

TOWN COUNCIL MEETING- WEDNESDAY, MAY 29, 2024

The council met on Wednesday, May 29, 2024, and called to order at 7:00 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
Acting Council Sergeant, John Ferreira

Absent Town Sergeant, Archie Martins

Motion RE: Consent Agenda - To Approve the Consent Agenda

Sweeney/Teixeira - Voted unanimously to approve the Consent Agenda as prepared and presented.

Sweeney/Teixeira- Voted unanimously to approve the Consent Agenda withholding Item GG4 and FF1 for further consideration.

It is noted for the record that discussion on items GG4 and FF1 occurred at the conclusion of the public agenda, prior to entering into executive session, and the actions related to these items are reflected, in place, as found within.

A. Submission of Minutes of Previous Meeting(s)

A1. Town Council Meeting Minutes - April 17, 2024

A2. Town Council Minutes - May 8, 2024

A3. Town Council Meeting Executive Session Minutes - May 8, 2024 (sealed, council only)

A4. Town Council Special Meeting Minutes - May 14, 2024

Sweeney/Teixeira - Voted unanimously to approve the minutes of April 17, 2024, May 8, May 8 executive session, and May 14, 2024, as prepared and presented.

B. Public Hearings

- B1.** Alicia V. Saldana, Qhali Restaurant, 34 Gooding Avenue, request Class BV Liquor License **(see also C1 and D1)**

Sweeney/Teixeira- Voted unanimously to close the public hearing

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

Council Clerk Cordeiro stated that Alicia Saldana, the applicant, had submitted a letter informing the council of her inability to attend the evening's meeting. A copy of this letter was provided to the council and noted as received at meeting. Clerk Cordeiro conveyed that the letter expressed Ms. Saldana's regret for her absence due to unforeseen circumstances. Furthermore, she thanked the council for their ongoing support and requested their consideration in upgrading her license from limited to full.

Vice Chairwoman Parella mentioned that she had conversed with the applicant, noting that the applicant had complied with the council's requests. She described the applicant as a responsible business owner committed to being a good neighbor. Vice Chairwoman Parella expressed her support for granting the applicant the full liquor license

C. Ordinances

- C1.** Ordinance No. 2024-10 Chapter 17 - Offenses and Miscellaneous Provisions, Article II - Alcoholic Beverages Establishments, Sec. 17-82. - Number of Licenses (to decrease the number of B Limited licenses from 7 to 6 and increase the number of BV Licenses from 32 to 33. **(2nd Reading) (see also B1 and D1)**

Teixeira/Sweeney- Voted unanimously to consider this action to constitute the Second Reading for the adoption of Ordinance #2024-10. Advertise in the local newspaper

- C2.** Ordinance No. 2024-11 Chapter 17 - Offenses and Miscellaneous Provisions, Article II - Alcoholic Beverages Establishments, Sec. 17-82. - Number of Licenses (decrease the number of B Limited licenses from 6 to 5 and increase the number of class C licenses to a maximum of one) and Chapter 11- Fees and Charges, Sec. 11-1.- (Class C License Fee). **(modified 1st Reading) (continued from May 8th)**

Sweeney/Teixeira - Voted unanimously to consider this action to constitute the first reading of Ordinance #2024-11. Advertise in the local newspaper.

- C3.** Ordinance No. 2024-12 Chapter 8 - Boats, Docks and Waterways, Sec. 8-71. Insurance requirement for Town marina - (to include the limited liability threshold amount) **(1st reading)**

Sweeney/Teixeira- Voted unanimously to consider this action to constitute the first reading of Ordinance #2024-12. Advertise in the local newspaper.

- C4.** Ordinance No. 2024-13 Chapter 16 - Motor Vehicles and Traffic, Article V -Stopping, Standing and Parking, Sec. 16-143. - (to include no parking boxes on Dewolf Avenue, Ryan Avenue, Shaws Lane and Rock Street) **(1st Reading)**

Sweeney/Teixeira- Voted unanimously to consider this action to constitute the first reading of Ordinance #2024-13. Advertise in the local newspaper

D. Licensing Board - New Petitions

- D1.** Alicia Saldana, Qhali Restaurant, 34 Gooding Avenue, request for BV Liquor License **(see also B1 and C1)**
- a. recommendation - Town Administrator and Fire Chief
 - b. recommendation - Town Administrator and Chief of Police
 - c. recommendation - Town Administrator and Director of Community Development

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

- D2.** Kevin Francis, The Club House, 95 Tupelo Street, request for Modification of Dancing & Entertainment License to include outdoor patio area
- a. recommendation - Town Administrator and Fire Chief
 - b. recommendation - Town Administrator and Chief of Police
 - c. recommendation - Town Administrator and Director of Community Development

Teixeira/Sweeney- Voted unanimously to withdraw the petition without prejudice.

Prior to the vote being taken Clerk Cordeiro noted that an email was received from Nikola Francis on behalf of the applicant wishing to withdraw their petition at this time. Clerk Cordeiro noted that the request to withdraw was received after the agenda had been published.

- D3.** Mary Kae Wright, Arts in Common Co-Chair of Bristol PorchFest 2024 request for a One-Day Sunday Dancing & Entertainment License on Sunday, September 15, 2024 from 2:30 PM-6:30 PM for PorchFest 2024 (rain date the following Sunday, September 22nd) **(see also F3)**
- a. recommendation - Town Administrator and Fire Chief

b. recommendation - Town Administrator and Police Chief

Parella/Sweeney-Voted unanimously to combine agenda items D3 and F3.

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

It is noted for the record that the motion for agenda item F3 occurred during discussion under agenda item D3, and the actions related to agenda item F3 are reflected therein.

D4. Harbor Master Marsili, Harbor Festival Committee Co-Chair, request for a One-Day Dancing and Entertainment License at Rockwell Park for the 11th Annual Harbor Festival on Saturday, August 17, 2024 from 1:00 PM- 8:00 PM **(see also F4)**

a. recommendation - Town Administrator and Fire Chief

b. recommendation - Town Administrator and Director of Parks and Recreation

c. recommendation - Town Administrator and Chief of Police

d. recommendation- Town Administrator and Director of Community Development

Sweeney/Teixeira-Voted unanimously to combine agenda items D4 and F4.

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

It is noted for the record that the motion for agenda item F4 occurred during discussion under agenda item D4, and the actions related to agenda item F4 are reflected therein.

Prior to the vote(s) being taken, Harbor Master Marsili addressed the council, outlining details for the 11th annual Harbor Festival. He mentioned that tickets could be purchased online or at the harbor master's office. Harbor Master Marsili expressed gratitude to the council for their ongoing support, and the council extended their best wishes for a successful event.

- 5. Shannon Rozea, Kickemuit Middle School request One-Day Sunday Dancing & Entertainment License at Mt. Hope Farm, Sunday, June 2, 2024, from 1:00PM-5:00 PM for the Fresh Air Family Fun Fundraiser to benefit the Outdoor Learning Zone Construction
 - a. recommendation - Town Administrator and Fire Chief
 - b. recommendation - Town Administrator and Chief of Police

Sweeney/Teixeira-Voted unanimously to grant this license per the recommendations received and conditions, if any, as delineated, and also subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies

Prior to the vote being taken applicant Shannon Rozea, addressed the council, outlining details for the Fresh Air Family Fun Fundraiser. She mentioned that tickets could be purchased at the gate or online. She thanked the council for their consideration and support, and the council extended their best wishes for a successful event.

E. Licensing Board - Renewals

- E1. Sidewalk Use License Renewals 2024-2025
 - a. recommendation - Town Administrator and Code Compliance Coordinator
 - b. recommendation - Town Administrator and Fire Chief
 - c. recommendation - Town Administrator and Chief of Police

Teixeira/Parella - 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

E2. Sidewalk and Alcohol Use License 2024-2025

a. recommendation - Town Administrator and Department of Public Works

b. 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; with the exception that the Nest would be subject to a three-month review.

Prior to the vote being taken, Councilman Teixeira proposed a motion that the Nest establishment undergo a three-month review based on recommendations received from the police department.

F. Petitions - Other

F1. Shirley Collins, 22 Cottage Street, request to keep accessible parking space across the street from residence **(2nd reading)**

a. (draft) resolution

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. Lorie Stevens, 20 ½ St. Elizabeth Street apartment #1
- request for no parking box, in the vicinity of
driveway

a. recommendation - Town Administrator and Director of
Public Works

b. recommendation- Town Administrator and Chief of
Police

Sweeney/Teixeira- Voted unanimously to deny
the no-parking request.

Prior to the vote being taken, Chairman Calouro reiterated the town's policy of reviewing "no parking" box requests. He noted that the police department conducts an evaluation to review access and the capability of vehicles to determine if the request is warranted. During the meeting, a video was shown of police vehicles maneuvering in and out of the driveway using a large police vehicle. Lieutenant St. Pierre indicated that two separate attempts were made, and based on the evidence, the request did not meet the criteria for approval.

F3. MayKae Wright, Arts in Common, Co-Chair of Bristol
PorchFest 2024 request closure of a 6-block section of
High Street, from Walley Street to Byfield Street on
Sunday, September 15, 2024 from 2:30 PM-6:30 PM (**see
D3**)

a. recommendation- Town Administrator and Fire Chief

b. recommendation- Town Administrator and Chief of
Police

c. recommendation- Town Administrator and Director of
Public Works

Teixeira/Parella- Voted unanimously to
approve the petition per the
recommendations received and subject to
conformance to all laws and ordinances
and payment of all fees, taxes, and
levies

*It is noted for the record that under agenda item D3, Vice
Chairwoman Parella motioned to combine agenda items D3 and F3.
The motion was seconded by Councilman Sweeney and unanimously
approved. Discussions related to this combined item took place*

under agenda item D3. However, actions related to this item are reflected here as found within.

F4. Harbor Master Marsili, Harbor Festival Committee Co-Chair, request permission to sell/serve Alcoholic Beverages at Rockwell Park for the 11th Annual Harbor Festival on Saturday, August 17, 2024 from 1:00 PM- 8:00 PM **(see also D4)**

- a. recommendation - Town Administrator and Fire Chief
- b. recommendation - Town Administrator and Director of Public Works
- c. recommendation - Town Administrator and Director of Parks and Recreation
- d. recommendation - Town Administrator and Chief of Police

Teixeira/Parella- Voted unanimously to approve the petition per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies

It is noted for the record that under agenda item D4, Councilman Sweeney motioned to combine agenda items D4 and F4. The motion was seconded by Councilman Teixeira and unanimously approved. Discussions related to this combined item took place under agenda item D4. However, actions related to this item are reflected here as found within.

G. Appointments

H. Old Business

H1. Robert McNeil, McNeil Design Collaborative d/b/a The Northeast Golf Company, 96 Broad Common Road, request to add a Class C Liquor License **(continued from 5/8/2024) (see also C2)**

- a. (Revised) Draft suggested restriction for Class C Alcohol license for Bristol Golf Park

- b. Bristol Golf Park Operational Protocol
- c. Bristol Golf Park Alcohol Menu
- d. Bristol Golf Park Food Menu
- e. Bristol Golf Park Service Area Plan

Sweeney/Teixeira-Voted unanimously to schedule a public hearing for the June 26, 2024 council meeting.

Prior to the vote being taken, applicant Robert McNeil addressed the council, noting his request for consideration of a Class C liquor license. He explained that the location made it difficult for the establishment to adhere to the requirements of a BV limited license due to the lack of a water source and electricity. Mr. McNeil stated that the Class C license would be more suitable for their needs, allowing for prepackaged food along with beer and wine sales. He presented the request to create the Class C license with stipulations developed by the town and the council. He also read the established protocols for operation into the record as follows:

- All beverages sold will be for consumption on the golf premises.
- Beverages shall include beer/malt-based and wine products (e.g. vigilant whose your caddy, assorted canned wine and malt-based seltzer products).
- Beverage purchases shall be through licensed distribution companies in the local market
- Beverage sales will be for patrons of Bristol Golf Park only including (daily players, league players and BGP event attendees).
- All beverages will be stored on premise in our refrigeration units. Inventory items shall be stored at Vigilant Brewery.
- BGP will offer patrons an assortment of prepackaged snacks and prepackaged foods cooked off premise by approved local suppliers and purchased by BGP. This may include food items in their original packaging to be served as delivered and/or warmed in microwave and served. No food will be prepared on premise. BGP will engage local catering and prepackaged food companies to provide all prepacked food on site.
- BGP also intends to engage licensed food truck operators to support specific events on the course and work closely with Vigilant Brewery to host larger post event gatherings
- All services will be meet state guidelines set forth by the RI Department of Health

Mr. McNeil noted that he had been in contact with the department of Health to assist with state guidelines and they don't anticipate any roadblocks to this approach.

Mr. McNeil provided the council with the layout of the property indicating a mobile unit in which they would be collecting greens, fees, and where they had their refrigeration.

Vice Chairwoman Parella asked for clarity on how the refrigerator was being powered if they did not have electricity. Mr. McNeil responded that it was powered by a generator.

Councilman Sweeney then asked for further clarity on how they intended to supply food to patrons and wanted to ensure that food was not being provided by DoorDash or any other type of food delivery services. Mr. McNeil explained that a daily food purchasing program would be in place, using the example that Ricotti's would be contacted for a sandwich order. The food would be picked up and stored in the refrigerator, with orders placed based on daily needs.

Vice Chairwoman Parella thanked the Town Administrator and the administration for developing the stipulations provided to the council. She discussed the unusual nature of the council issuing a Class C license and their reluctance to issue a liquor license without any requirement for food. When asked if he had reviewed the proposed stipulations, Mr. McNeil reported that he had not yet seen them.

Chairman Calouro referenced some of the requirements that were outlined in the Class C license stipulations such as:

- The establishment is open for business less than 12 months of the year
- The establishment operates from an existing structure that:
 - Does not have sufficient space to accommodate the addition of a RIDOH-approved food preparation area
 - Is located in an area that does not have access to municipal water connection
 - Is located in an area that does not have access to municipal sewer connection
 - The establishment, due to the nature of its business, cannot be relocated to an area that is accessible to water and sewer connections
 - The location of the establishment is such that establishing connections to sewer and water service would place an unreasonable financial burden on the business

- The establishment, if operating from a temporary, moveable structure, is not mobile in its business operations- (*noting the important distinction that it would not be a food truck*)
- Alcohol sales is ancillary and complementary to the establishment's primary goods or services and shall not exceed more than 10 percent of the business's annual revenue (*noting golf fees would be primary not alcohol*)
- Alcohol may only be served between the hours of 8 am and 7 pm
- Alcohol may not be sold and/or served when the establishment is not generating revenue from its primary purpose
- The Town Council may approve any Class C license only for the period of time that the business is in operation. The business may re-apply for the Class C license when it resumes operation.

Chairman Calouro noted that there was no current Class C license(s) and that the council was very adamant about not having an establishment that only sold alcohol; it was fine to sell alcohol with food service. He mentioned that it was not something the council grants—almost never grants—and the last time one was issued was believed to be in 1986. The council is very concerned that food is available to the public and does not want people playing, getting drunk, and leaving. He emphasized that he was very reluctant to issue a Class C license and suggested that a three-month review and an additional review in the next season, maybe May or June of 2025, would be acceptable.

Councilman Teixeira wanted to reinforce that the license was only applicable to the golf course and not transferable to another location, but it would be considered if the property were under new ownership. Town Solicitor Ursillo noted that the license would be attached to the address, and any request for transfer or relocation would require a public hearing and approval by the council.

It was clarified that a public hearing would be required at the next meeting.

Councilman Ley asked what the usual time it takes for someone to complete the course. Mr. McNeil noted about an hour and a half.

Chairman Calouro noted, "The reason why I'm personally considering this is that we're putting these systems in place. This was well thought out, and I know my colleagues also want to see this golf course succeed. We have gone a long way with this, and I want to see it reach its full potential. I personally will not hold you to a higher standard than anyone else, but I will hold you to exactly the standard you need to meet. I'm not going to look for issues, but I will tell you that if they present themselves, then unfortunately, we'll be having a different discussion at this council."

H2. Town Administrator Contente re update on the Downtown Holiday Light Survey Results

Sweeney/Ley- Voted unanimously to approve the warm white etched lights for the holiday light display.

Prior to the vote being taken, Town Administrator Contente provided an overview of the holiday light survey. He explained that the town was looking to purchase new holiday lights and had displayed two different sets on Lower State Street for the public to vote on via an online survey. One set featured crystal-cut lights with a brighter appearance, while the other had a softer glow and a smooth surface. The results, sealed in an envelope, were handed to the council chairman. The chairman playfully announced that the C7 warm white etched lights won with 77% of the vote (231 votes), while the C9 cool white smooth lights received 23% of the vote (69 votes).

I. Other New Business Requiring Town Council Action

I1. Fire Chief DeMello, request to utilize opioid settlement funds for the purchase of a ventilator

Teixeira/Parella -Voted unanimously to appropriate \$19,500 from the Opioid Settlement fund for the purchase of a ventilator.

Prior to the vote, Fire Chief DeMello addressed the council to request that Opioid settlement funds be allocated for the purchase of a ventilator. He explained that these funds could be used for emergency treatment, and the ventilator would fall under that category. While Naloxone (Narcan) is effective in most cases, it has its limits. The ventilator would assist in situations involving illicit drugs that require more

intervention. He noted that ventilators for the ambulances are included in the capital expenditures, and this would provide an additional source of funding to ensure a ventilator is available for emergency situations.

It was clarified this was for transport and that this request was for the purchase of one ventilator.

Discussions ensued regarding the transport and use of the ventilator between ambulances and emergencies until all four ambulances could be outfitted with their own units.

I2. North and East Burial Grounds Commission re proposed price changes to the cemetery fee schedule

Teixeira/Sweeney - Voted
unanimously to approve the price
changes to the cemetery fee
schedule as presented.

Prior to the vote, Joshua Cabral, acting Co-Chair of the North and East Burial Ground, addressed the council. He explained that increasing costs and maintenance have led the committee to recommend increases to the cemetery fee schedule. This adjustment is necessary to maintain the property and align prices with market rates. While the current prices are competitive, they are not feasible for the long-term maintenance required. Cabral mentioned that the committee had reviewed the costs and feasibility for over a year. It was also noted that the last rate change occurred in 2019.

A discussion ensued regarding the proposed price changes. It was noted that the committee plans to be more proactive in addressing price adjustments in the future, rather than waiting another five years.

Councilman Sweeney asked Acting Town Treasurer Carulli if the fee schedule increase was warranted. Acting Treasurer Carulli responded that it was indeed warranted due to rising costs and the need to align with necessary financial benchmarks. If the fees are not adjusted, the perpetual care fund balance will be depleted, and taxpayer money will have to be used to support the cemetery, which is not supposed to happen. The cemetery should be self-sufficient and operate at a net zero cost to the taxpayers. Its revenue should cover the cost of its expenses.

It was recommended that, to avoid such drastic increases, it may be best to review the fee schedule annually and bring any proposed changes to the council for consideration.

It was noted that the increases would also be placed toward capital improvements to expand the cemetery grounds.

- I3.** Public Notice from DEM, re RIPDES Remediation General Permit, requires a response by June 21, 2024

Sweeney/ Teixeira - Voted
unanimously to receive and file

Prior to the vote, Councilman Ley asked if there were any specific concerns regarding water quality control that should be noted.

Town Administrator Contente responded that, following a preliminary meeting with the Department of Environmental Management (DEM), the 10-year outlook indicates an increased volume that the town could handle during heavy storm events. He explained that the town typically processes 3 million gallons per day, but during a heavy storm, it could reach up to 14 million gallons. The town's engineers are working to determine where to store such capacity. DEM wants the town to increase its facilities. They are currently reviewing the facility management plan, and the town is hoping that DEM will allow continued work on inflow and infiltration in the collection system.

Town Administrator Contente also noted the town's initiative to inform the public about a reimbursement program. The town will pay up to \$1,000 if residents disconnect sump pumps leading to storm drains/ sewer systems.

Discussions ensued regarding the shoreline pump station by Ferry Road.

Councilman Sweeney recommended the use of more permeable material concerning sidewalks and greening of parking lots to assist.

- I4.** Joint Public Notice CRMC/DEM re Thames Street Landing, TSL, LLC, 267 Thames Street, requires a response by June 15, 2024

- a. Howard G. Sutton, President, Stone Harbour Board of Directors re letter of objection

Sweeney/ Teixeira- motioned to continue the matter to the next council meeting of June 26, 2024 and instruct the Clerk to send a letter to CRMC/DEM requesting an extension to the public comment date to allow the Council the opportunity to hear from the Harbor Commission and the applicant. Voting in favor were Calouro, Teixeira, Sweeney, Ley. Voting opposed was Parella.

Prior to the vote being taken, Clerk Cordiero noted that a letter of objection had been received from Moses Ryan Ltd., the attorney representing the Stone Harbour Condominium Association. This letter was presented to the council as a "received at meeting" document.

It was noted for the record that no representation from TSL, LLC was present at the meeting.

Howard Sutton, President of the Stone Harbour Board of Directors, residing at 345 Thames Street, addressed the council. Mr. Sutton stated that he was speaking not only on his own behalf but also on behalf of the 135 residents living in the 81 units of the Stone Harbor Condominium Association. He then read the following letter into the record:

On behalf of The Stone Harbour Condominium Association, we respectfully request that the Bristol Town Council file a letter of objection to the CRMC and DEM regarding the application by TSL LLC., to locate a floating pool boat at Thames Street Landing. We have serious concerns regarding the noise, safety, access to and from our marina, and negative impact on our property values

We pride ourselves on being good neighbors and adding value to Bristol by supporting local businesses and non-profits. We have 81 units in three buildings. We maintain our boardwalk and sidewalk. We require no Town services, except public safety, and we have no children in the public school system. We pay real estate taxes on property insured at \$95 million.

We understand and appreciate the eclectic fabric of downtown Bristol. Our residents have lived all over the country and embrace Bristol as a special place to live. We accept that we live in a business and entertainment district. In season, we are accustomed to the music and revelry from the restaurants, bars, and wedding venue.

We also know it is a small price to pay to call this home. However, a floating pool boat is beyond the pale.

Mr. Sutton expressed their concerns for:

- Noise concerns - noting the pool would be open from 9 am to sunset.
- Safety concerns - noting that Stone Harbor pool gets invaded 5 to 6 times a year by people scaling the fence and jumping in after the bars and restaurants close. Expressing concern that the pool boat would have greater issues.
- Access to and from the marina- noting choppy water has concerns for access and egress from the 39 Stone Harbour Boat slips
- Negative impact on property values- noting potential detrimental impact of property values.

Tom Moses, Esq., of 40 Westminster Street, Providence, RI, an attorney representing the Stone Harbor Condominium Association, addressed the council. Mr. Moses outlined the basic premises of the proposal, noting that the pool would be 8' by 20'. He argued that the pool would be an attractive nuisance without full-time security, leaving responsibility to the hotel manager, which raised concerns about security oversight.

Mr. Moses stated that the pool would constitute a significant expansion of the marina, as the proposal involves anchoring the pool in place as a permanent attachment. He expressed concern that TSL had indicated there was no alternative location for the pool. He elaborated on the size of the proposed pool boat, comparing it to two parking spaces and suggesting that other accommodations might also be established. Additionally, he pointed out that the hotel has 56 rooms and does not need every possible attraction to fill them.

Mr. Moses further informed the council of his concerns that, in June of 2023, the Harbor Master had submitted an affidavit and the Town Administrator had provided a letter supporting the project.

Mr. Sutton noted that the letter submitted by the Town Administrator in support of the project claimed that the applicant had kept abutting neighbors informed. However, he pointed out for the record that they only learned about this three (3) weeks ago from Mr. Goldstein. He stated this was the only time in his tenure as President of this association that he

had ever had an issue with no dissenting viewpoints. He respectfully requested and encouraged the council to notify CRMC and DEM that they do not support this project.

It was noted that these items are generally and typically received and filed by the council. It was mentioned that it is believed they have only provided a letter of support one time, specifically regarding the Robin Rug property, where the town was a co-applicant for the project involving the boardwalks connecting to the maritime center property.

Town Administrator Contente responded to the statement regarding the submission of a letter in support of the project in 2023. He explained that Mr. Goldstein had approached the town with detailed plans for the boat, along with his business plan and the rationale behind the project. The Administrator reminded everyone that Bristol Harbor Inn is the sole hotel in Bristol. He stated that Mr. Goldstein, supported by the Administrator, asserted that many families when booking accommodations, prioritize amenities such as a pool for their children, and the hotel was losing clientele by not having one.

Town Administrator Contente explained that the pool was described to him as small, only open during the day, and alcohol-free. Regarding notifying abutters, the Administrator stated that Mr. Goldstein had indicated he had been in communication with his neighbors and planned a marketing campaign. He noted that Mr. Goldstein was not present at the meeting because they believed their application fell under the jurisdiction of the Coastal Resources Management Council (CRMC).

The Town Administrator Contente also stated that the application had been reviewed by the appropriate department heads and was in full compliance with all Bristol codes and ordinances, with the primary jurisdiction resting with the CRMC.

Town Administrator Contente stated that he was asked to write a letter of support and his compelling interest was that it aligned with other letters of support he had sent for various business interests in town. He noted that he has written similar letters for manufacturers and a cancer treatment center.

Town Administrator Contente read his letter of support dated June of 2023 into the record as follows:

I serve as the Town Administrator for Bristol, RI. I write in support of TSL, LLC's application for assent to dock their proposed boat that will provide an important pool amenity at the Bristol Harbor Inn, 251-267 Thames Street in Bristol.

This proposed use serves a compelling public purpose that will benefit our public as a whole. The proposed pool is a water-dependent use that offers substantial public, economic gain to the state of Rhode Island. There is no viable, alternative location to construct a pool at the Inn, and the waterfront at this location is otherwise inaccessible for swimming given the marina use. This newfound capacity to swim in our summer heat is exactly the type of amenity that the families we seek to attract to Bristol value when on vacation. The proposed boat will also be an important feature and benefit to Bristol when competing to attract meeting and event business.

Our town officials have determined that the project is zoning and building code compliant. The proposed boat presents no use conflicts. It will not unreasonably interfere with public access to tidal waters or the shore since it will exist right alongside many other marine vessels. Nor will the boat negatively impact the historic significance of this area. Instead, it will stand as a symbol of Bristol's historic maritime leadership in innovative boat design, building, and use.

The applicant has kept its' residential neighbors updated as to the proposal and are committed to implementing controls that will protect the Town's interests at this location. For example, (i.) to minimize the risk of storm damage it has included a wave fence in its design elements, (ii) all drinking and substance use will be specifically banned consistent with the intended family environment being created, (iii.) prohibit diving, (iv.) limit the hours of use to daytime hours, and (v.) regulate noise carefully.

Bristol takes great pride in its beautiful waterfront. This proposed use will only enhance our Town's capacity to use our coastline beneficially for all. Therefore, we strongly support CRMC's assent.

Town Administrator Contente noted it was a public letter to be submitted and heard at the CRMC hearings. He further expressed his support for the project and agreement of the location.

Councilman Ley noted that he feels they should proceed with caution, as the structure seemed out of place. He proposed registering their concerns with the CRMC. He questioned what would prevent more of these structures from being installed in the marina and whether they could expect additional similar proposals. He also raised the question of whether the town would be willing to accommodate such structures in other locations.

Vice Chairwoman Parella concurred with the points made by Councilman Ley. She also voiced her concerns about placing the structure in the town marina. While she acknowledged that kids enjoy pools as an amenity, she believed it was also the hotel's responsibility to market the amenities they currently have. She suggested that strict guidelines may need to be considered. Additionally, she thought the pool was unnecessary due to its location and expressed concerns that it might pose a danger. She also stated that she felt that, although they typically do not weigh in on such matters, this particular issue could pose a problem and warranted their attention. She emphasized that the town should at least provide their input and proceed with caution.

Councilman Sweeney asked for clarification from the town solicitor, noting that this was not a CRMC hearing. He pointed out that what was before them and being proposed was essentially a boat, which falls under the jurisdiction of the CRMC and not the town's jurisdiction. Town Solicitor Ursillo responded that the decision regarding the approval of the pool would not be made here, as it clearly falls under the jurisdiction of the CRMC. He explained that these notices are routinely sent to the town for any application submitted within Bristol's waterfront. The law allows the town the opportunity to provide input on these applications, should they choose to do so.

Discussions ensued about the process of how input is received by the CRMC. The council members deliberated on the procedures and mechanisms through which the town's feedback and concerns are communicated to the CRMC. They explored the formal steps involved in submitting their comments, the typical timeline for responses, and how the CRMC incorporates local input into their decision-making process. The council aimed to ensure that their perspectives and any potential objections were clearly and effectively conveyed to the CRMC to influence the final decision.

Chairman Calouro stated that he agreed with the administrator regarding the economic point and believed in the process. He emphasized that the next step would be to go through the CRMC, but he also believed that ongoing dialogue was important.

While he clarified that he was not necessarily advocating for the project, he was advocating for the business. This did not mean he was disregarding the concerns of the residents. He pointed out that many of the surrounding businesses were amenable to addressing issues. He also noted that the town had strong ordinances capable of handling any issues that might arise.

Chairman Calouro suggested that the issues and concerns raised, along with the support expressed, be submitted as the next step in the process.

Mr. Moses expressed his concern about what information was and would be sent to CRMC.

Councilman Sweeney motioned to receive and file the matter, emphasizing that the structure was essentially a boat and not within their jurisdiction. He suggested that the process should proceed as previously done, but the dialogue from this evening's meeting should be forwarded to the CRMC. Councilman Teixeira seconded the motion for discussion.

Vice Chairwoman Parella objected to simply receiving and filing the matter. She noted her concerns and expressed that a decision like this should not be left to another authority without the town's input. She felt there were many unanswered questions. The town should proceed with caution and provide CRMC with their concerns.

Discussions ensued regarding how to proceed. It was suggested to request an extension of the public comment period with the CRMC and continue the matter to the next council meeting on June 26, 2024. It was also requested that both the petitioner appear to make a presentation, and the harbor commission provide their recommendation.

15. Councilman Sweeney re Black Earth Composting

Sweeney/Teixeira- Voted unanimously to refer the information to the Town Administrator and DPW Director to consider allocating funds in the 2025/2026 budget for composting purposes, which would include either subsidizing bins or covering monthly fees.

Prior to the vote being taken Councilman Sweeney stated that he had invited Rosie Warburton, Municipal Manager from Black Earth, to their meeting. He explained that she would discuss the potential of composting as a cost-saving, environmentally friendly solution. He emphasized the importance of composting as a way to reduce the ever-increasing tipping fees, save on tax dollars, and help the environment.

Rosie Warburton, Municipal Account Manager for Black Earth Composting, addressed the council. Ms. Warburton provided an overview of the company and explained how the facility operates. She noted how residents could participate in the program and discussed the necessity of addressing additional sources of waste management due to the landfill potentially losing capacity as soon as 2034. She highlighted that the current tipping fees are \$58.50 per ton but are threatened to increase substantially. Ms. Warburton then explained how the composting program would work and what items could be composted.

Councilman Sweeney asked if his colleagues were amenable to discussing the possibility of subsidizing compost bins at the next budget meeting with the Town Administrator and the DPW Director. He suggested considering providing a bin or a number of bins for residents.

Discussions ensued regarding the options for subsidizing compost bins or promoting composting across the community. The council considered various approaches to encourage residents to participate in composting, such as financial incentives, educational campaigns, and potential partnerships with local organizations. They debated the potential benefits and challenges of each option, aiming to find the most effective way to implement a successful composting program in the community.

It was clarified that the town does not have any formal connection to Black Earth Composting. There are multiple composting companies available, and the public should be aware that this presentation was for informational purposes only. The town does not advocate for using any specific company.

Isaac Berg, with the RI Food Policy Council, addressed the council and noted that while their focus is on the entire food system, an important part of their work is helping municipalities implement effective solutions. He emphasized that while Black Earth Composting is a potential partner, his primary message was about the importance of composting overall. Mr. Berg highlighted the impending increases in tipping fees, noting that the town is already exceeding landfill caps, which are decreasing each year. Consequently, fees will continue to rise. He stressed the urgency of taking action and offered the RI Food Policy Council as a resource to help the town think through and implement composting strategies.

I6. Draft Resolution Certifying Financial Authorization
(2024-5-29-I6)

Teixeira/Sweeney Voted unanimously to adopt the resolution as presented.

Prior to the vote being taken, the Acting Town Treasurer noted that a resolution from financial institutions was necessary to act on behalf of the town.

CF. Citizens Public Forum

PERSONS WISHING TO SPEAK DURING THE CITIZENS PUBLIC FORUM MUST NOTIFY THE COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING

Town Solicitor Ursillo noted that during citizens public forum the council could not act on any discussions, the public comment forum would be for informational purposes.

Fr. Johnathan DeFelice, residing at 75 Constitution Street, addressed the council to express his concerns and objections regarding the red, white, and blue stripes painted along the Fourth of July route. He explained that the colors used were robin egg blue and maroon, which are not the official colors and do not adhere to the standard guidelines for the correct colors. He encouraged the council members to reach out to the Department of Transportation to rectify the matter

J. Bills & Expenditures

J1. Bid #1044 Town Wide HVAC Repair & Maintenance

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:

- Pride HVAC Services in the amount of \$9,500.00
- Sunshine Fuels & Energy Services in the amount of \$5,560.00
- Automatic Temperature Controls in the amount of \$38,671.00
- Arden Engineering in the amount of \$31,564.00

J2. Bid #1045 Replacement of Garage Doors at Bristol Department of Public Works

Sweeney/Teixeira- 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:

- Collins Construction Company, Inc. in the amount of \$94, 291.00
- Mount Hope Garage Door Co., in the amount of \$70,515.00

Discussions ensued regarding insulated doors and grant funding.

J3. Bid #1046 School Bus Transportation Services

Teixeira/Sweeney- Voted
unanimously to refer this matter
to the Town Administrator and
Director of Parks And Recreation
to act in the best interest of the
Town.

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

- First Student, Inc., in the amount of \$256.00 per day summer camp and trips B1-B6 \$480 per trip.

It was noted that single bids permitted the town to enter into negotiations.

J4. Bid #1047 Walley School Fire Suppression System

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:

- Westway Construction in the amount of \$497.862.00

It was noted that single bids permitted the town to enter into negotiations.

J5. Bid #1048 Charter Bus Transportation Services

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 being taken, Clerk Cordeiro noted that no bids were received for the Charter Bus Transportation Services.

It was noted that since no bids were received it permitted the town to enter either go on the open market or go back out to bid.

K. Special Reports

L. Town Solicitor

M. Executive Sessions

M1. Town Administrator Contente re Request for Executive Session Pursuant to RIGL § 42-46-5(a)(1) job performance

Sweeney/Teixeira - Voted
unanimously to convene in
Executive Session pursuant to RIGL
Section 42-46-5 (a) (1) job
performance at 9:25 PM.

Teixeira/Sweeney - Voted
unanimously to resume open session
and seal the minutes of the
Executive Session at 9:39 PM.

Solicitor Ursillo announced that no motion was made in the Executive Session. Upon returning to open session, the council made the following motion and vote:

Parella/Teixeira- Voted
unanimously to ratify the Town
Administrator's recommendation to

appoint Carl Carulli as the Town
Treasurer.

Consent Agenda Items:

(CA) AA. Submission of Minutes - Boards and Commissions

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

- (CA) AA1. Zoning Board Minutes - April 1, 2024
- (CA) AA2. Bristol Housing Authority Minutes - April 11, 2024
- (CA) AA3. Planning Board Meeting Minutes - April 11, 2024
- (CA) AA4. Rogers Free Library Meeting Minutes - March 21, 2024
- (CA) AA5. Historic District Commission Meeting Minutes - March 7, 2024
- (CA) AA6. Historic District Commission Meeting Minutes - April 4, 2024
- (CA) AA7. Revised Harbor Commission Meeting Minutes - May 6, 2024

(CA) BB. Budget Adjustments

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

(CA) CC. Financial Reports

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

(CA) DD. Proclamations, Resolutions & Citations

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

- (CA) DD1. Proclamation Bristol Police Department, Police Week - May 12-18, 2024
- (CA) DD2. Recognition - The Bristol Conservation Commission and The King Phillip Little League re Arbor Day Celebration Ceremonies May 15, 2024

(CA) EE. Utility Petitions

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

(CA) EE1. Narragansett Electric and Verizon of New England, Inc. re relocation of Pole 10-1 on Constitution Street

a. recommendation - Town Administrator and Director of Public Works

(CA) FF. City & Town Resolutions Not Previously Considered

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

(CA) FF1. Town of Exeter Resolution No. 2024-05 re to the Honorable RI General Assembly in Opposition to H 7983

Prior to the vote being taken, Councilman Teixeira voted his concerns about an act passed by members of the House, but not yet heard by the Senate, that would create an Office of the State Building Commissioner to enforce all laws of this state. Including but not limited to conducting and supervising building code inspection of all residential and commercial buildings regulated by the code within the state and standardizing building code interpretation; and will expropriate local oversight of building code matters from towns and cities.

Councilman Teixeira expressed deep concerns about removing the oversight of local building decisions.

Councilman Texeira motioned to adopt a similar resolution and send it to members of the general assembly.

Councilman Ley expressed his need to investigate and study the matter further, as he was not fully aware of its implications or the complete reasoning behind it. He stated that he could not vote on the issue at this time.

Councilman Sweeney noted that he was aware that the town of Warren had similar concerns.

Chairman Calouro also expressed his deep concerns about removing local oversight on such matters and was also in opposition to the House bill H-7983.

Teixeira/ Parella - Motioned to adopt a similar resolution and to authorize the Clerk to send to the General Assembly a resolution in support of same. Voting in favor was Calouro, Parella, Teixeira, Sweeney. Voting opposed was Ley.

(CA) FF2. Town of Exeter Resolution No. 2024-06 In Opposition to any revival of the Old Saybrook to Kenyon Bypass

(CA) FF3. Town of Exeter Resolution No. 2024-07 in support of fully funding state aid to libraries to the full twenty-five percent level

(CA) FF4. Town of Exeter Resolution No. 2024-08 in opposition to House Bill 2024-H 7763 and Senate Bill 2024-S 2679 relating to public records-access to public records act

(CA) FF5. Resolutions from the Towns of Hopkinton and Barrington re Funding for permanent safety barriers on RI bridges over Narragansett Bay

(CA) GG. Distributions/Communications

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

(CA) GG1. Revised correspondence from Town Clerk Cordeiro to Honorable Governor Daniel McKee, Honorable Speaker K. Joseph Shekarchi, and Senate President Dominick J. Ruggiero re urging the RI State Legislature to support allocating funding for permanent safety barriers on Rhode Island's bridges over Narragansett Bay. (revised from May 8th meeting - GG3)

(CA) GG2. Town Administrator Contente re signed lease agreement with Lamar Companies

(CA) GG3. Town Administrator Contente to Westway Construction Inc. re award bid #1038 Walley School Plumbing

(CA) GG4. Public Service Announcement, Roger Dubord, Chair of the Bristol Fourth of July Orange Crate Derby Sub-Committee re date change for the annual Orange Crate Derby

Prior to the vote being taken, Chairman Calouro provided an update to the public that the Orange Crate Derby scheduled for June 2, 2024, had been rescheduled to June 16, 2024, due to a conflict in scheduling.

Sweeney/Teixeira- Voted unanimously to receive and file.

- (CA) GG5. Town Administrator Contente to J.R. Vinagro Corporation re award bid for Bid #1043 Road Resurfacing Project
- (CA) GG6. RIDEM re Thames Street, Independence Park Right-Of-Way, Bristol Harbor
- (CA) GG7. RIDEM re Sherman Avenue Right-of- Way, Kickemuit River

(CA) HH. Distributions/Notice of Meetings
(Office copy only)

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

- (CA) HH1. Conservation Commission Meeting - May 7, 2024
- (CA) HH2. Bristol Fourth of July Committee Ball Meeting - May 8, 2024
- (CA) HH3. Bristol Fourth of July Committee Freedom Raffle Meeting - May 8, 2024
- (CA) HH4. Bristol Fourth of July Committee Special General Committee Meeting - May 9, 2024
- (CA) HH5. The North and East Burial Grounds Commission Meeting - May 8, 2024
- (CA) HH6. Harbor Commission Meeting - May 6, 2024
- (CA) HH7. Planning Board Meeting - May 9, 2024
- (CA) HH8. Bristol Fourth of July Committee Meeting, Music & Entertainment - May 14, 2024
- (CA) HH9. Bristol Fourth of July Committee, Interfaith Subcommittee Meeting - May 14, 2024
- (CA) HH10. Bristol Fourth of July Committee, General Committee Meeting - May 9, 2024

- (CA) HH11. Bristol Fourth of July Committee, Pickleball Meeting - May 13, 2024
- (CA) HH12. Bristol Housing Authority Meeting - May 9, 2024
- (CA) HH13. CRMC Meeting Calendar - May 2024
- (CA) HH14. Capital Project Commission Meeting - May 21, 2024
- (CA) HH15. Rogers Free Library Meeting - May 16, 2024
- (CA) HH16. Zoning Board of Review Meeting - June 3, 2024
- (CA) HH17. Planning Board Public Workshop Agenda - May 22, 2024
- (CA) HH18. Fourth of July General Committee Meeting - May 21, 2024
- (CA) HH19. Fourth of July Committee Military and Town Officials Reception Meeting - May 23, 2024
- (CA) HH20. Fourth of July Committee Parade Floats Meeting - May 23, 2024
- (CA) HH21. Recreation Board Meeting - May 22, 2024
- (CA) HH22. Recreation Board Meeting Schedule 2024-2025

(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) III1. John Sousa, 5 Mason Avenue claim for damages to boat trailer on Orchard Street

(CA) JJ. Miscellaneous Items Requiring Council Approval

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

- (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"

- (CA) KK1. Edineia Mello, Home Enterprises 2, 324 State Street - request for curb cut

a. recommendation - Town Administrator and Director
of Public Works

(CA) KK2. Paul Mello, 84 Burton Street - request for curb cut

a. recommendation - Town Administrator and Director
of Public Works

There being no further business, upon a motion by Vice
Chairwoman Parella and seconded by Councilman Teixeira and voted
unanimously, the Chairman declared this meeting to be adjourned
at 9:41 pm.