

TOWN COUNCIL MEETING – WEDNESDAY, OCTOBER 12, 2022

The council met on Wednesday, October 12, 2022, and called to order at 6:00 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.
Town Sergeant, Archie Martins

6:00PM Public Service Interviews/Appointments

1 Bristol Planning Board (1 term set to expire April ~~2024~~ 2023)
(*Persons appointed to the planning board shall hold no other office in the service of the town*).

- a.** Brian W. Clark, 31 Evelyn Drive, interest in full term member

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

- b.** Jessalynn L. Jarest, 183 High Street, interest/appointment

The Council heard from Ms. Jessalynn Jarest who expressed her interest in becoming a member of the Bristol Planning Board. Discussions ensued between members of the Council and Ms. Jarest pertaining to Ms. Jarest's qualifications and experiences. Ms. Jarest also stated why she would consider herself to be a good fit for the position.

- c.** George D. Duarte Jr., 47 Lafayette Drive interest /appointment

The Council heard from Mr. George Duarte who expressed his interest in becoming a member of the Bristol Planning Board.

Discussions ensued between members of the Council and Mr. Duarte pertaining to Mr. Duarte's qualifications and experiences. Mr. Duarte also stated why he would consider himself to be a good fit for the position.

- d. Michael Paul Sousa, PE, 249 Hope Street Unit 6,
interest/appointment

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

- e. Myra M. Page, 423 Hope Street Unit K,
interest/appointment unable to attend interview, letter
of consideration provided to council

Teixeira/Parella- Voted unanimously to
elevate Brian Clark from 1st alternate
to full member of the Bristol Planning
Board with a term(s) set to expire in
April 2023

Sweeney/Teixeira- Voted unanimously to
elevate Richard Ruggiero from 2nd
alternate to 1st alternate and to
appoint Michael Paul Sousa as the 2nd
alternate with a term(s) set to expire
in July 2024.

7:00 REGULAR ORDER OF COUNCIL BUSINESS

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Sweeney/Teixeira- Voted
unanimously to approve the Consent
Agenda

Prior to the vote taken, Vice Chairwoman Parella noted that she was astounded to hear that the New Marina and Fuel dock has

retained approximately \$90,000 in fuel sales for June, July, and August as noted in Consent Agenda Item AA3.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

A1. Town Council Meeting - September 21, 2022

Sweeney/Teixeira-Voted unanimously to accept and approve the council meeting minutes of September 21, 2022, as presented.

A2. Executive Session Minutes (council packets only) - September 21, 2022

Sweeney/Teixeira-Voted unanimously to accept and approve the executive session minutes of September 21, 2022, as presented.

B. PUBLIC HEARINGS

B1. Mario J Alves, for Bristol Liquors Inc. d/b/a Bristol Liquors request Transfer of Class A Beverage License to Dhaval Patel for Shanvi Bristol LLC d/b/a Bristol Liquors (see agenda D1 and D2)

Sweeney/Teixeira- Voted unanimously to close the public hearing.

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

The owner's attorney William Dennis, Esq., appeared before the council to speak in favor of transfer.

C. Ordinances

C1. Ordinance #2022-12 Chapter 28, Zoning, Article I: Section 28-1 Definitions; Article III: Section 28-82 Use Regulations; Article V: Section 28-150 Special Use Permit Standards for Various Uses; (Zoning Ordinance Amendment Regarding Cannabis Related Uses) (1st Reading and Call for Public Hearing on November 16, 2022)

Sweeney/Teixeira- Voted unanimously to consider this

action to constitute the first reading of Ordinance #2022-12 and to call for a public hearing to consider the said matter for Second Reading to be held on November 16, 2022.

- C2.** Ordinance #2022-13 Chapter 17, Article II Alcoholic Beverages Establishments, Section 17-82 - Number of Licenses (to increase the number of Class B Limited licenses from 6 to 7) **(1st reading for adoption)**

Sweeney/Teixeira- Voted unanimously to consider this action to constitute the first reading of Ordinance #2022-13. Advertise in the local newspaper.

D. Licensing Board - New Petitions

- D1.** Dhaval Patel for Shanvi Bristol LLC d/b/a Bristol Liquors, 390 Metacom Avenue Unit 6 - request for transfer of Class A Intoxicating Beverage 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

Teixeira/Sweeney-Voted unanimously to grant the transfer of the Class A Intoxicating License per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies. (See agenda item B1)

- D2.** Dhaval Patel, for Shanvi Bristol LLC d/b/a Bristol Liquors 390 Metacom Avenue Unit 6 - request for Sunday Sales License

- 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 subject to conformance to all
laws and ordinances and payment of
all fees, taxes, and levies

D3. Mathiew Medeiros for Basil & Bunny, 500 Wood Street
Unit 214, request for One Additional Class BV LTD
Liquor License (**call for public hearing November 2,
2022**)

- a. recommendation - Town Administrator and Fire Chief
- b. recommendation - Town Administrator and Chief of Police
- c. recommendation - Town Administrator and Department
of Community Development

Sweeney/Teixeira- Voted
unanimously to call for a
public hearing to consider
this matter on November 2,
2022, and to advertise in
local newspaper

(Move agenda Item)

*Sweeney/Teixeira- Voted unanimously to
suspend the regular order of business to
consider agenda item F1 at this time.

*It is hereby noted for the record that discussion and action
concerning agenda items F1 appears, in place, as found within.

D4. Brian Dwiggin for Borealis Coffee Company, 500 Wood
Street, Unit 113, request for one additional Class ~~BV~~
~~LTD-B-V~~ Liquor License (**see also F2 /combine - call
for public hearing November 16, 2022**)

- a. recommendation - Town Administrator and Fire Chief

b. recommendation - Town Administrator and Chief of Police

c. recommendation - Town Administrator and Department of Community Development

Sweeney/Ley-Voted to approve and to call for a public hearing to consider this matter on November 16, 2022, and to advertise in local newspaper. Voting in favor were Vice Chairwoman Parella, Councilman Sweeney, Councilman Ley Councilman Teixeira. Voting opposed was Council Chairman Calouro

Prior to the vote taken, Clerk Cordeiro noted that due to the timing of the subsequential council meetings being only two weeks apart followed by the reorganizational meeting, timing for the public hearing would be considered either 3 weeks earlier or three weeks after a six-month review.

Council Chairman Calouro noted his concerns with setting a precedence for other establishments to come before the council prior to the end of the six-month review. He stated that it would be outside of the council normal practice and that the town should be consistent and follow the process.

Vice Chairwoman Parella stated she would be in support of allowing the license to be consider three weeks earlier. Noting that the establishment could benefit from the sales of the holiday season and the applicant shouldn't be penalized to wait an addition three weeks due to the deviation in the council's meeting calendar.

Councilman Sweeney stated that the town should allow a little flexibility to assist local businesses with obtaining licenses.

E. Licensing Board - Renewals

F. Petitions - Other

F1. Brian Dwiggins for Borealis Coffee Company, 500 Wood Street, Unit 113, request for one additional Class ~~BV LTD~~ B-V Liquor 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

Sweeney/Teixeira- Voted unanimously to refer to the solicitor to prepare an ordinance amendment to increase the number of BV liquor licenses by one and reduce the number of BV LTD by one

Prior to the vote taken, owner/applicant Brian Dwiggins 144 Whipple Road Smithfield, RI addressed the council to speak in favor of the petition. Mr. Dwiggins asked for the council's consideration to modify his current license from a class BV limited to a full liquor license. He noted that the concept of the establishment was to be a coffee house by day and offer food and cocktails while enjoying music or art classes in the evenings. There is no intention of turning the establishment to a bar.

F2. Paul J Viveiros, 4 Siegel Street, Request a no parking across from driveway on west side of Siegel Street

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Department of Public Works

Teixeira/Ley- Voted unanimously to refer this matter to the Town Solicitor so that he may draft ordinance subject to the conditional approval of the

police department
recommendation for council
consideration

Prior to the vote taken, Councilman Teixeira noted that the request for no parking should reflect the Police Chief's conditional approval with the recommendation that the no parking length be 6 feet from the driveway of 3 Seigel Street in the northbound direction.

G. Appointments

G1. Mt Hope Farm Trust (1 term set to expire December 2024)

a. Susan C. Maloney, 72 Griswold Avenue, resignation

Teixeira/Parella-Voted
unanimously to accept the
resignation of Susan C.
Maloney and to instruct the
Clerk to send a letter of
thanks for service;
Advertised in the local
paper.

G2. Harbor Commission Advisory Committee (1 term set to expire August 2025)

a. Vasco "Skip" Castro III, 101 Woodlawn Avenue,
interest/appointment

Teixeira/Sweeney- Voted
unanimously to instruct the Clerk
to set up interview(s) with
applicant(s) for the November 2,
2022, council meeting beginning at
6:40pm.

H. Old Business

H1. RI DEM Fish and Wildlife presentation relating to the local Deer population and the Towns Hunting Ordinance (*re consideration of the creation of a cooperative agreement for archery deer hunting* - **CONTINUED FROM AUGUST 24, 2022**)

Teixeira/Sweeney-Voted
unanimously to refer to the
Town Administrator, Town
Solicitor, Department of
Community Development, and RI
DEM to prepare a cooperative
agreement for archery deer
hunting for council
consideration.

Prior to the vote taken Dylan Ferreira, a representative from the RI Department of Environmental Protection (DEM) addressed the Council. He provided a summary of White-Tailed deer including their geographical range, habitat, diet, physical characteristics, and reproduction. He explained issues and hazards of areas of overpopulated deer including cultural carrying capacity, increase in deer-vehicle collisions, tick-borne diseases, and personal property damages.

Mr. Ferreira proposed a Bristol Hunting Cooperative that would include:

- A collaboration with the Bristol Police Department, Bristol Town Planner, and RI DEM Law Enforcement
- Four Locations (with a 200-foot buffer required by State Law)
 - 150 Acres near Tupelo Street
 - 65 Acres near Hopeworth Ave
 - 50 Acres near the Town Landfill
 - 40 Acres near Gooding Ave
- Legal regulated hunting starting Fall of 2023 (September-January)
 - *Hunting times half hour before sunrise and a half hour after sunset*
- Hunting license and deer permits required
 - Hunter education required
- Archery deer hunting only
- Signage and press releases
- No liability to be incurred to the property owner (Town of Bristol)

Chairman Calouro asked what the probability of injury was if hunting was allowed. Mr. Ferreira responded that it hasn't happened in archery hunting and rarely happens for firearm hunting as well.

Vice Chairwoman Parrella asked if holidays and hours can be reduced. Mr. Ferreira recommended not to limit hunting hours as

it would reduce the number of deer harvested as those are popular times for hunting as well.

I. Other New Business Requiring Town Council Action

- I1.** Public Notice from CRMC re Timothy Deschenes & Alyssa Merkle of 90 King Philip Avenue requires a response before October 22, 2022

a. recommendation - Town Administrator and Harbor Master

Sweeney/Teixeira- Voted
unanimously to receive and
file.

- I2.** (Shealyn Davey Pretreatment Coordinator) re Proposed amendments to Chapter 22 of the Town Code, Sewers and Sewage Disposal - various amendments to the Sewer Use Ordinance required by the Rhode Island Department of Environmental Management

a. Bristol Industrial Pretreatment Program (RIPDES Permit No. RI0100005) 2022 Pretreatment Compliance Audit - Letter of Audit Findings

b. Draft ordinance

Sweeney/Teixeira- Voted
unanimously to call for the
first reading on November 2,
2022

- I3.** (Executive Director Diane Mederos) East Bay Community Development Corporation re Tax Stabilization request for property owned by EBCDC at 330-332 High Street

Sweeney/Teixeira- - Voted
unanimously to table the
matter.

Prior to the vote taken Clerk Cordeiro noted that Director Mederos had sent an email requesting the matter be withdrawn at this time to be resubmitted at a future date so that some issues may be clarified.

- I4.** (Town Administrator Contente) re report to Town Council on condition of Town Christmas Tree in front of Burnside Building

Parella/Sweeney- Voted unanimously to appropriate \$1000 from the council contingency to assist with the replacement cost of the Town Christmas Tree.

Prior to the vote taken, Town Administrator Contente provided the council with an update on the condition of the town Christmas Tree. He explained that many efforts were made to salvage the tree but have been not seen substantial improvements. He recommended that the tree be replaced with a 16-18-foot Blue Spruce in November. He explained that funding would be used from the town's tree program which would adversely affect the number of fall tree planting.

Councilman Texeira noted that special attention should be made to the replacement of soil.

Council Chairman Calouro suggested allocating funds from the council contingency to offset some of the costs of the Christmas tree.

J. Bills & Expenditures

- J1.** RFP# 995 - HVAC Project at Quinta Gamelin

Sweeney/Parella-Voted unanimously to refer to the Town Administrator and the Department of Parks and Recreation to act in the best interest of the Town

Prior to the vote taken, Clerk Cordeiro read the following bid(s) received:

- Automatic Temperature Controls, Inc., of Cranston, RI with a bid amount of \$134,800.

K. Special Reports

- K1.** Allan Klepper, Barrington Director, Bristol County Water Authority - Monthly Report September 22, 2022

Sweeney/Teixeira- Voted
unanimously to receive and
file.

L. Town Solicitor

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.**

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. Harbor Commission Meeting Minutes, September 12, 2022

(CA) AA2. Bristol Fire Department Board of Engineers Meeting
October 4, 2022

(CA) AA3. Harbor Commission Meeting Minutes, October 3, 2022

(CA) BB. Budget Adjustments

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

(CA) BB1. Tax Assessor DiMeo Recommended Abatements & Additions
- October 4, 2022

(CA) CC. Financial Reports

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

(CA) CC1. Town Treasurer Hassel - re Revenue and Expenditure
Statement (received October 2022)

(CA) DD. Proclamations, Resolutions & Citations

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

(CA) DD1. Citation, Matthew J. Salone, (*Peter Salcon*) Purple Heart Recipient corrected (signed)

(CA) DD2. Citation, Joseph Morra, Purple Heart Recipient-Amended

(CA) EE. Utility Petitions

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

(CA) EE1. Water Pollution Control Facility - Sewer Permits

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

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

(CA) GG. Distributions/Communications

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

(CA) GG1. Bid Tabulation - Bid#993 - Community Choice Energy Aggregation Consulting Services

(CA) GG2. Bid Tabulation - Bid#994 - Town Common Pickleball Courts

(CA) GG3. Late item H2 - Letter of Support - Mary Dondero

(CA) GG4. Town Administrator Contente to Flynn Enterprise Inc. re award of Bid# 992 - Stormwater Improvements Bristol Police Station

(CA) GG5. Town Administrator Contente to Good Energy, LLP General Partner - Good Offices Technology Partners, LLC re award of Bid# 993 - Community Choice Energy Aggregation Consulting Services

(CA) GG6. Town Administrator Contente to J.G. Coffey Co, LLC re award of BID# 994 - Town Common Pickleball Courts

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

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

- (CA) HH1. Bristol County Water Authority Policy Committee Meeting September 22, 2022
- (CA) HH2. Bristol County Water Authority Board of Directors Meeting, September 22, 2022
- (CA) HH3. The Bristol Planning Board Technical Review Committee Meeting, September 22, 2022
- (CA) HH4. The Bristol Planning Board Technical Review Committee Meeting, September 22, 2022 - revised
- (CA) HH5. The Bristol Planning Board Technical Review Committee Meeting, September 23, 2022
- (CA) HH6. Zoning Board of Review Meeting, October 3, 2022
- (CA) HH7. Harbor Commission Meeting Agenda, October 3, 2022
- (CA) HH8. Board of Canvassers Meeting October 17, 2022
- (CA) HH9. Board of Canvassers Meeting November 8, 2022
- (CA) HH10. Board of Canvassers Meeting November 9, 2022
- (CA) HH11. Planning Board Meeting, October 13, 2022
- (CA) HH12. Bristol Fourth of July Committee Souvenir Sub-Committee Meeting, October 11, 2022

(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) 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. Erik H Gorham, 130 Mulberry Road, request for curb cut

- a. recommendation - Town Administrator and Department of Public Works

There being no further business, upon a motion by Councilman Sweeney, seconded by Councilman Ley, and voted unanimously, the Chairman declared this meeting to be adjourned at 8:09pm.

Melissa Cordeiro, Town Clerk