCWA.

Councilman Stuart expressed concern that the BCWA raises its rates every years and that he public must pay these rates and that the BCWA does not seem to resolve the public's concern for an alternate/redundant water supply. He suggested that the matter should be resolved and that the public should be presented with a timetable for implementation.

Ms. Macdonald suggested that the State would have to step-in if the City of East Providence refuses to allow a reasonable route for a pipeline to Bristol County.

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Ms. Macdonald noted that the State water resources office has been depleted and that there are currently two employees to assist the entire State.

Councilwoman Parella noted that Ms. Macdonald's news was discouraging and that the Council agreed 4-6 years ago that bringing water from Pawtucket was a good plan. She suggested that the BCWA should not divest of its assents until the redundant water supply is secured and in place. She noted that it appears that the rift between the East Providence City officials still exists.

Ms. Macdonald stated that she was uncertain if the BCWA will ever be able to secure permission from East Providence without assistance from the State. She noted that there were alternate routes possible but that the least costly one would require the permission of East Providence. She added that the BCWA must determine its route before it can begin the necessary engineering tasks of plans and borings.

A discussion ensued regarding the BCWA relationship with East Providence with Councilwoman Parella suggesting that BCWA should solicit assistance from the General Assembly.

Council Chairman Calouro asked to know if the BCWA brought its request directly to the East Providence City Council.

Mr. Mariscal noted that there was a meeting between Ms. Marchand, a City Council member and a State water official. He also noted that the Council member was concerned about the proposed route although the meeting showed some promise.

Councilman Stuart noted that the matter has been in discussion for a very long time and that there is a need for some action.

Councilwoman Parella asked to know if the matter was ever brought before the East Providence City Council with Ms. Macdonald explaining that the Board was advised that this may not be politically appropriate.

Councilwoman Parella stated that she hopes that both the City of East Providence and the State of Rhode Island will participate in this project and share in the cost.

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Councilman Stuart noted reports of many conversations with the City's mayor and suggested that there is a need to take further action beyond these conversations.

Ms. Macdonald suggested that the Council should pass a resolution requesting that the Water Authority might secure a place on the East Providence City Council docket regarding the proposed route so that they might be heard.

Peter Hewett of 11 Wendy Drive asked to know if the City of East Providence already has a redundant water source with Ms. Macdonald explaining that the City is "equally dependent."

Mr. Hewett suggested that the City should be approached.

Council Chairman Calouro explained the need for a redundant water supply for Bristol County.

**I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION**

1. Town Administrator Contente re Request for Executive Session pursuant to RIGL § 42-46-5(a)(5) Lease of Real Property - Parking Lot at Corner of Church and Thames Streets (Plat 10, Lot 32)

*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.*

2. Town Administrator re Request for Executive Session pursuant to RIGL § 42-46-5(a)(7) Matter Related to Question of Investment of Public Funds - Mosaico

*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.*

3. Ford K. Sayre, 47 Sea Breeze Lane re Request for Council Resolution Supporting In-Person Early Voting - House Bill 7501 and Senate Bill 2419 (legislation attached)
  - a. (Draft) Resolution

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Sweeney/Stuart - Voted unanimously to refer this matter to the Board of Canvassers.

4. Town Treasurer Goucher re Establishment of Assigned Fund for Police Motor Vehicle Detail Reimbursements

Stuart/Parella - Voted unanimously to approve the establishment of an Assigned Fund for Police Motor Vehicle Detail Reimbursements per the recommendation of the Town Treasurer.

5. Discussion and Possible Vote Regarding Town Policy as to Role of Benjamin Church Senior Center in Town Government: Town Department with Town Employees or Independent Nonprofit Organization with Town Financial Support via Human Services Budget; Including Possible Interim Strategies to End of Fiscal Year, June 30, 2018

**LATE ITEM a.** Assistant Solicitor Teitz - Interim Operating Agreement (clean copy)

**LATE ITEM b.** Assistant Solicitor Teitz - Interim Operating Agreement (redlined version)

**LATE ITEM c.** Assistant Solicitor Teitz - Exhibit A

**LATE ITEM d.** Attorney Ralph Kinder - Interim Operating Agreement

**LATE ITEM e.** Attorney Ralph Kinder - Exhibit A

Sweeney/Stuart - Voted to continue financing the senior center on the current financing path (Human Resources grant) and to continue working on an operating agreement and that said agreement will include performance metrics. Voting in favor of this motion were Council Chairman Calouro, Councilman Sweeney, Councilwoman Parella, and Councilman Stuart. Voting opposed was Councilman Tyska.

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Prior to the vote taken, Council Chairman Calouro stated that the Council held a productive workshop session with senior center representatives and noted that the Town is considering two options. He explained that the senior center employees were removed from Town employee status on April 1, 2018.

Town Solicitor Ursillo noted that the Town has two options at this time and that these are:

1. Allowing senior center employees to be Town employees who would be hired and dismissed by and responsible to the Town Administrator. He noted that since these persons would be paid by taxpayer funds it would be necessary for them to be accountable to the Town and that he strongly recommended against any other form of reporting structure.
2. The Town Council would provide funds to the non-profit Benjamin Church Senior Center, Inc. (BCSC), and that entity would use these funds to employ the senior center employees. He noted that the Benjamin Church Senior Center would have to report to the Council regarding its use of the funds it receives.

Council Chairman Calouro noted that all Council members agree that the Town is committed to provide services for seniors.

Councilwoman Parella asked to know what role the BCSC board would have if the senior center were to function as a Town department or subset thereof.

Town Solicitor Ursillo noted that the Board could continue as advisory to the Town similar to the "Friends of the Library." He noted that the Town would be making decisions and the Board could advise the Town. He also noted that the BCSC could continue as non-profit entity for fundraising, etc.

Councilwoman Parella noted that the former board at Mount Hope Farm was a "hybrid" of Town and private interests and that this did not work. She stated that she would not be in favor of a governing board that was shared by the Town and the non-profit entity.

Councilman Tyska stated that the intention is not to create a new board through the Interim Operating Agreement and that the shared board listed in the agreement is only for the purposes of hiring employees.

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Councilman Tyska noted that the first preference of the senior center is to resolve the hiring process and that there would be other details to work out after this step is formalized.

Councilwoman Parella stated that she believed there was confusion coming from the employees who at one time asked to be Town employees reporting to the Town as a Town department and now there is a reluctance to do this. She expressed concern that the employees would be changing their minds each time there was some type of difficulty.

Councilman Tyska stated that there was no guarantee that employees would not change their minds. He added that he did not think that the plan to have the BCSC hire its own employees would work since the BCSC would need a large amount of support to make this work.

Councilman Stuart noted that the "unfortunate situation" with the former Executive Director of the senior center forced the Town to take a position that it must clarify its responsibility concerning its employees. He suggested that the employees should be reporting to the Town Administrator and also suggested that it may be advisable for the Town to appoint the senior center board. He added that he does not think that there should be exceptions to these requirements.

Councilman Sweeney asked to know if the current ordinance would have to be changed if either of the options would be realized with Town Solicitor Ursillo stating that there would be no need to change the ordinance.

Councilman Sweeney asked to know if there would be need to create a new Town department with Town Solicitor Ursillo explaining that there would be no need to do this and that the Town can determine where the senior center would fit in the existing departmental structure.

Councilman Sweeney asked to know the cost differential of the two options with Town Treasurer Goucher explaining that the Town appropriated \$146,000 in the Human Resources budget for the senior center. She added that if the employees report to the Town directly, the amount may increase marginally to \$153,000.

Town Labor Counsel O'Gara noted that there are advantages and disadvantages to both parties with each structure. He noted that the Town has liability for its employees and is responsible for their actions. He noted that the Town must have clearly defined

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lines of responsibility and thinks that the Town will be better served if there was no "mixed arrangement" (Town sharing with non-profit) in the selection and hiring process.

Mr. O'Gara suggested that if the senior center is ready to move forward on its own operating with grant funds provided by the Town it would be better if the senior center hired its own employees.

Town Administrator Contente suggested that the Council should follow the advice of the Labor Counsel. He added that he (Town Administrator Contente) would be responsible to administer the Town Councils policies.

Ralph M. Kinder, an attorney representing the BCSC and the Benjamin Church Trust, thanked the Council, Administrator, and Town staff for its efforts to resolve this problem.

Mr. Kinder explained that his clients would prefer option #1 and also explained that this would be the best way for the BCSC to transition. He noted that it may be acceptable for them to follow option #2 and that it would not be possible for them to effectively do this in the short term and that it would be difficult to accept option #2 for the duration of the lease.

Mr. Kinder stated that BCSC acknowledges that the authority to hire and dismiss Town employees rests with the Town Administrator.

Councilwoman Parella noted that there have already been several meetings on this request and that there has been confusion. She explained that during last week's meeting the BCSC seemed to agree to option #2 and now they are seeking option #1. She added that she did not understand the reported difficulty for BCSC to pay its employees since it is not a big agency. She suggested that it would be fairly simple to retain a payroll service to provide paychecks for no more than four employees.

Councilwoman Parella stated that it should not take months and months to set up a simple payroll.

Mr. Kinder noted that the "main" employee is not in place and that the BCSC is trying to accommodate what the Town is asking for.

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Councilwoman Parella stated that Mr. Kinder's clients created the problem since they would not accept the employee that the Town brought into the agency to serve as director.

Councilwoman Parella stated that the BCSC told the Town Administrator that it did not have to follow his instructions because they worked for the BCSC board and not for the Town Administrator.

Councilwoman Parella stated that the Town can either contract the services it wishes to provide for seniors or operate on its own. She added that Mr. Kinder's clients wish to run the operation and also receive funding from the Town with no accountability and that this idea is not making the situation easy.

Councilwoman Parella also expressed concern that the Town does not support the senior programs. She noted that there is no cause for alarm on the part of the senior participants since the Town has no intention to eliminate any of its senior programs and that they can be assured that there will be a lunch site and van service.

Councilwoman Parella asked to know who appoints the BCSC board and how many persons attend the meetings.

Mr. Kinder noted that the BCSC has operated for 45 years and has provided these services. He noted that all seniors have an opportunity to attend meetings.

Councilman Stuart stated that the Town is not demanding anything but rather that it is following Town policy and procedure. He added that all Town employees need to follow the same procedures and that the senior center employees, if employed by the Town, should not be exceptions.

Mr. Kinder stated that the BCSC only asks for input in to the decisions regarding employees.

Councilwoman Parella noted that the Town and senior center both compromised a bit.

A discussion ensued regarding the need for a vote on this matter since previous action established option #2.



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Council Chairman Calouro noted that as of April 1, option #2 is in place and that the employees no longer work for the Town as of that date.

Councilman Stuart noted that the Council approved funding for the upcoming budget based upon option #2 and asked to know where the BCSC stands on establishing its payroll system for the employees.

Peter Hewett of 11 Wendy Drive suggested that the Council should do what is in the best interest of the Town. He noted that if BCSC is interested in being autonomous then the Town should let them have it and allow them to manage the operating funds provided by the Town.

Maria Doherty stated that the BCSC never said that it did not want the employees to report to the Town.

Councilwoman Parella recalled hearing from the BCSC that the employees did not report to the Town.

Ms. Doherty suggested that the BCSC was misled.

Councilman Stuart suggested that the situation has driven a "wedge" between the seniors and the Town.

Ms. Doherty stated that BCSC wishes to have the employees be Town employees and report to the Town.

Councilwoman Parella noted that the whole problem began because the senior center employees would not report to the Town.

Ms. Doherty stated that the BCSC board only wanted to be part of the process and did not wish for the reporting structure to change.

Councilwoman Parella suggested that the board should establish itself as a "friends" group in support of the senior center and that the senior center should be run by the Town.

Council Chairman Calouro noted that the budget in place supports a "contracted service" rather than Town employees.

Councilman Stuart stated that if the employees are to be Town employees there should be no board.

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Mr. Kinder noted that there does not appear to be any incentive to consider an interim agreement.

Councilman Stuart suggested that the senior center should be either under the auspices of the Town or completely separate from it.

Mr. Kinder suggested that that proposed interim agreement clarifies everyone's role.

Council Chairman Calouro stated that he would not support any arrangement that does not mirror other employees of the Town.

Councilman Tyska stated that there appears to be much more to do and that the motion before the Council reinforces the current situation. He stated that the Council seems to be "putting a bow on it" and that he is concerned that there will be no more dialogue on the matter.

Councilwoman Parella stated that the motion clarified the Town's position and that the Council may decide to consider other options in the future.

Mr. O'Gara stated that the Town may choose to employ anyone it wishes.

J. BILLS & EXPENDITURES

1. Bid #875 - Bristol Harbor Boardwalk Extension

Parella/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 bids as received:

MAS Building & Bridge	Norfolk, MA	\$404,780.00
New England Building	Providence, RI	\$433,960.00
ACK Marine & General	Quincy, MA	\$417,051.00

2. Bid #876 - Road Resurfacing Project

Stuart/Parella - Voted unanimously to refer this matter to the Town

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Administrator to act in the best interest of the Town.

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

Narragansett Improvement	Providence, RI	\$ 943,530.00
T. Miozzi, Inc.	N. Kingstown, RI	\$1,097,471.00
D'Ambra Construction	Coventry, RI	\$1,113,175.00
J. H. Lynch & Sons	Cumberland, RI	\$ 673,359.00
P. J. Keating Co.	Lunenburg, MA	\$ 893,591.00
Cardi Corporation	Warwick, RI	\$ 853,300.00
Hartford Paving Corp.	Johnston, RI	\$1,123,392.04

3. Bid #877 - Wood Street Decorative Street Light Refurbishment

Parella/Stuart - Voted unanimously to authorize the Town Administrator to go to the open market on this item.

Prior to the vote taken, the Clerk reported that no bids were received for this item.

K. SPECIAL REPORTS

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

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

L. TOWN SOLICITOR

1. Town Solicitor Ursillo re Ethics Commission Advisory Opinion - Zoning Board

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

Prior to the vote taken, Town Solicitor Ursillo explained that the Ethics Commission reported that the matter may be held in abeyance pending the next general election when Council Chairman Calouro and Councilman Tyska's conflict of interest will subside.

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2. Request for Executive Session pursuant to RIGL § 42-46-5(a)(1) Personnel - Discussion and Possible Vote Regarding Job Performance of Senior Center Assistant Director, Senior Center Driver, and Senior Center Kitchen Personnel; Including Possible Decision to Rescind Termination or Rehire until June 30, 2018 (see agenda items HH23, HH24, and HH25 below)

*It is hereby noted for the record that the Council took no action on this agenda item.*

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Calouro

a. Rain Keep Dedication - Council Chairman Calouro announced that the Bristol Garden Club's "Rain Keep" project will be dedicated on Saturday, April 14, beginning at 10:00 o'clock AM.

b. Tax Refunds - Council Chairman Calouro asked Town Treasurer Goucher to explain the recent tax refund checks that were mailed to taxpayers.

Town Treasurer Goucher noted that these refunds were the result of the General Assembly's "phase out" of the automobile excise tax. She noted that the State compelled the Town to mail refund checks rather than crediting property owners the equivalent amount.

2. Sweeney

a. Budget Effort - Councilman Sweeney thanked those who worked on preparing this year's budget.

3. Tyska

None

4. Parella

None

5. Stuart

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a. Solarize Tier 3 - Councilman Stuart reported on the Solarize project and explained that participants will be afforded pre-tariff pricing for the solar power equipment. Councilman Stuart noted that there will be a letter to the editor appearing in the local newspaper from the Council regarding this matter.

b. Thank You Mike Davis, etc. - Councilman Stuart thanked Mr. Davis and Archie Martins for their services this evening and also thanked the other meeting participants.

**N. TOWN ADMINISTRATOR AGENDA ITEM(S)**

1. Water Pollution Control Violation - Town Administrator Contente reported that the EPA cited the Town with a violation based upon incidents of sewage overflows occurring during 2013-2016. He noted that the Town has since spent approximately \$6 million to upgrade its facilities and that current project will help prevent future violations.

2. May 5 Tour - Town Administrator Contente noted that the Town will offer tours of the wastewater treatment plant on May 5 and that interested persons may contact either his office or the office of Water Pollution Control Superintendent DaSilva (253-8877).

3. Tax Rate - Town Administrator Contente reported that the tax rate increase, based upon the Council's provisional budget, is \$.50 per \$1,000 of assessed valuation. He added that most of the increase is attributable to the schools. He noted that the District was allowed a 4% increase to make up for the reductions in State aid to education and that \$.08 is for debt service relating to the Town of Warren school lawsuit award. He added that were it not for these two items, there would have been a reduction in taxes.

4. Pledge of Allegiance - Town Administrator Contente stated that he found this evening's Pledge of Allegiance to the Flag to be remarkable since it included both the Girl Scouts and the VFW.

5. Firearms and Drugs - Town Administrator Contente deferred to Police Chief Canario who reported that the Police Department will be accepting unwanted

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prescription drugs and firearms on April 28, 2018 at the Police Station. He cautioned those wishing to dispose of firearms to leave these in their car and report to the front office at the police station where officers will be available to retrieve these firearms from the automobiles safely.

Councilman Stuart noted that Recreation Director Burke has retired and recognized his presence in the audience. The members assembled congratulated Mr. Burke on his retirement.

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**CITIZENS PUBLIC FORUM**

**Persons wishing to speak during the public forum must notify the Council Clerk prior to the commencement of the meeting.**

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**Consent Agenda Items:**

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

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

1. Planning Board - February 8, 2018
2. Harbor Commission - March 5, 2018
3. Bristol Warren Regional School Committee - February 26, 2018
4. Bristol Warren Regional School Committee - March 12, 2018
5. North and East Burial Grounds Commission - January 17, 2018
6. Harbor Commission - April 2, 2018
7. Substance Abuse Prevention Task Force - February 28, 2018

**(CA) BB. BUDGET ADJUSTMENTS**

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

1. Tax Assessor/Collector DiMeo re Recommended Abatements & Additions - April 2018

**(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 4, 2018

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

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

1. Proclamation - Sister City Lagoa Day, March 15, 2018
2. Citation - Bristol County Lions Club, 70<sup>th</sup> Anniversary

**(CA) EE. UTILITY PETITIONS**

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

**(CA) FF. UPCOMING APPOINTMENTS**

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

1. Public Service Appointments-May

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

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

1. Jean M. Fecteau, CMC, Gloucester Town Clerk re Resolution in Support of House Bill #7501 and Senate Bill #2419, Relating to Implementation of In-Person Early Voting (see agenda item I3 above)
2. Meredith J. DeSisto, CMC, Barrington Town Clerk re Resolution in Opposition to H-7198 and H-7379,

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An Act Relating to Labor and Labor Relations -  
Arbitration - Continuance of Contractual Provision  
(legislation attached)

3. Pawtucket School Committee re Resolution on Gun-Free Schools
4. Sherry D. McGahan, Clerk, North Smithfield School Committee re Resolution in Support of 2018 H7696 and S2181, Amending Article XII of the Constitution - Right to Adequate Education (legislation attached)
5. Sherry D. McGahan, Clerk, North Smithfield School Committee re Resolution on Binding Arbitration
6. Sherry D. McGahan, Clerk, North Smithfield School Committee re Resolution in Opposition to 2018 H7198, etc., Mandating Expired Teacher Contracts Continue (see agenda item GG2 above)
7. Meredith J. DeSisto, CMC, Barrington Town Clerk re Resolution in Opposition to Governor's FY2019 Budget Request - Articles 1 and 10

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

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

1. Town Administrator Contente to Paramedic Systems, Inc., Bristol, RI re Award of Bid #872 - Emergency Medical Services-Paramedic
2. Lynn M. Hawkins, CMC, Exeter Town Clerk re Resolution to Support Removal of "Sunset" Provision Regarding Residential Mortgage Foreclosure Mediation, 2018 H7385 and S2270
3. Amy Rose Weinreich, CMC, Charlestown Town Clerk re Resolution in Opposition to Proposed Inclusion of North Atlantic Region in 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Program
4. Resolution in Opposition to Proposed Inclusion of North Atlantic Region in 2019-2024 National Outer Continental Shelf Oil and Gas Leasing Program (signed original)



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5. Resolution Expressing Support for Articles 5 and 9 of Proposed Rhode Island State Budget (FY 2019) (signed original)
6. Council Clerk Cirillo to Gov. Gina M. Raimondo, et al re Letter of Transmittal - Adopted Resolution Expressing Support for Articles 5 and 9 of Proposed Rhode Island State Budget (FY 2019)
7. Cheryl A. Fernstrom, CMC, Jamestown Town Clerk re Resolution to Support Removal of "Sunset" Provision Regarding Residential Mortgage Foreclosure Mediation Act 2018 H7385 and S2270
8. Bristol Warren Regional School District - Monthly Report-by Function Detail Level Fiscal Year: 2017-2018
9. Bristol Warren Regional School District - School Committee Report Fiscal Year: 2017-2018
10. Louise R. Phaneuf, Burrillville Town Clerk re Resolution to Support Removal of "Sunset" Provision Regarding Residential Mortgage Foreclosure Mediation 2018 H7385 and S2270
11. Town Administrator Contente to All Island Landscape, Inc., Portsmouth, RI re Award of Bid #874 - Spring Tree Planting
12. Town Administrator Contente to Geograph Industries, Inc., Harrison, OH re Award of Bid #873 - Bristol Wayfinding Signage Program
13. Dr. Paul Agatiello to Town Administrator Contente re Thank You for Use of Burnside Building for Bristol Free Medical Advice Clinic
14. Warrant - Robert Ferguson, Deputy Fire Chief
15. Warrant - James D. Annis, Assistant Fire Chief
16. Warrant - Aires H. Medeiros, Assistant Fire Chief
17. Warrant - Anthony Sousa, Assistant Fire Chief

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18. Warrant - Dominic S. Franco, Harbor Commission
19. Sherry D. McGahan, Clerk, North Smithfield School Committee re Resolution Supporting School Construction General Obligation Referendum
20. Mount Hope Farm re Mount Hope Trust in Bristol Bylaws as amended November 18, 2017
21. Coastal Resources Management Council - April 2018 Calendar
22. (Town Treasurer Goucher) re Citrin Cooperman & Company, LLC - Town of Bristol Single Audit Reports, Year Ended June 30, 2017
23. Council Clerk Cirillo to Lorraine Capizano re Notice of Executive Session
24. Council Clerk Cirillo to David Delamater re Notice of Executive Session
25. Council Clerk Cirillo to Donna Wilson re Notice of Executive Session
26. Council Clerk Cirillo to Anthony Rego, Chairman, Bristol Democratic Committee re Board of Canvassers Appointment
27. Council Clerk Cirillo to Thomas Carroll, Chairman, Bristol Republican Committee re Board of Canvassers Appointment

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

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

1. Technical Review Committee - March 20, 2018
2. Conservation Commission - March 15, 2018
3. Zoning Board of Review - April 9, 2018
4. Rogers Free Library Board of Trustees - March 22, 2018

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5. Bristol Warren Regional School District -  
Schedule of Meetings, Week of March 18, 2018
6. Bristol Warren Regional School Committee-Budget/  
Facilities Subcommittee - March 19, 2018
7. Substance Abuse Prevention Task Force - March 21,  
2018
8. Fourth of July Committee - March 21, 2018
9. Technical Review Committee - March 27, 2018
10. Fourth of July Committee-Wine Tasting  
Subcommittee - March 28, 2018
11. Fourth of July Committee-Spring Breakfast  
Subcommittee - March 28, 2018
12. Fourth of July Committee-Souvenir Subcommittee -  
March 27, 2018
13. Bristol Warren Regional School District -  
Schedule of Meetings, Week of March 25, 2018
14. Bristol Warren Regional School Committee-Budget/  
Facilities Subcommittee - March 26, 2018
15. Bristol Warren Regional School Committee-Policy &  
Curriculum Subcommittee - March 26, 2018
16. Bristol Warren Regional School Committee-Personnel/  
Contract Negotiations Subcommittee - March 26,  
2018
17. Bristol Warren Regional School Committee - March  
26, 2018
18. Fourth of July Committee-Fourth of July Ball  
Subcommittee - March 29, 2018
19. Fourth of July Committee-Pageant Contestant  
Selection - March 29, 2018
20. Conservation Commission - April 9, 2018

**TOWN COUNCIL MEETING - WEDNESDAY EVENING - APRIL 11, 2018**

21. Historic District Commission - April 5, 2018  
(cancelled)
22. Bristol Warren Regional School District -  
Schedule of Meetings, Week of April 1, 2018
23. Bristol Warren Regional School Committee-Policy &  
Curriculum Subcommittee - April 2, 2018
24. Fourth of July Committee-Souvenir Subcommittee -  
April 2, 2018
25. Historic District Commission - April 12, 2018
26. Fourth of July Committee-Patriotic Pet Subcommittee  
- April 4, 2018
27. Fourth of July Committee-Golf Tournament  
Subcommittee - April 19, 2018
28. Bristol County Water Authority Board of Directors  
- April 11, 2018
29. Planning Board-Technical Review Committee - April  
10, 2018
30. Technical Review Committee - April 10, 2018 (1:00  
PM)
31. Technical Review Committee - April 10, 2018 (2:00  
PM)
32. Planning Board - April 12, 2018
33. Fourth of July Committee-Beverage Tasting  
Subcommittee - April 26, 2018
34. Harbor Commission - April 2, 2018
35. Bristol Fire Department - 2018 Meeting/Event  
Calendar
36. Bristol Warren Regional School District -  
Schedule of Meetings, Week of April 8, 2018
37. Bristol Warren Regional School Committee-Budget/  
Facilities Subcommittee - April 9, 2018

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38. Bristol Warren Regional School Committee-Personnel/  
Contract Negotiations Subcommittee - April 9,  
2018
39. Bristol Warren Regional School Committee-Policy &  
Curriculum Subcommittee - April 9, 2018
40. Bristol Warren Regional School Committee - April 9,  
2018
41. Bristol Warren Regional School Committee-Council 94  
Contract Negotiations Subcommittee - April 9,  
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."**

1. Jarrod Pacheco, 4 Alma Avenue - Claim for Damages
2. Joseph Osanski, 4 Slocum Road - Claim for Damages

**(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."**

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Stuart/Sweeney - Voted unanimously to convene in Executive Session pursuant to RIGL § 42-46-5(a)(5) and (7) per

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agenda items I1 and I2 as found above  
at 9:29 o'clock PM

Sweeney/Stuart - Voted unanimously to  
resume open session and seal the  
minutes of the Executive Session at  
10:26 o'clock PM.

Council Chairman Calouro announced that action was taken in  
Executive Session.

Stuart/Sweeney - Voted unanimously to  
approve a lease for a parking lot (Plat  
10, Lot 32) with Russ-Russ Realty as  
presented (re agenda item I1).

There being no further business, upon a motion by Councilwoman  
Parella, seconded by Councilman Stuart and voted unanimously,  
the Chairman declared this meeting to be adjourned at 10:28  
o'clock PM.

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Louis P. Cirillo, CMC  
Council Clerk