

TOWN COUNCIL MEETING - WEDNESDAY EVENING - JULY 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, July 11, 2018 in the Town Hall, Council Chambers, beginning at 7:03 o'clock PM, Council Chairman Calouro presiding:

Prior to the commencement of this evening's regular agenda, Council Chairman Calouro recognized Town Treasurer Goucher who explained a memorandum from one of the Town's bond rating agencies (S&P Global). Town Treasurer Goucher noted that the Town's bond rating remains strong at AA+.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Sweeney/Parella - Voted to approve the Consent Agenda. Voting in favor of this motion were Council Chairman Calouro, Councilman Sweeney, Councilman Tyska, and Councilwoman Parella. Councilman Stuart recused himself from the vote.

Prior to the vote taken, Councilman Stuart recused himself from the agenda item.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - June 13, 2018

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

2. Town Council Special Meeting - June 6, 2018

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

3. Town Council Executive Session (sealed-Council packets only) - June 6, 2018

Sweeney/Stuart - Voted unanimously to unseal these minutes.

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

B. PUBLIC HEARINGS

1. Yu Lin Zhang, agent by agreement for, Cheng Liang Yu, formerly IFC Inc. (revoked April 28, 2017), d/b/a Sawa Asian Bistro, 531 Wood Street - Request for Transfer of Class BV Liquor License to: Xinhong Wang, d/b/a Sakuratani Ramem, 531 Wood Street (corrected), (see agenda item D1 also)

Stuart/Sweeney - Voted unanimously to close the Public Hearing.

Stuart/Sweeney - Voted unanimously to grant this transfer incorporating, *in toto*, the Council motion of June 13, 2018 as follows: Voted unanimously to grant transfer of this license per the recommendations received and conditions as stipulated and also subject to conformance to all laws and ordinances, payment of all fees, taxes, and levies, and also subject to a closing time of 9:30 o'clock PM Sunday through Thursday and 10:30 o'clock PM on Friday and Saturday.

Prior to the vote taken, Council Chairman Calouro opened the Public Hearing.

Speaking in favor of the petition was Alfred R. Rego, Esq., attorney for the petitioner. Mr. Rego explained that this re-hearing was the result of a technical flaw in the advertising for the public hearing held on June 13, 2018.

There was no other testimony presented in favor of the petition and no remonstrance presented in opposition thereto.

2. Ordinance #2018-12, Chapter 28, Zoning, Article III, Permitted Uses, Section 28-82, Use regulations (to allow commercial or technical trade schools in limited business zone), **2nd reading for adoption** (see agenda item C2 also)

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- a. Recommendation - Planning Board (require special use permit)

Stuart/Sweeney - Voted unanimously to close the Public Hearing.

Sweeney/Parella - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2018-12 incorporating the findings of fact as reported in the Planning Board memorandum of June 20, 2018 and also finding that this action is consistent with the Comprehensive Plan and also consistent with accepted zoning practice. Advertise in local newspaper.

Prior to the vote taken, Council Chairman Calouro opened the Public Hearing.

Speaking in favor of the proposal was Susan VonVillas of 250 Brownell Avenue, Portsmouth. Ms. VonVillas reported that she is a registered nurse and represents the prospective tenant (School of Allied Help Training) in a building impacted by the current Zoning Code. She noted that making this change to the Code will allow her company to operate its school and take advantage of SBA loans. She suggested that the school will be a great asset to the community and that its location will benefit from its proximity to the RI Veterans Home and also the Town's emergency medical services headquarters on Annawamscutt Drive.

Councilman Stuart asked to know if there will be sufficient parking stated that the proposed clientele should be a good fit for the area.

Ms. VonVillas stated that the school will accommodate only 15 students at a time and that the location is preferred for the intended purpose. She added that there appears to be ample parking for the anticipated number of persons who will be present at any one time.

She added that she plans to open in September.

Director of Community Development Williamson noted that the Council is approving only an amendment to the Zoning Code and if this amendment is approved, with the conditions as recommended by the Planning Board (to require a Special Use Permit), the

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Zoning Board of Review will work out the details with the applicant who seeks the permit. She added that this is done on a case-by-case basis.

Councilwoman Parella noted that this is an important distinction.

Councilman Stuart agreed that the requiring the Special Use Permit would allow for the Zoning Board of Review to consider each case individually on its merits.

No one else spoke in favor of the ordinance and no remonstrance was presented in opposition thereto.

After the vote taken, Council Chairman Calouro suggested that future Planning Board recommendations might be presented in a more "straightforward" bullet-pointed fashion.

3. Paul G. Diniz, d/b/a Destiny's Hometown Diner, 20 Gooding Avenue - Request for Additional Operational Hours License (see agenda item D2 also)
 - a. Recommendation - Town Administrator and Fire Chief (approve)
 - b. Recommendation - Town Administrator and Department of Water Pollution Control (approve)

LATE ITEM C. Recommendation - Chief of Police (deny)

Stuart/Parella - Voted unanimously to close the Public Hearing.

Stuart/Parella - Voted unanimously to deny the petition.

Prior to the vote taken, Council Chairman Calouro opened the Public Hearing.

There was no testimony presented in favor of the petition and no remonstrance presented in opposition thereto.

Police Chief Canario explained that he advises against the granting of this license since its issuance would be problematic for the Town. He noted that the Town licensed "late night places" in the past and that these are often viewed as a

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"hangout." He also noted that people have been known to congregate in the parking lots of late night establishments and that the associated problems caused by this activity taxes the resources of the police and fire departments.

Councilman Stuart noted that Mr. Diniz operates a reputable establishment but also that he agrees with Police Chief Canario about the potential for trouble.

Police Chief Canario agreed that Mr. Diniz operates a reputable establishment.

Councilwoman Parella expressed concern that persons who may be intoxicated would possibly drive themselves from other nearby towns to the late night establishment thus increasing the likelihood of traffic accidents.

Councilman Sweeney stated that he agrees with Police Chief Canario.

Mr. Diniz, who was present, stated that he respects the Chief's opinion and added that he may return to seek permission for extended hours of a shorter duration at another time.

C. ORDINANCES

1. Ordinance #2018-11, Chapter 17, Offenses and Miscellaneous Provisions, (new) Article III, Unruly Gatherings, (new) Sections 17-100, et seq. (to prohibit unruly parties), **2nd reading for adoption**

Stuart/Sweeney - Voted unanimously to combine agenda items C1 and C3.

It is hereby noted for the record that discussion and action concerning this item appears as part of agenda item C3 below.

2. Ordinance #2018-12, Chapter 28, Zoning, Article III, Permitted Uses, Section 28-82, Use regulations (to allow commercial or technical trade schools in limited business zone), **2nd reading for adoption** (see agenda item B2 above)

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item B2 as found above.

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3. Ordinance #2018-13, Chapter 17, Offenses and Miscellaneous Provisions, (new) Article III, Unruly Gatherings, (new) Sections 17-100, et seq. (to prohibit unruly parties), **1st reading (substantive changes from 2018-11 require consideration for new 1st reading)**

Stuart/Parella - Voted unanimously to receive and place proposed Ordinance #2018-11 on file.

Stuart/Parella - Voted unanimously to consider this action to constitute the first reading of Ordinance #2018-13. Advertise in local newspaper.

Prior to the votes taken, Town Solicitor Ursillo reported that some changes were made to Ordinance #2018-11 and that these were significant enough to warrant a new First Reading should the Council choose to consider the changed ordinance (#2018-13) instead of #2018-11.

Town Solicitor Ursillo briefly described the changes noting that instead of allowing that an "orange sticker" be placed upon the property where unruly gatherings are known to happen, the ordinance provides that property owners will be furnished with notice of violation.

Council Chairman Calouro stated that there will be an opportunity for the public to comment at the second reading of Ordinance #2018-13 which will be held on August 1. He stated that he would allow comments of a general nature since both ordinances were related and that #2018-11 is technically at the second reading stage this evening.

Alicia Securo of 159 Hopeworth Avenue stated that she represented her neighbors concern and read from a prepared statement. (A copy is included in the record of this meeting) She added that her statement contains 300 signatures of support. She thanked Council Chairman Calouro for his support in consideration of the problems experienced in her neighborhood.

Council Chairman Calouro noted that the Town is making a unified effort toward making these types of situation better and that the ordinance proposed is "not a silver bullet."

Town Solicitor Ursillo noted that the proposed ordinances mirror those in place in the Town of Narragansett and that their

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ordinance seems to be working well for that town. He explained that there was a rethinking of the orange sticker portion of the first ordinance and that the second one differs in its method of enforcement. He added no one finds the unruly behavior observed by citizens who have requested the Town's intervention, to be acceptable.

Town Solicitor Ursillo noted that the new ordinance provides for a \$500 fine that will be adjudicated in the Municipal Court and there are community service requirements placed upon those found guilty of violating the ordinance. He added that Roger Williams University will also be officially notified if the perpetrators are found to be University students.

Town Solicitor Ursillo noted that the legal structure of this ordinance has been already tested in the court system and that it should be fairly simple to put into practice once the Ordinance is adopted the Council.

Town Solicitor Ursillo suggested that representatives of the group of proponents may wish to attend the Council meeting of August 1, 2018 and testify if they find it necessary to do so.

Ms. Securo expressed concern that complaints have been shared with the University in the past and that the complainants did not receive a positive response. She asked to know if the landlords and tenants will be fined for these infractions.

Town Solicitor Ursillo explained the landlords will be fined and that the tenants will be compelled to complete community service. He added that the tenant wrongdoers may also be charged with additional ordinance violations including disorderly conduct and illegal possession or use of alcoholic beverages.

Ms. Securo noted that she was not at home on July 3 yet her property was invaded by party-goers. She added that in her experience, the police department does not charge the raucous partygoers but rather disperses the crowd.

Councilwoman Parella stated that Ms. Securo provides a very good explanation of the problem and that she found the behavior of her neighboring tenants, as described, to be "annoying and disgusting." Councilwoman Parella noted the proposed fine of \$500 and asked to know if everyone can be fined. She also noted that she is aware that these troublesome parties may have morphed from what was initially innocent. She added that someone may invite a few persons via some social media outlet and 150 will show up.

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Councilwoman Parella suggested that the notice policy might include the property owner's insurance company and that the insurance company might help mitigate the problem with the property owner in light of a pending lawsuit over unsafe practice.

Town Solicitor Ursillo noted that there are no Town records which prove which insurance company covers a given property.

Councilwoman Parella stated that she was shocked and chagrined to learn that some of these problem "party houses" are owned by Bristol residents.

Town Solicitor Ursillo stated that he represents some similarly aggrieved property owners in Narragansett and that Narragansett's similar ordinance did make a positive difference in that town.

Councilwoman Parella also suggested that the Police Department might monitor drunk drivers who may be leaving these unruly gatherings. She repeated that the situation described by Ms. Securo was "disgusting." She added that the University must become involved in these situations.

Police Chief Canario agreed that the situation was very frustrating and that the University must somehow help with finding a solution. He added that the University is powerful in that it can enforce its "code of conduct" to take corrective action for students' bad behavior. He added that aggrieved citizens should call the Police Department.

Ms. Securo noted that she had to wait for 45 minutes after calling in a complaint to the Police Department.

Police Chief Canario stated that the Department's goal is to always respond immediately.

Ms. Securo stated that she has realistic expectations.

Police Chief Canario encouraged persons experiencing these unruly gatherings to call the Police Department. He added that it is the intention of the department to hold landlords, tenants and their visitors responsible for their behavior. He noted that it is difficult to stop individuals for drunk driving without probable cause. He asked, again, that persons noticing these unruly gatherings should call the police.

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Councilwoman Parella asked to know about the reported unruly party that took place on May 5 with Ms. Securo noting that this party took place at midnight.

Councilwoman Parella suggested that the University should be asked to send some of their security personnel to accompany the Bristol Police when the unruly gathering involves University students.

Police Chief Canario stated that he intends to put the university "on notice" regarding this problem. He again encouraged citizens to call in their complaints. He added that a complaint may be anonymous.

Council members suggested that the tracking-down of uncooperative landlords should be first and foremost.

Councilman Sweeney stated that he was shocked to learn that this type of problem was occurring in the Hopeworth neighborhood since he was a former resident of Hopeworth and did not experience it when he was a resident there. He suggested that there may be a need to better define unlawful conduct.

Town Solicitor Ursillo agreed to look into necessary definitions.

Councilwoman Parella asked to know what might happen if the Town is unable to contact the property owner with Town Solicitor Ursillo suggesting that the Town may be able to place a lien on the property.

Brian Clark of 4 Evelyn Drive stated that the Police Department has been "fantastic" and explained that part of the problem is rooted in the Town's allowance that unrelated persons may reside in a single dwelling. He noted that he is aware of one place that seems to have six students and suggested that the Town should issue zoning violations for this. He added that he believes that the Town should examine the Zoning Code concerning the four-person allowance.

D. LICENSING BOARD - NEW PETITIONS

1. Yu Lin Zhang, agent by agreement for, Cheng Liang Yu, formerly IFC Inc. (revoked April 28, 2017), d/b/a Sawa Asian Bistro, 531 Wood Street - Request for Transfer of Class BV Liquor License to: Xinhong Wang, d/b/a Sakuratani Ramem, 531

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Wood Street (corrected), (see agenda item B1 above)

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item B1 as found above.

2. Paul G. Diniz, d/b/a Destiny's Hometown Diner, 20 Gooding Avenue - Request for Additional Operational Hours License (see agenda item B3 above)

It is hereby noted for the record that discussion and action concerning this agenda item took place as part of agenda item B3 as found above.

3. William B. Mitchell, for Bristol County Elks, 1 Constitution Street - Request for Dancing and Entertainment License
 - a. Recommendation - Town Administrator and Fire Chief (approve)

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

Sweeney/Stuart - Voted unanimously to grant this petition per the recommendations received and conditions delineated provided, however, that there shall be no indoor entertainment after 11:30 o'clock PM on any day and also no outdoor entertainment before 1:00 o'clock PM or after 7:00 o'clock PM on any day. This approval is also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies. It is also noted that Town of Bristol Dancing and Entertainment Licenses are not valid on Sunday.

Prior to the vote taken, Mr. Mitchell of 10 Howe Street (the petitioner) appeared before the Council. Council Chairman Calouro asked Mr. Mitchell the planned hours for the proposed entertainment with Mr. Mitchell explaining that the petitioner anticipates that entertainment would be allowed on Saturday from

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7:30 until 11:00 o'clock PM, indoors and from 1:00 until 4:00 PM on the outdoor deck.

Councilwoman Parella suggested that the Council might consider placing restrictions on the number of days of the week when entertainment would be allowed.

Councilman Stuart stated that he was familiar with the request and that the petitioner does not intend to have entertainment every night and that the entertainment will consist of acoustical music.

4. Erin Metcalf, Business Manager, Newport Music Festival - Request for One-Day Dancing and Entertainment License for Event to be Held at Blithewold, July 11 & 12, 2018
 - a. Recommendation - Town Administrator and Fire Chief (approve)
 - b. Recommendation - Town Administrator and Chief of Police (approve)

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

E. LICENSING BOARD - RENEWALS

1. Private Investigator's License Renewals for 2018-2019
 - a. Recommendation - Town Administrator and Chief of Police (approve)

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

F. PETITIONS - OTHER

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1. John Brando, 2 Milford Street - Request Reimbursement of Sewer Tie-In for 6 Milford Street
 - a. Recommendation - Town Administrator and Superintendent of Water Pollution Control (approve)

Sweeney/Parella - Voted unanimously to grant this petition per the agreement of record.

Prior to the vote taken, Town Solicitor Ursillo reported that he recommends approval and that the Town will collect a fee from the abutting property owners who tied into the sewer line. He explained that the payment to Mr. Brando will be made as the payments from the abutting property owners are received.

Town Solicitor Ursillo noted that this is a rare situation and may be revamped in the future.

2. Louis Frattarelli, Jr., Chairman, Harbor Festival Committee - Request Permission to Serve/Sell Alcoholic Beverages at Rockwell Park for 5th Annual "Bristol Harbor Festival" Event, August 18, 2018
 - a. Recommendation - Town Administrator and Fire Chief (approve)
 - b. Recommendation - Town Administrator and Department of Public Works (approve)
 - c. Recommendation - Town Administrator and Chief of Police (approve with conditions)

Stuart/Parella - Voted unanimously to grant this petition 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.

Prior to the vote taken, Councilwoman Parella noted the availability of a flyer on the internet and asked to know if there would be more than one seating. David Guertin of 58

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Constitution Street, representing the petitioner, noted that there is only one seating.

Councilwoman Parella stated that the littleneck boil is very high quality and a very good value.

Mr. Guertin further described the event.

3. (Lynn Shaw), for Bristol Merchants Association - Request Permission for Closure of State Street, Between Hope & Thames Streets, and to Hang Banners/ Signs for "State Street Fair" Event, October 6, 2018

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

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

Sweeney/Stuart - Voted unanimously to grant this petition 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.

Prior to the vote taken, the petitioner informed the Council that this event was held successfully in the past and that it was led in the past by Linda Arruda. She noted that the Association has some new volunteers who wish to bring back the fair and that it enjoyed success in the past.

4. Catherine Zipf, for Bristol Historical & Preservation Society - Request Permission to Allow Food Trucks at "Flea & Fair" Fundraising Event, August 4, 2018

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

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Stuart/Sweeney - Voted unanimously to grant this petition per the recommendations received and conditions as delineated deferring to the Parks and Recreation Department the responsibility to determine the location of the vehicles. This approval is also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

Prior to the vote taken, Dodie Tschirch representing the petitioner explained that the request outlined in the petition is intended to make the flea market more festive. She noted that her group would like to have food trucks along the street, next to the sidewalk, to sell food and ice cream.

Councilman Stuart suggested that the trucks should not be on the road since he is concerned about safety. He stated that he otherwise supports the petition.

A discussion ensued regarding the possible location of the food trucks if these are not to be allowed on the street.

Linda Arruda of 159 High Street suggested that the festival might utilize the paved area adjacent to the Byfield School.

5. David M. Marshall, 17 Naomi Street, et al -
Request for Relocation of Sports Cage at Mt. Hope High School along Naomi Street

a. Recommendation - Town Administrator and Fire Chief

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

Stuart/Sweeney - Voted unanimously to refer this matter to the Town Administrator and Town Solicitor that they may relay the Town's concerns, including a strong suggestion that the subject cage should be somehow posted to prevent use until this matter is resolved, to the School Committee.

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Prior to the vote taken, Mr. Marshall appeared before the Council. He explained that his alarm concerns a large structure, across the street from his residence, which is intended for "hammer-throw" track and field events.

Mr. (D) Marshall explained that he was not aware that this large structure was to be built and that he is concerned for both aesthetics and safety.

Mr. (D) Marshall read from a prepared statement which is part of the record of this meeting.

Council Chairman Calouro suggested that the matter might be referred to Town Solicitor Ursillo and to discuss same with the School District. He noted that both the Police and Fire Departments have expressed concerns regarding safety. He explained that the Town should make contact with the School District so that it will "do the right thing."

Mr. (D) Marshall explained that he met with the School Committee and that the Committee does not appear to wish to relocate the cage but rather would prefer to mask it by planting trees. He noted that the hammer projectile is dangerous and that the record for throwing a hammer is the length of a football field.

Councilman Sweeney asked to know if Mr. Marshall was informed before the cage was erected.

Mr. (D) Marshall explained that the field drainage and improvement project began 8 years ago and that he was never shown a drawing that indicated the cage structure.

Councilman Stuart noted that he is a member of the committee for this project and never saw plans that clearly defined this particular structure.

Mr. (D) Marshall suggested that there may be better and safer locations for the cage.

Councilwoman Parella noted Mr. Marshall's claim that only three states allow hammer-throws in High Schools. She asked him which states allow this sport.

Mr. (D) Marshall replied that in addition to Rhode Island, Missouri and Texas allow this sport.

Councilman Tyska suggested that there were two matters to consider - aesthetics and safety. He questioned if the Town has

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a role in determining the aesthetics of the structure but agreed that the Town has a strong responsibility for public safety. He suggested that the Town should request that the cage not be used until the matter is resolved.

Mr. (D) Marshall explained that he was told that there is no intention to use the cage for 2-3 years until the project is complete. He added that he is concerned that the netting already installed may deteriorate before the cage is put into use.

Councilman Stuart noted that the School Committee is an elected body and that the Council respects the School Committee's role in making decisions about school facilities. He added that the Council still remains concerned that the project should be completed properly.

Manuel Marshall of 23 Academy Avenue informed the Council that he is a concerned resident of the Town. He added that he visited the Portsmouth High School to check the proximity of its hammer-throw facility.

Mr. (M) Marshall noted that the Portsmouth facility is approximately 175 feet from the main entrance. He noted that a Portsmouth groundskeeper indicated to him that it was inappropriate to have such a facility close to a public street.

Mr. (M) Marshall expressed further concern that the Town would lose parking along Naomi Street and that this area will no longer be available for Fourth of July activities. He added that planned accessible parking spaces, which will be located near the cage, would pose a safety risk to persons with disabilities due to the possibility of an errant throw of the hammer.

Mr. (M) Marshall explained that errant throws can project the hammer over the back of the cage toward the street and the proposed parking area.

Mr. (M) Marshall explained that the hammer weighs 16 lb. and that its impact force when thrown is 447 lb. and stated that he is dismayed that there appears to be no consideration of safety in the location of this cage

G. APPOINTMENTS

LATE ITEM 0. Caroline W. Jacobus, Friends of Historic Bristol, Inc., 495 Hope Street re Requirements for Board and Commission Appointments

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The Council took no action on this agenda item.

Ms. Jacobus of 35 appeared before the Council and provided an outline of her concerns. She asked that her group be recognized by the Council as a group concerned about historic preservation and that this group might be afforded the opportunity to provide a list of qualified candidates for consideration for appointment to the Historic District Commission.

Ms. Jacobus presented a petition which is part of the record of this meeting. She explained the point made on the petition. She also provided a list of the US Secretary of the Interior's Professional Qualification Standards and suggested that only one of the currently seated members of the Historic District Commission conforms to these standards.

Ms. Jacobus suggested that this lack of necessary expertise may result in the loss of potential grant funding since it would not qualify to accept grants due to the composition of the Historic District Commission. She added that there were many qualified applicants in Bristol and that her group would be pleased to help formulate a list of these persons who would be willing to serve.

She thanked the Council for its attention.

Councilman Stuart asked to know

1. Public Service Appointments-July
 - a. Historic District Commission (3) (terms to expire in July 2021)
 1. Oryann Lima, 73 Franklin Street - interest/reappointment
 2. John M. Allen, 95 Burton Street - interest/reappointment
 3. Gerald Walsh, 33 Byfield Street - interest/reappointment

Councilman Stuart nominated Ms. Lima and Messrs. Allen and Walsh for reappointment.

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 each in favor of Ms. Lima and Messrs. Allen and Walsh with terms to expire in July 2021.

Prior to the vote taken, Councilman Stuart called attention to the previous statement of M. Jacobus and asked her to know if she was aware specifically of the qualifications of all of the Historic District Commission members.

Ms. Jacobus stated that she believes that the Secretary of the Interior's Standards are clear.

Councilman Stuart asked to know if Ms. Jacobus expects that all of the members of the Historic District Commission should possess all of the credentials found in the Standards.

Ms. Jacobus stated that Historic District Commission members should have the credentials listed or equivalent professional experience for numbers of years.

Councilman Stuart noted that the Standards offer "either or" and that many of the members have relevant experience. He asked to know about the timing of Ms. Jacobus' request. He also stated that he would welcome persons with specific college degrees per the standards, and expressed concern that these specifically qualified persons had not come forward earlier.

Ms. Jacobus noted that her group is newly formed and that it is coming forward at this time since the timing of this evenings meeting accords with the group's founding.

Ms. Jacobus stated that her group is aware that most of the members have some relevant experience but that they do not possess the academic credentials nor do they work in a relevant professional capacity.

Councilman Stuart stated that he appreciates Ms. Jacobus' comments. He added that the Council has had great difficulty finding applicants.

Ms. Jacobus suggested that the notice for public service might be more detailed and that the details may bring more applicants.

Councilman Stuart suggested that the notice might also be put on the Town website.

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Councilman Stuart expressed concern that Ms. Jacobus statements may be unfair or slighting to the existing members.

Ms. Jacobus stated that she respected the time contribution of the current members and that her only concern is that the Town would be unable to apply for many \$100,000s of grants.

Town Solicitor Ursillo noted that the qualifications noted by Ms. Jacobus were "permissive but not mandatory." He explained that the qualifications appear in the Town Code and that the Code can be amended by the Council.

Town Solicitor Ursillo also noted that the Standards described by Ms. Jacobus are for professional staff and not for board members. He explained that the Council interviews all applicants and asks questions in order to determine relevant expertise for all board members.

Councilwoman Parella noted that it is difficult to find applicants within the Historic District and often has to look outside the district in order to fill the ranks.

Town Solicitor Ursillo agreed with Councilwoman Parella and stated that the Council must try to do its best with those who apply.

Councilman Tyska suggested that the Council may wish to take more time to find more interested applicants.

Council Chairman Calouro noted that there is no requirement for the Council to advertise these positions and that it has done so for many years anyway. He added that all three have been loyal members of the Commission and are seeking reappointment.

Councilman Stuart noted that there have been advertisements and no new applicants.

Councilwoman Parella observed that it has been difficult to fill positions on all boards and that the Historic District Commission is not an exception. She added that the Council's goal has been to find reasonableness and balance. She added that she welcomes as many applicants as may apply, but explained that the Council has typically reappointed board members unless there was a compelling reason not to do so.

Councilman Sweeney noted that there were earlier efforts to restructure the Historic District Commission and change its process to be more user-friendly "for the 21st Century."

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Councilwoman Parella noted that there was a blue-ribbon committee in the past which made some recommendations to change and simplify the Commission's role. She added that only some of the Committee's recommendations were implemented.

Director of Community Development Williamson agreed to look over the report and determine if it might be useful to revisit any of the items left on the table.

The Clerk asked to know if the Council would like to change its advertisement policy with Council Chairman Calouro responding that this would be a discussion for another time.

- b. Planning Board - Auxiliary Members (2)
(terms to expire in July 2021)
 - 1. Stephen P. Katz, 42 River Street -
interest/reappointment
 - 2. Brian Clark, 31 Evelyn Drive -
interest/reappointment

Councilman Stuart noted the resignation of Member Rossi (Agenda item G1c1) and nominated Mr. Katz for promotion to full member to fill the unexpired term with term to expire in April 2019 and Mr. Clark for reappointment and promotion to first auxiliary member with term to expire in July 2021.

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 Messrs. Katz and Clark for the terms specified above.

- c. Planning Board - Regular Member (term to expire in April, 2019)
 - 1. Michael Rossi, 190 Hope Street -
resignation

Stuart/Sweeney - Voted unanimously to instruct the Clerk to send a letter of

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thanks to Dr. Rossi and to advertise the auxiliary member vacancy.

- d. Michael Rielly, Chairman, Christmas Festival Committee re Additional Member - Lori Cruz

Councilman Stuart nominated Ms. Cruz for appointment.

There were no counter-nominations.

Stuart/Parella - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Ms. Cruz for the ensuing term.

- e. Conservation Commission

- 1. Council Clerk re Raul Abreu, 4 Christine Court - resignation

Stuart/Parella - Voted unanimously to accept the resignation with regret and to instruct the Clerk send a letter of thanks for service.

- 2. Glenn Donovan, 2 Rego Avenue - interest/appointment

Stuart/Parella - Voted unanimously to instruct the Clerk to arrange an interview at the convenience of the parties.

H. OLD BUSINESS

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

- 1. Resolution Authorizing the Assessment of Valuations and Levy of Taxes, Sewer Service Fees and Sewer Assessments
 - a. Assessor's Statement of Assessed Values and Levy
 - b. Michelle DiMeo, Tax Assessor re Assessment of December 21, 2017

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- c. Tax Assessor DiMeo to Town Administrator
Contente re Tax Rate and Sewer Use Fee for
2018-2019

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

Prior to the vote taken, Tax Assessor DiMeo reported the Tax
Rate at \$15.38 per \$1000 of assessed valuation and the Sewer Use
fee at \$483 per unit.

Council Chairman Calouro observed that the Bristol tax rate is
the 7th lowest in the State. He also observed that the Town is
"tops" in services. He thanked the Assessor for providing this
year's Resolution.

2. RI Department of Environmental Management, Office
of Water Resources re Unnamed Pond/Tributary to
Mount Hope Bay, Water Quality Certification -
Comment period through July 23, 2018

J. BILLS & EXPENDITURES

1. Bid #887 - Installation of Staging (Walley
School)

Stuart/Parella - 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 reported the receipt of no
bids for this item.

2. RFP #888-1 - Audit Services for Year Ending June
30, 2018

Sweeney/Parella - 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 submitted:

Citrin-Cooperman, LLP Providence, RI 2018 - \$48,000

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		2019 - \$49,000
		2020 - \$50,000
Marcum LLP	Providence, RI	2018 - \$46,000
		2019 - \$47,300
		2020 - \$48,700
PPA, LLP	Warwick, RI	2018 - \$24,500
		2019 - \$24,500
		2020 - \$24,500
Hague, Sahady & Co.	Fall River, MA	2018 - \$26,000
		2019 - \$27,000
		2020 - \$28,000

K. SPECIAL REPORTS

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

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

L. TOWN SOLICITOR

1. (Town Solicitor Ursillo) re Loan Modification Agreement between Town of Bristol and Mosaico Business & Community Development Corporation

Parella/Sweeney - Voted unanimously to extend the term of this loan to December 2020.

Prior to the vote taken, Town Solicitor Ursillo explained that the loan is due and that there is a request for an extension of terms to December 2020. He recommended that doing so would be in the Town's best interest.

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Calouro

- a. Fourth of July - Council Chairman Calouro reported that the Fourth of July was very hot and that the Fourth of July Committee did a commendable job. He also congratulated the Fire, Police, DPW and all of

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the various departments which help assure the success of this year's celebration.

b. Tanyard Brook Ground Breaking - Council Chairman Calouro reported that the ground breaking for the Tanyard Brook Phase IIa project took place on Friday, July 6, 2018 and that he looks forward to the completion of this important project.

c. Repaving - Council Chairman Calouro noted that Gibson Road has been repaved and that the Town is doing its best to maximize its road paving funding. He thanked Councilman Stuart for his diligence with this project and observed that the Town could easily spend \$10 million on repaving projects alone.

2. Sweeney

a. Fourth of July - Councilman Sweeney thanked the Fourth of July Committee and the other various participants for a successful celebration and parade.

3. Tyska

a. Fourth of July - Councilman Tyska thanked the Fourth of July Committee and stated that he was very impressed by the level of volunteerism.

4. Parella

a. Fourth of July - Councilwoman Parella and commented that she was very impressed by the efficiency of the Town's "field hospital." She added that she was impressed that the Councilmembers, Town Administrator and Town Clerk all kept their jackets on during the parade since the heat was very oppressive.

b. Sympathies - Councilwoman Parella extended the condolences of the Town to the Farish family upon the sudden passing of Roger Williams University President Donald Farish.

c. OLMC - Councilwoman Parella noted that the annual feast of Our Lady of Mt. Carmel will take place beginning on Thursday, June 12, 2018.

d. Pink Bag Delay - Councilwoman Parella noted that the previously reported agreement between the Town and the Pink Bag clothing recycling program has been

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delayed and that this program should begin in Bristol in September. She asked Town Solicitor Ursillo to make sure that the contract was in order and approved.

5. Stuart

a. Fourth of July - Councilman Stuart also thanked the various entities that assured a successful Fourth of July Celebration.

b. High Speed Ferry - It was reported that 400 persons visited Bristol on the Fourth of July arriving by the Providence-Newport High Speed DOT Ferry.

c. Emily Spence Citation - Councilman Stuart reported that Emily Spence of the HEZ Program received a citation for Governor Raimondo.

d. Thanks to All Participants - Councilman Stuart thanked all of this evening's meeting participants including Town Sergeant A. Archie Martins and Videographer Mike Davis

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

1. Fourth of July - Town Administrator Contente thanked the various departments and the Committee for a successful Fourth of July Celebration

2. Tanyard Groundbreaking - Town Administrator Contente noted the groundbreaking ceremonies for the Tanyard Brook and noted that the Town is leveraging its funding. He noted that there is a new grant available to help improve the State Street Reservoir.

3. Town Administrator Contente reported that the boardwalk extension is under way on the waterfront adjacent to the Ever Ready fire station.

4. Fire Department Events - Town Administrator Contente noted that the Firemen's Muster will take place on July 15 and that the Hydraulion Engine and Hose Co., No. 1 is celebrating its 175th anniversary.

Prior to adjournment, the Clerk noted Consent Agenda item HH18 and explained that he, on behalf of the Council, sought a copy of the fine address delivered by this year's Fourth of July

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Patriotic Speaker Richard "Dick" Devault. He noted that the speech is available for perusal at agenda item HH18.

CITIZENS PUBLIC FORUM

Persons wishing to speak during the Citizens Public Forum must notify the Council Clerk prior to the commencement of the meeting.

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. Conservation Commission - January 18, 2018
2. Conservation Commission - February 6, 2018
3. Conservation Commission - March 15, 2018
4. Conservation Commission - April 9, 2018
5. Historic District Commission - May 3, 2018
6. Harbor Commission - June 4, 2018
7. Bristol Warren Regional School Committee - May 29, 2018
8. Rogers Free Library Board of Trustees - April 19, 2018
9. Bristol Warren Regional School Committee - June 11, 2018
10. Planning Board - March 8, 2018

(CA) BB. BUDGET ADJUSTMENTS

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

1. Tax Assessor DiMeo - Recommended Abatements & Additions for June 2018

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(CA) CC. FINANCIAL REPORTS

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

1. Town Treasurer Goucher re Transparency Report - Adopted Budget 5 Year Survey, FY2019
2. (Town Treasurer Goucher) re Revenue and Expenditure Statement - June

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

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

1. Proclamation - Halsey Chase Herreshoff Park
2. Proclamation - Chief Marshal 2018 Kathleen D. "Kathy" Bazinet

(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-August

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

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

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

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

1. Resolution re Bristol Fourth of July Celebration -2018 (signed original)
2. Dancing and Entertainment License Renewal Petitions - Judge Roy Bean Saloon, The Lobster Pot, Redlefsen's, and Wood Street Café (granted June 13, 2018)

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3. Hawkers and Peddlers License Renewal Petition - Palagis Ice Cream, and Del's Lemonade (granted June 13, 2018)
4. Smithfield School Committee - Resolution in Opposition to Contract Continuation
5. Scituate School Committee - Resolution Supporting School Construction General Obligation Referendum
6. Town Administrator Contente to CommTank, Inc., Wakefield, MA re Award of Bid #886 - Underground Diesel Fuel Storage Tank Removal & Replacement (WWTF)
7. Council Clerk Cirillo to Parag Agrawal, AICP, Chairman, State Properties Committee, Department of Administration re Resolution in Opposition to Building Private Structures on East Bay Bicycle Path Property (signed copy attached)
8. Domenic Franco, Chairman, Harbor Commission to Grover J. Fugate, Executive Director, Coastal Resources Management Council re Vineyard Wind LLC Proposed Project
9. Town Administrator Contente to James P. Tavares Construction, Inc., Bristol, RI re Award of Bid #884 - Downspout Replacement (Byfield & Reynolds Schools)
10. Coastal Resources Management Council - Semi-Monthly Meeting, June 26, 2018
11. Kim Casci, East Providence City Clerk - Resolution Supporting School Construction Referendum in Articles 5 and 9 of Proposed RI State Budget (FY 2019)
12. Lynn M. Hawkins, CMC, Exeter Town Clerk - Resolution in Opposition to Governor's FY2019 Budget Request - Articles 1 and 10
13. Laura C. Swistak, Newport City Clerk - Resolution in Support of Proposed School Construction Plan in Articles 5 and 9 of RI State Budget

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14. Denise Panichas, Executive Director, The Samaritans of RI re Thank You for Support
15. Dancing and Entertainment License Renewal Petitions - The Beach House and Thames Waterside (granted June 13, 2018)
16. Sidewalk Use License Renewal Petition - Angelina's (granted May 23, 2018)
17. Dog Kennel License Renewal Petition - The Coastal Canine (granted April 11, 2018)
18. July 4, 2018 Patriotic Address - Richard "Dick" Devault

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

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

1. Bristol Warren Regional School District-Schedule of Meetings, Week of June 10, 2018
2. Bristol Warren Regional School Committee-Personnel/Contract Subcommittee Meeting, June 11, 2018
3. Bristol Warren Regional School Committee-Policy & Curriculum Subcommittee Meeting, June 11, 2018
4. Bristol Warren Regional School Committee-Budget/Facilities Subcommittee Meeting, June 11, 2018
5. Bristol Warren Regional School Committee - June 11, 2018
6. North and East Burial Grounds Commission - June 13, 2018
7. Historic District Commission - June 21, 2018
8. Christmas Festival Committee - June 21, 2018
9. Historic District Commission - Site Visit, June 30, 2018
10. Fourth of July Committee - June 20, 2018

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11. Bristol Warren Regional School District-Schedule of Meetings, Week of June 24, 2018
12. Bristol Warren Regional School Committee-Budget/Facilities Subcommittee Meeting, June 25, 2018
13. Bristol Warren Regional School Committee-Policy & Curriculum Subcommittee Meeting, June 25, 2018
14. Bristol Warren Regional School Committee-Personnel/Contract Subcommittee Meeting, June 25, 2018
15. Bristol Warren Regional School Committee - June 25, 2018
16. Zoning Board of Review - July 16, 2018
17. Bristol County Water Authority-Personnel/Compensation Committee Meeting, June 28, 2018
18. Bristol County Water Authority-Finance/Claims Committee Meeting, June 28, 2018
19. Bristol County Water Authority-Policy Committee Meeting, June 28, 2018
20. Bristol County Water Authority-Board of Directors Meeting, June 28, 2018
21. Substance Abuse Prevention Task Force - June 27, 2018
22. Historic District Commission - July 11, 2018
23. Coastal Resources Management Council - July 2018 Calendar
24. Bristol Warren Regional School Committee - Schedule of Meetings - Week of July 8, 2018
25. Bristol Warren Regional School Committee - Schedule of Meetings - Week of July 15, 2018
26. Bristol Warren Regional School Committee - Budget/Facilities Subcommittee Meeting Agenda - July 16, 2018
27. Harbor Commission Agenda - July 9, 2018

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(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. E. Keith Maloney, 72 Griswold Avenue - Claim for Damages
2. Jesse Sousa, 19 Pleasant Street - Claim for Damages
3. Rappoport, DeGiovanni & Caslowitz, Inc., for Ira Schaffer re Claim for Damages
4. Sandra A. Stuart, 31 Birchwood Drive - 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."

1. List of Special Constables for the 2018 Fourth of July Celebration presented for ratification

There being no further business, upon a motion by Councilman Stuart, seconded by Councilman Sweeney and voted unanimously, the Chairman declared this meeting to be adjourned at 9:44 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk

