TOWN COUNCIL MEETING- WEDNESDAY, AUGUST 2, 2023

The council met on Wednesday, Aug 2, 2023, and called to order at 6:33 p.m. in the Town Hall, Council Chambers, Council Chairman Calouro presiding:

PRESENT: Council Chairman, Nathan Calouro

Vice-Chairwoman, Mary Parella,

Councilman, Antonio "Tony" Teixeira

Councilman, Timothy Sweeney

Councilman, Aaron Ley

ALSO PRESENT: Town Administrator, Steven Contente

Town Solicitor, Michael Ursillo, Esq

Town Sergeant, Archie Martins

Public Service Interviews and Appointments

Harbor Commission - 2nd Alternate (1 vacant term set to expire March 2026)

a. Owen O'Rourke, 41 Fales Road, (serving since November 2015), interest/appointment

The Council heard from Mr. O'Rourke who expressed his interest in becoming a member of the Harbor Commission. Discussions ensued between members of the Council and Mr. O'Rourke pertaining to Mr. O'Rourke's qualifications and experiences. Mr. O'Rourke also stated why he would consider himself to be a good fit for the position.

b. Wayne A. Gablinske, 49 Beach Road, (serving since September 2022), interest/appointment

The Council heard from Mr. Gablinske who expressed his interest in becoming a member of the Harbor Commission. Discussions ensued between members of the Council and Mr. Gablinske pertaining to Mr. Gablinske's qualifications and experiences. Mr. Gablinske also stated why he would consider himself to be a good fit for the position

c. Peter Silva, 55 1/2 Woodlawn Avenue, (serving since June 2021), interest/appointment

The Council heard from Mr. Silva who expressed his interest in becoming a member of the Harbor Commission. Discussions ensued between members of the Council and Mr. Silva pertaining to Mr. Silva's qualifications and experiences. Mr. Silva also stated why he would consider himself to be a good fit for the position.

Sweeney/Teixeira- Voted unanimously to appoint Wayne A. Gablinske to the Harbor Commission as the $2^{\rm nd}$ Alternate with a term set to expire in March 2026.

Special Recognitions

SRO Keith Medeiros - Council recognition/award

Sweeney/Teixeira- Voted unanimously to receive and file

Prior to the vote being taken members of the Council, Town Administrator Contente, and Police Chief Lynch congratulated SRO Keith Medeiros for his accomplishment and presented the following citation.



Aresented to

SRO Keith Medeiros

"In proud recognition of SRO Keith Medeiros, who has been awarded the highly esteemed 2023 Floyd Ledbetter National School Resource Officer of the Year Award by the National Association of School Resource Officers (NASRO). This distinguished accolade serves as a testament to SRO Medeiros' unwavering commitment to enhancing the safety and well-being of our schools and children.

In making this presentation, the Honorable Town Administrator and Honorable Town Council of the Town of Bristol, State of Rhode Island, in accordance with the authority vested in them by the citizens of Bristol, and on behalf of all Bristolians, offer sincerest congratulations on achieving this prestigious milestone and convey our deepest appreciation for his invaluable service. His unwavering dedication and exceptional efforts have truly left an indelible impact on our schools and the lives of our children. In witness whereof, we have hereunto set our hands and affixed the Seal of the Town of Bristol on this 2^d day of August 2023. "

Motion RE: Consent Agenda - To Approve the Consent Agenda

Sweeney/Teixeira- Voted unanimously to approve the Consent Agenda

A. Submission of Minutes of Previous Meeting(s)

- A1. Town Council Meeting July 12, 2023
- A2. Town Council Special Meeting May 24, 2023

Sweeney/Teixeira - Voted unanimously to accept and approve the council meeting minutes for May 24th and June 12, 2023.

B. Public Hearings

B1. Proposed Zoning Ordinance Amendment re: Sec. 28-82(d),
 Permitted Use Table - Uses Permitted Within the MMU
 (Metacom Mixed Use) Zoning District - Proposed
 Addition of 'Retail Business - Lumber/Building
 Products' (see also C1)

Sweeney/Teixeira -Voted unanimously to close the public hearing

C. Ordinances

C1. Ordinance # 2023-15 Chapter 28, Article III Permitted Uses, Sec. 28-82(d), Permitted Use Table - Uses Permitted Within the MMU (Metacom Mixed Use) Zoning District - Proposed Addition of 'Retail Business - Lumber/Building Products' (2nd reading)

Teixeira/Sweeney-Voted unanimously to consider this action to constitute the Second Reading for the adoption of Ordinance #2023-15. Advertise in the local newspaper Prior to the vote being taken, Director Williamson noted that the proposed use change did have the full support of the planning board.

Councilman Sweeney noted the change to the zoning ordinance was consistent with the town's comprehensive plan.

C2. Ordinance #2023-16 Chapter 17, Article II Alcoholic Beverages Establishments, Section 17-82 - Number of Licenses (to increase the number of Class B-V Liquor Licenses from 32-33) (1st reading)

Sweeney/Teixeira- Voted unanimously to amend the ordinance to read to "increase the number of class BV limited licenses from eight to nine" and consider this action to constitute the First Reading of Ordinance #2023-16. Advertise in the local newspaper.

Prior to the vote being taken, Chairman Calouro addressed an important matter related to the liquor license application submitted by Qhali during the last council meeting. It was noted that the applicant had initially requested a full liquor license, but due to the excitement surrounding the new establishment, the council was unaware that the application was for a full license instead of a limited one.

Chairman Calouro clarified that the council has had a long-standing practice requiring applicants to obtain a six-month limited license before being eligible for a full license. Clerk Cordeiro confirmed that she had explained this licensing policy to the applicant at the time of the initial petition, and the applicant was aware of the council's practice.

Clerk Cordeiro further explained that she had reached out to the applicant and informed her that the council might consider amending the ordinance's first reading to allow for a limited license instead of a full license. The applicant acknowledged and agreed to follow past precedent by applying for the limited license initially.

It was also noted that the application presented on tonight's agenda reflected the applicant's request for a limited license.

Solicitor Ursillo explained that the council had the right to amend the language in the first reading to increase the number

of available limited licenses from eight to nine. By allowing this amendment, the applicant would not have to wait another three weeks to resubmit the petition to the council.

After a thorough discussion, the council decided to proceed with the amendment to increase the number of available limited licenses to nine.

D. Licensing Board - New Petitions

- D1. Steven B. Aveson, for The Japan American Society of Rhode Island, re Request for One-Day Dancing and Entertainment License for Black Ships Festival at Independence Park on August 12, 2023, from 11:00AM 3:30PM
 - a. recommendation Town Administrator and Fire Chief
 - b. recommendation Town Administrator and Chief of Police

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

Prior to the vote being taken, Councilman Teixeira noted that the police recommended required police detail at the event and that the applicant should comply with all recommendations provided.

- D2. Steven B. Aveson, for The Japan American Society of Rhode Island - Request for Mobile Food Establishment Event Permit for Black Ships Festival at Independence Park on August 12, 2023, from 11:00AM - 3:30PM
 - a. recommendation Town Administrator and Fire Chief
 - b. recommendation Town Administrator and Chief of
 Police

- c. recommendation Town Administrator and Parks and Recreation
- d. recommendation Town Administrator and Department of Public Works

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

- D3. Mary Nadalin, for the Japan American Society of Rhode Island re Request for a One-Day Dancing and Entertainment License for the Black Ships Festival at Rockwell Park on August 11, 2023, from 6:30 PM to 7:30 PM
 - a. recommendation Town Administrator and Fire Chief
 - b. recommendation Town Administrator and Chief of
 Police

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

- **D4.** Nicki Ann Tyska, Beau Bleu Boutique & Gifts, 423 Hope Street re Request for Sidewalk Use License
 - a. recommendation Town Administrator and Fire Chief
 - b. recommendation Town Administrator and Chief of
 Police
 - c. recommendation Town Administrator and Department
 of Community Development

- d. recommendation Town Administrator and Code Compliance
- e. recommendation Town Administrator and Department of Public Works

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

- D5. Alicia Saldana, Qhali, 34 Gooding Avenue, re Request for One Additional Class BV Limited Liquor License (call for public hearing August 23, 2023)
 - a. recommendation Town Administrator and Fire Chief
 - b. recommendation Town Administrator and Department
 of Community Development
 - c. recommendation Town Administrator and Chief of Police

Teixeira/Sweeney- Voted unanimously to call for a public hearing on August 23, 2023.

E. Licensing Board - Renewals

- E1. Private Investigator License Renewals 2023-2024
 - a. recommendation Town Administrator and Chief of Police

Teixeira/Sweeney-Voted unanimously to grant renewal of these licenses based upon the recommendations received and the receipt of all necessary renewal paperwork from the licensees and also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies

F. Petitions - Other

- F1. John Amaral, 213 Mount Hope Avenue, re Request for accessible parking space in the vicinity of residence (2nd reading)
 - a. (draft) resolution for adoption
 - b. recommendation Town Administrator and Chief of Police
 - c. recommendation Town Administrator and Department of Public Works

Sweeney/Teixeira- Voted unanimously to consider this action to be the second reading for the adoption of the resolution for an accessible parking space. Inform the Public Works Department.

- F2. Warren Rensehausen, Director of Parks and Recreation, re request for accessible parking space location on west side of Wood Street at the entrance of the Town Common Pickleball Courts (2nd reading)
 - a. (draft) resolution for adoption
 - b. recommendation Town Administrator and Chief of Police
 - c. recommendation Town Administrator and Director of Public Works

Teixeira/Sweeney- Voted unanimously to consider this action to be the second reading for the adoption of the resolution for an accessible parking space.

Inform the Public Works Department.

- F3. Michael Rielly, Chair, James D. Rielly Foundation re Request to use the Town Common for the Santa House, tentative dates from October 28, 2023, to February 29, 2024
 - a. recommendation Town Administrator and Fire Chief
 - b. recommendation Town Administrator and Chief of Police
 - c. recommendation Town Administrator and Director of Parks and Recreation

Teixeira/Sweeney- Voted unanimously to approve the placement of a temporary Santa House subject to the approvals of the Building Department and Historic District Commission.

Prior to the vote being taken, Michael Riley of 21 Sandy Lane addressed the council. Mr. Riley presented the new proposed location for the Santa House, highlighting that it would provide better accessibility for children with special needs.

Councilwoman Parella raised a concern regarding residential parking in the area and asked that visitors be mindful of this issue. In response to the concern, Mr. Riley explained that while the Santa house would be open to the public a couple of days a week, the majority of the visits would be geared towards town children with special needs. Most of these visits would be accommodated through reservations to manage the traffic and parking situation effectively.

Councilman Teixeira inquired about the source of electricity for the Santa house. Mr. Riley clarified that they would have temporary power provided by national grid.

Councilman Sweeney made a motion to approve the proposed location for the Santa house.

Clerk Cordeiro reminded the council that the last time Mr. Riley presented the temporary placement of the Santa house, the council motioned to approve it subject to the approval of the Building Department and Historic District Commission.

Mr. Riley informed the council that he had been in contact with the building official to ensure proper placement and had already submitted an application to the Historic District Commission for their approval.

Councilman Sweeney amended his motion to include approval subject to the consent of the Building Department and Historic District Commission.

G. Appointments

- **G1.** Harbor Commission Advisory Committee (2 terms set to expire August 2026)
 - a. Peter Silva, 55 1/2 Woodlawn Avenue,
 interest/reappointment
 - b. Michael Tamulaites, 51 Everett Avenue,
 interest/reappointment
 - c. Bruce A. Palumbo, 6 Mallory Court,
 interest/appointment

Teixeira/Sweeney- Voted unanimously to reappoint Peter Silva and Michael Tamulaites to the Harbor Commission Advisory Committee with a term set to expire in August 2026; also to advertise the position of the unexpired term recently held by Wayne Gablinske and instruct the Clerk to set a special meeting for interviews to be held at the next council meeting of August 23, 2023, or at the convenience of the parties

Prior to the vote being taken, Clerk Cordeiro noted that tonight's recent elevation of Mr. Gablinske to the harbor commission had created a vacant position on the advisory board. As a possible course of action, Clerk Cordeiro suggested that the council may choose to advertise the opening and schedule interviews for interested parties to fill the vacancy.

- **G2.** Post Retirement Benefits Fund Board of Trustees (1 term set to expire August 2026)
 - a. Michael A. Lenarcic, 155 Ferry Road, not seeking reappointment

Teixeira/Sweeney- Voted unanimously to accept this resignation and to instruct the Clerk to send a letter of thanks for service; and advertise in the local paper.

- **G3.** Rogers Free Library Board of Trustees (1 unexpired term set to expire January 2024)
 - a. Beverly Larson, 291 High Street, resignation

Sweeney/Teixeira- Voted unanimously to accept this resignation and to instruct the Clerk to send a letter of thanks for service; And advertise in the local paper.

H. Old Business

I. Other New Business Requiring Town Council Action

II. Fire Chief DeMello re - proposed amendment to Ordinance Sec. 12-57 Composition and Election, to add an additional Deputy Chief to the Board of Fire Engineers

> Teixeira/Ley- Voted unanimously to refer this matter to the Town Solicitor so that he may draft ordinance language for Council consideration and first reading on August 23, 2023.

Prior to the vote being taken, Fire Chief DeMello discussed how the recent pandemic exposed vulnerabilities in department operations. To address these issues, the safety and training position was upgraded to the level of deputy chief in February 2023, which aligns with past practices over the last 20 years. The current department structure dates back almost 40 years, and call volumes have increased fourfold during this period. To handle the increased complexity, Chief DeMello was requesting a two-deputy chief format, similar to the police department's

approach, which has been successful in improving administrative operations and supporting volunteer chiefs and personnel.

Chief DeMello noted that the impacts of this change include the career Deputy of Administration overseeing health, training, safety, and daily administrative tasks, while the volunteer Deputy of Operations focuses on emergency response. He explained that the arrangement would enhance administrative continuity, supports volunteer personnel, and ensures they can concentrate on their core responsibilities. The ordinance amendment adds the second deputy position to the Board of Engineers to reflect this change within the existing structure.

Chief DeMello noted concerns that were raised, such as the perception that this would make the department paid, but it was clarified that the priority is to maintain and improve the current system to meet the community's needs. Additionally, there were concerns about a potential loss of authority, but it was emphasized that this adjustment does not diminish the authority or responsibility of volunteer chiefs or company officers.

Chief DeMello further explained that the primary goal of this adjustment is to improve the department's ability to respond to emergencies effectively. The department's response approach (volunteer, combination, or paid) is flexible as long as it meets operational requirements and serves the community's needs. This amendment is expected to have an immediate impact and prepare the department for future challenges and hazards that may arise.

12. Historic District Commission Clerk Toth, re - proposed amendment to Ordinance Sec 14-4 Historic District Commission, to add an additional auxiliary member to the Historic District Commission

Teixeira/Ley- motioned to refer this matter to the Town Solicitor so that he may draft ordinance language for Council consideration and first reading on August 23, 2023. Voting in favor were Calouro, Parella, Teixeira, and Ley. Sweeney recused from the vote. **I3.** Director Williamson re - Bristol MyCoast Program

Sweeney/Ley- Voted unanimously to receive and file

Prior to the vote being taken, Director Williamson explained that the town had recently partnered with URI's Coastal Resources Center to implement the Bristol MyCoast monitoring program which is a community monitoring program to track Bristol's shoreline changes and storm impacts.

Thais Fournier, the Coastal Resilience Extension Specialist from URI Coastal Resource Center addressed the council. Mrs. Fournier provided a brief overview of the details of the program noting that the MyCoast Program aims to enable community members to contribute by sharing photographs of shoreline areas. This data will aid in monitoring Bristol's shoreline, documenting changes caused by flooding, erosion, and the impacts of climate change, and devising strategies to protect and plan for the community. She explained that members of the community can sign up using the QR code attached to the council's packet and posting in the Town Hall building and Community Development Building.

Ms. Fournier noted that a more detailed presentation would be given at the Harbor Commissions Monthly meeting on August 7, 2023, beginning at 7 pm.

T4. Town Treasurer Hassell re - Use of Funds Gooding/Hope Community Reserve Fund

Teixeira/Sweeney- Voted unanimously to appropriate \$176,000 from the Gooding/Hope Community Reserve Fund account for the purpose of acquiring accounting software. The repayment plan is structured with an annual amount of \$35,200 over a five-year period, commencing in 2025.

Prior to the vote being taken, Treasurer Hassell provided an update on the establishment of the Gooding Hope Community Reserve Fund, which was approved at the June 16, 2021, council meeting. Currently, approximately \$2.8 million has been reserved in this fund, held in an interest-bearing account that has

generated \$78,373 in interest. She explained that the Reserve Fund Policy was established in July 2021, stating that any proposed projects must be presented to the Town Council for approval, along with a determination of the repayment period. Treasurer Hassel requested the Town Council's approval to utilize \$176,000 from the reserve fund for acquiring accounting software from Tyler Technologies. She explained that the repayment of this amount will occur over a period of 5 years, starting in 2025, which translates to \$35,200 annually. This sum will cover the implementation and initial year's expenses. Tyler Technologies will provide various modules, including accounting, accounts payable, budgeting, cash management, projects & grants accounting, content manager core, fixed assets, and enterprise analytics and reporting.

Town Administrator Contente emphasized that the funds would be borrowed from the town, which would incur no interest costs or fees.

Members of the council engaged in a discussion regarding the significance of having reliable and dependable accounting software. They emphasized that this matter has been under discussion and has remained of utmost importance for quite some time now.

J. Bills & Expenditures

J1. RFP# 1018 - Activated Carbon Media Replacement (Main Lift Pumping Station)

Teixeira/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:

- Nichem Co., in the amount of \$26,200 o With an alternate bid of \$30, 5000
- Continental Carbon Group Inc., in the amount of \$79,700
- Carbon Activated Corporation in the amount of \$49,800
- Carbon Filtration Systems, INC., in the amount of \$54,969

K. Special Reports

L. Town Solicitor

M. Executive Sessions

M1. *Community Development Director Williamson Request for Executive Session Pursuant to RIGL § 42-46-5(a)(5) - Open Space Acquisition

It is hereby noted for the record that the executive session was held at the conclusion of the public agenda.

Sweeney/Teixeria - Voted unanimously to convene in Executive Session pursuant to RIGL Section 42-46-5 (a)(5) concerning the Open Space Acquisition at 8:05 PM.

Teixeira/Sweeney - Voted unanimously to resume the open session and seal the minutes of the Executive Session at 8:28 PM.

Solicitor Ursillo announced that a motion was made and voted on in Executive Session. Let the record reflect that a motion was made to authorize Director Williamson to apply for a DEM Open Space Grant for open space acquisition.

Citizens Public Forum

Persons wishing to speak during the citizens public forum must notify the Council Clerk and sign in prior to the commencement of the meeting.

Prior to the following members of the public addressing the council, Solicitor Ursillo noted that the council typically does not respond to matters discussed during the open forum as they are not listed as an agenda item.

Judith Byrnes of 62 Seabreeze Lane addressed the council and raises concerns about bill H5220 in the General Assembly, which treats electric motorbikes (EMBs) the same as traditional human-powered bikes on both bike paths and roads. She expressed worries about the consequences of EMBs on the East Bay Bike Path, especially the larger and faster Class 2 and Class 3 bikes, and suggest that the bill should be separated into two parts to address the different environments. Mrs. Byrnes argues that EMBs on bike paths do not reduce the carbon footprint,

increase safety risks, and create potential liability issues. She recommended the council supporting o amend or rewriting the bill to distinguish the use of motorized bikes on roadways from bike paths.

Consent Agenda Items:

- (CA) AA1. Fire Department Board of Engineers Meeting Minutes, July 3, 2023
- (CA) AA2. Conservation Commission Meeting Minutes, June 6, 2023
- (CA) AA3. Planning Board Meeting Minutes, January 12, 2023
- (CA) AA4. Planning Board Meeting Minutes, February 9, 2023
- (CA) AA5. Planning Board Meeting Minutes, March 9, 2023
- (CA) AA6. Planning Board Meeting Minutes, April 13, 2023
- (CA) AA7. Zoning Board of Review Meeting Minutes, January 3, 2023
- (CA) AA8. Zoning Board of Review Meeting Minutes, February 6, 2023
- (CA) AA9. Zoning Board of Review Meeting Minutes, March 6, 2023
- (CA) AA10. Zoning Board of Review Meeting Minutes, April 3, 2023
- (CA) AA11. Zoning Board of Review Meeting Minutes, May 1, 2023
- (CA) AA12. Historic District Commission Meeting Minutes, February 2, 2023
- (CA) AA13. Historic District Commission Meeting Minutes, March 2, 2023
- (CA) AA14. Historic District Commission Meeting Minutes, March 30, 2023

- (CA) AA15. Historic District Commission Meeting Minutes, April 24, 2023
- (CA) AA16. Historic District Commission Meeting Minutes, May 4, 2023
- (CA) AA17. Historic District Commission Meeting Minutes, June 1, 2023
- (CA) AA18. Historic District Commission Meeting Minutes, June 13, 2023
- (CA) AA19. Harbor Commission Meeting Minutes, July 10, 2023
- (CA) BB. Budget Adjustments

Approval of consent agenda = "motion to approve these adjustments"

- (CA) BB1. Tax Assessor DiMeo re Recommended Abatements & Additions July 20, 2023
- (CA) CC. Financial Reports

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

- (CA) CC1. Town Treasurer Hassell re Revenue and Expenditure Statement July 26, 2023
- (CA) DD. Proclamations, Resolutions & Citations

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

- (CA) DD1. Resolution 2023-16, re Sale of Real Property formerly known as the Oliver School-151 State Street (signed)
- (CA) DD2. Resolution 2023-17 re Authorizing Assessment of Valuations and Levy of Taxes, Sewer Service Fees, and Sewer Assessments (signed)
- (CA) EE. Utility Petitions

Approval of consent agenda = "motion to approve these petitions"

- (CA) GG1. RFP# 1017 Bristol ERP/Financial Management System
- (CA) GG2. Town Clerk Cordeiro re Thank you letter to Susan Rabideau for serving on the Capital Project Commission
- (CA) GG3. Town Clerk Cordeiro re Thank you letter to Victor G. Cabral Jr. for serving on the Historic District Commission
- (CA) GG4. BCWA 2023 Water Distribution System Improvement Program Bradford and Central Streets

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

- (CA) HH1. Commissioners of the Cemeteries, The North and East Burial Grounds Commission Meeting, July 12, 2023
- (CA) HH2. Bristol Historic District Commission Meeting, July 17, 2023
- (CA) HH3. Rogers Free Library Board of Trustees Meeting, July 20, 2023
- (CA) HH4. BCWA Board of Directors Meeting, July 27, 2023
- (CA) HH5. Harbor Commission Meeting, August 7, 2023
- (CA) HH6. Historic District Commission Meeting, August 3, 2023
- (CA) II. Claims (Referrals)

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

- (CA) II1. David L. Catalan, 96 Union Street, claim for damages to vehicle
- (CA) II2. Richard P. Brederson, Esq., for Lauren Andreoni, personal injury claim
- (CA) II3. Robert J. Levine, Esq., for Diane Halliwell, personal injury claim
- (CA) II4. Jason M. Nystrom, Esq., for Kimberly Novak, personal injury claim
- (CA) KK. Curb cut petitions as approved by the director of public works

Approval of consent agenda = "motion to grant these curb cuts per the recommendation of, and conditions specified by, the Director of Public Works"

There being no further business, upon a motion by Councilman Teixeira, seconded by Councilman Sweeney, and voted unanimously, the Chairman declared this meeting to be adjourned at 8:29 pm.

Melissa Cordeiro, Town Clerk