

TOWN COUNCIL MEETING MINUTES- WEDNESDAY, OCTOBER 30, 2024

The council met on Wednesday, October 30, 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
Councilman, Antonio "Tony" Teixeira
Councilman, Timothy Sweeney
Councilman, Aaron Ley

ABSENT: Vice-Chairwoman, Mary Parella

ALSO PRESENT: Town Administrator, Steven Contente
Town Solicitor, Michael Ursillo, Esq
Town Sergeant, Archie Martins

Prior to the regular order of business, Chairman Calouro took a moment to explain Vice Chairwoman Parella's absence due to knee surgery and extended wishes for her speedy recovery.

A reminder was also provided that elections were to be held on Tuesday, November 5, 2024, and constituents were encouraged to get out and vote.

Motion RE: Consent Agenda - To Approve the Consent Agenda

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

A. Submission of Minutes of Previous Meeting(s)

A1. Town Council Meeting Minutes - October 9, 2024

Sweeney, Teixeira - Voted unanimously to approve these minutes as prepared and presented.

B. Public Hearings

C. Ordinances

- C1.** Ordinance No. 2024-18 Chapter 16 Motor Vehicles and Traffic, Article IX Residential Parking, Sec. 16-345 Designated residential parking streets (to include additional no overnight parking) **(1st Reading)**

Teixeira/Sweeney- Voted unanimously to consider this action to constitute the first reading of Ordinance #2024-18. Advertise in the local newspaper.

D. Licensing Board - New Petitions

- D1.** Joseph Diniz, VFW, 850 Hope Street re request for a Bingo License for the 2nd Thursday of every month through March 13, 2025, from 5:30 PM - 9:30 PM

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Fire Chief

Teixeira/Sweeney- 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.** Paula Morrisette, 21 Lisa Lane re one day Dancing & Entertainment License for the James D. Rielly Foundation - Santa House Opening Day Party, Saturday, November 23, 2024, from 4:00 PM to 6:30 PM at the Town Common

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Fire Chief

Teixeira-Sweeney- 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, petitioner Paula Morrisette addressed the council and thanked the council for their support. She explained the details of the 1st annual open-house party stating the house would magically appear from the north pole.

E. Licensing Board - Renewals

F. Petitions - Other

F1. Laura Scarpino, 15 Gorham Place re consideration to add streetlights on Gorham Place and Sheffield Avenue

a. recommendation - Town Administrator and Chief of Police

b. recommendation - Town Administrator and Director of Public Works

c. recommendation - Town Administrator and Director of Community Development

Sweeney/Teixeira- Voted unanimously to deny the petition for additional street lights and refer the matter to the Department of Public Works to review the existing lighting in the area. The department will assess whether adjustments can be made to the current lighting or if trimming tree branches obstructing the light could improve visibility.

Prior to the vote being taken, Clerk Cordeiro noted that the applicant Laura Scarpino notified her office that she was unable to attend, however her father Dave Scarpino would be present in her absence.

Chairman Calouro noted that the recommendation for the petition was to deny the request. He asked the department that provided this recommendation to share an overview of their considerations.

Director of Public Works Parella, addressed the council, explaining that several factors were considered, including the nature of the area, the existing lighting levels, any potential risks for vehicles and pedestrians, and whether any issues had been reported to the police. The review found no clear need for additional lighting, and the installation of new lights would also entail significant costs. There was also a concern that approving this request could set a precedent.

Director of Community Development Williamson added that the town's comprehensive plan includes a dark sky ordinance aimed at minimizing excess exterior lighting in residential neighborhoods to prevent unintended adverse effects. She noted that while these are not new streets, planning board regulations for new streets specify lighting spaced roughly 200 feet apart, whereas this request would place lights closer together than this standard allows.

Police Chief Lynch confirmed that no calls of service were made in the vicinity of the request.

Dave Scarpino of 932 Hope Street addressed the council and noted that Paull Street has four lights spaced evenly, while Gorham Street has only one. Although there are two lights at either end, they primarily face east-west along Hillside and Sheffield, providing limited north-south coverage. He added that coyotes are frequently seen in the Silver Creek area and often come up into this neighborhood at night. He proposed that the council consider evaluating whether the existing light on Gorham Street could be replaced with a brighter one to improve coverage, as it is currently the only light on the block.

F2. Myra Page, 423 Hope Street - Unit K, on behalf of The Friends of Linden Place re Bylaw Modifications to Article V, Section 3

a. Proposed Change to Article V, Section 3

b. The Friends of Linden Place Existing Bylaws (last AMENDED November 2021)

c. Proposed bylaws with amendments

Sweeney/Teixeira-Voted unanimously to approve the amendment to the by-laws as presented.

Prior to the vote being taken, applicant Mayra page of 423 Hope Street addressed the council, explaining an ongoing issue regarding appointed positions on the Linden Place board from the Town Council, the Historical Society, and the Art Museum. Originally, Linden Place's bylaws established that each entity could appoint a representative to serve as a voting board member, which made sense at the organization's inception when it was supported by town and bond funding.

She noted that, as the organization has grown and become financially stable, current bylaws require board members to be dues-paying members in order to vote. This requirement has created challenges with major funders, such as the Rhode Island Foundation and Champlin Fund, who expect all board members to contribute financially. Due to the appointed board members from these entities, the organization currently has to answer "no" to that question.

To address this issue while maintaining collaboration, Mrs. Page proposed that the Town Council appoint an annual advisor to the board rather than a voting member. This advisor would attend meetings, provide input, and act as a liaison without needing to meet the financial requirements of full board membership, thus aligning with the organization's bylaws.

Councilman Ley asked if Council approval was necessary for this change, and it was confirmed that it is required under the bylaws. Town Solicitor Ursillo noted that it is somewhat unusual for a public official to hold a position on a private board, but emphasized the importance of maintaining open communication and exchange of input between the parties. Town Solicitor Ursillo mentioned that a liaison role, as opposed to a formal board position, could still effectively facilitate this relationship, though the decision ultimately rests with the Council.

Councilman Ley also inquired about any potential issues with quorum, and it was noted that there were no significant concerns. Councilman Sweeney remarked on the expectations typically associated with board membership, including financial dues and regular attendance at meetings, which are also important for supporting grant applications. He indicated that, as a liaison, he and Councilwoman Parella could still provide input at annual meetings without needing to meet the financial or attendance obligations of a full board member. Councilman Sweeney concluded that the advisory role appeared reasonable to him and invited his colleagues to share their perspectives.

Councilman Teixeira asked if it would be possible to appoint someone as an ex officio member. Town Solicitor Ursillo

responded that this could be an option if the bylaws were amended to allow for ex officio members. He clarified that ex officio members would not be required to make financial contributions, which would address the issue of financial commitment. Town Solicitor Ursillo added that the bylaws would also need to specify the role and responsibilities of the ex officio member to ensure clarity. Additionally, he noted that this status could help avoid complications when applying for grants, as ex officio members would not be counted as active financial contributors in the same way as regular board members.

Linda DuBoise, President of the Friends of Linden Place, noted that she has not seen a Town Council representative attend a board meeting in 20 years. She explained that, according to the bylaws, board members who miss more than two-thirds of the meetings may be subject to removal—a rule rarely enforced for political reasons. The motivation behind the proposed change is to maintain an advisory relationship with the Town Council, allowing for easy communication when town-related issues arise without requiring regular meeting attendance or committee participation.

Ms. DuBoise emphasized that, as Linden Place is now financially independent from the town, it may no longer be practical to have an active voting board member from the Council unless they commit to full participation, as expected of other board members. An advisor role would allow for continued collaboration without compromising board requirements. She also mentioned that an ex officio role could imply more active participation, whereas an advisor role would better fit the organization's needs.

It was noted that both the Historic Society and the Arts museum have deferred to be advisors to the board.

Chairman Calouro asked if the meeting schedule is shared with the Council's liaisons, as he was unaware of the meetings. He emphasized that Council members Sweeny and Parella are liaisons to the board, and their absence should not be interpreted as a lack of interest or choice not to attend. He clarified that, while they serve as board liaisons appointed by the Council, they may not have known specific meeting dates.

Chairman Calouro highlighted the importance of effective communication and noted that the Council's connection to Linden Place is unique due to the initial taxpayer funds that supported the organization's establishment. He acknowledged the valuable work done at Linden Place but pointed out that its success was

partially enabled by public funding, a distinction that underscores the Council's role.

Chairman Calouro remarked that he is uncertain of the need for the town to hold a voting position on the board, although he acknowledged the points made on the matter. He clarified for the record that the Council's role as a representative of taxpayer contributions to Linden Place, whether those funds were provided recently or years ago, is significant. He emphasized that this taxpayer connection makes town representation on the board important.

Councilman Sweeney expressed concerns about the time commitment required to meet board obligations, stating that with his current responsibilities, he may not be able to take on additional duties. He noted that regular monthly board meetings are expected, though not all directly involve town-related issues. Additionally, it was noted that board members are expected to participate in monthly meetings and serve on committees, which may meet several times a month as needed.

There was confusion about the changes to be made in the bylaws. Mrs. Pae clarified that the changes would be as follows in article V section 3:

"3. Advisors to the Board of Directors. In addition to the Directors elected as stipulated in these By-laws, three (3) additional Advisors may be selected, one Advisor each, by the following: The Town Council of the Town of Bristol; the President of the Board of Directors of the Bristol Art Museum; and the President of the Bristol Historical and Preservation Society. These Advisors shall serve at the discretion of the appointing authority and their rights to serve shall not be terminated for any of these groups without a concurrent and supporting vote of the body involved provided, however, that said body remains in existence. These Advisors shall serve as advisors to the members of the Board of Directors and have voting rights of the Members of the Corporation except where stipulated in these By-Laws."

Mrs. Page clarified that once the Council approves the changes, the by-laws will still need final approval by the board and membership, which is scheduled for January 1st.

Councilman Sweeney requested that if there are any meetings requiring the advisor's attendance, both he and Mary be provided with specific calendar invites for those meetings to allow for better planning and attendance.

Clerk Cordeiro recommended that, once the by-laws are either accepted or denied, the Council should receive a final notification or copy so it can be placed on the consent agenda for notification.

G. Appointments

G1. Board of Tenants' Affairs (one two-year unexpired term set to expire January 2025)

a. Arthur Medeiros, 1014 Hope Street, H1 - interest/appointment

b. Donna M. Falcoa, 1014 Hope Street, Apt S5 - interest/appointment

Teixeira/Sweeney- Voted unanimously to appoint Arther Medeiros to the Board of Tenants' Affairs with a term set to expire in January 2025.

G2. Bristol Housing Authority - (one 5-year unexpired term set to expire January 2027)

a. Donna Falcoa, (tenant) 1014 Hope Street, Apt. S5 - interest/appointment

b. David P. Raposa, 19 Colonial Road - interest/appointment

Teixeira/Sweeney- Voted unanimously to instruct the Clerk to set a special meeting for interviews to be held at the next council meeting on November 20, 2024, or at the convenience of the parties.

Prior to the vote being taken, Chairman Calouro noted that he spoke with Clerk Corderio recently and, after consulting with the Solicitor, confirmed that Ms. Falcoa can be considered an additional tenant board member if the council wishes to do so. He clarified that, per the requirements, tenants interested in a board position must go through an election process. This includes holding a tenant meeting where candidates express

interest, followed by a formal proposal of the selected candidate to the Council.

G3. Rogers Free Library Board of Trustees - (one 3-year unexpired term set to expire January 2027)

a. Al Wroblewski, 24 Burton Street - Letter of resignation

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

G4. Historic District Commission - (one 3-year unexpired Auxiliary Member position set to expire July 2027 and one 3-year unexpired 2nd Auxiliary Member position set to expire July 2025)

a. Robert William Page, 423 Hope Street, Unit K - interest/appointment

Sweeney/Ley - Voted unanimously to instruct the Clerk to set a special meeting for interviews to be held at the next council meeting of November 20, 2024, or at the convenience of the parties

At the conclusion of the board appointments, Chairman Calouro took a moment to express his deep gratitude and appreciation for all members of the community who volunteer their time to serve on one of the town's many boards and commissions. He acknowledged the invaluable contributions of these individuals, recognizing their commitment to the betterment of the community. Chairman Calouro emphasized the importance of their selfless efforts in helping to shape and enhance the town's governance. On behalf of himself and the members of the council he extended a heartfelt thank you to all those who dedicated their time and expertise to the collective well-being of the community.

H. Old Business

H1. Town Clerk Cordeiro re Clarification of Sunday Dancing & Entertainment Licenses and Sunday Operating Hours

for Establishments **(Continued from September 18, 2024)**

Sweeney/Teixeira- Voted unanimously to refer this matter to the Town Solicitor to draft ordinance language adjusting outdoor establishment entertainment end times on Fridays and Saturdays to 11 pm, in alignment with the June 2023 motion, for Council review and consideration on November 20, 2024.

Prior to the vote being taken, Clerk Cordeiro reminded the Council about a discussion on September 18 regarding Sunday dancing and entertainment licenses, noting some confusion over the process for Sunday entertainment. After consulting with the Solicitor's office and reviewing the ordinance and state statute, it was confirmed that there is no distinction between entertainment licenses for Sundays versus other days of the week.

Clerk Cordeiro shared that, following discussions with the Chairman and the Solicitor's office, the Council had requested a letter be sent to establishments to clarify the Sunday process. The proposed approach is to reissue licenses to establishments, specifying the approved dates and times in alignment with their applications and town ordinances, and providing clear guidance on permitted activities.

Clerk Cordeiro also recommended that the Council consider amending the ordinance to reflect the June 2023 motion, which required outdoor entertainment on Fridays and Saturdays to end by 11 pm rather than midnight. This amendment would ensure clarity on Friday and Saturday outdoor entertainment hours and could be explicitly listed on the licenses.

Council members asked if the clarification will also specify the Sunday entertainment cease times and whether the Council wants to set any specific restrictions on Sunday entertainment licenses. Currently, Sunday outdoor entertainment is set to end by 10 pm.

For clarity, it was confirmed that:

- Outdoor entertainment ends at 11 pm on Fridays and Saturdays and at 10 pm on Sundays.
- Indoor entertainment may continue until midnight on Fridays and Saturdays, and until 10 pm on Sundays.

It was recommended that a motion be made to refer this to the Solicitor to amend the ordinance, ensuring it aligns with the Council's June 2023 motion, which modified outdoor establishment entertainment end times on Fridays and Saturdays to cease by 11 pm.

I. Other New Business Requiring Town Council Action

- I1.** Town Administrator Contente re proposed amendment to Chapter 11 Fees and Charges and Chapter 16 Parking Violation Schedule of the Town Code (modifications to parking fines, violations, and penalties)

Teixeira/Sweeney- - Voted unanimously to refer this matter to the Town Solicitor so that he may draft ordinance language for Council consideration on November 20, 2024.

Prior to the vote being taken, Town Administrator Contente noted that it has been many decades since parking fines were last adjusted, with most fines currently set at \$10. After reviewing rates in neighboring communities—Warren at \$20 and Portsmouth at \$30—it is recommended to raise the base fine to \$30. Certain violations, such as parking in a crosswalk or near a fire hydrant, would be set slightly higher, up to \$50. Town Administrator Contente emphasized that the current \$10 fine does not convey a strong message regarding the seriousness of parking enforcement. These adjustments are therefore recommended to better align with regional standards.

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

J. Bills & Expenditures

K. Special Reports

L. Town Solicitor

M. Executive Sessions

- M1.** Town Solicitor re request for Executive Session Pursuant to RIGL § 42-46-5(a)(2): Concerning Litigation, Elks Dock

Teixeira/Sweeney - Voted
unanimously to convene in
Executive Session pursuant to RIGL
Section 42-46-5 (a)(2) concerning
Litigation, Elk's Dock at 7:56PM.

Teixeira/Sweeney - Voted
unanimously to resume open session
and seal the minutes of the
Executive Session at 8:14PM.

Upon returning to open session, the Council deferred the motion
and vote to be addressed in public session. It is hereby noted
for the record that a:

Motion by Sweeney, seconded by Teixeira -
Voted unanimously to authorize an
expenditure of up to \$5,500 to Pare
Engineering for the evaluation of the Elks
Club engineering report.

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. Bristol Planning Board Minutes - September 12, 2024

(CA) AA2. Town of Bristol Housing Authority Minutes -
September 12, 2024

(CA) AA3. Rogers Free Library Board of Trustees Meeting - July
18, 2024

(CA) AA4. Bristol Zoning Board Minutes - September 3, 2024

(CA) BB. Budget Adjustments

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

(CA) BB1. Tax Assessor DiMeo re: Recommended Abatements &
Additions for October 30, 2024

(CA) CC. Financial Reports

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

(CA) CC1. Treasurer Carulli Year to Date Budget Report - October 21, 2024

(CA) DD. **Proclamations, Resolutions & Citations**

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

(CA) DD1. Proclamation for Red Ribbon Week October 23-31, 2024 (signed)

(CA) DD2. Proclamation Bristol Rotary 6686 95th Anniversary (signed)

(CA) EE. **Utility Petitions**

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

(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. Town Administrator Contente to East Coast Construction, Inc, Max Essery, President/Treasurer re bid award #1049- Independence Park Board Ramp and Stormwater Improvements

(CA) GG2. Town Administrator Contente to Schichtel's Nursery, Inc, Mark Schichtel, Owner re Award of Bid 1053 - Fall 2024 Tree Sourcing and Delivery

(CA) GG3. Town Administrator Contente to HG Landscaping Services, LLC, Hugo Godinez, Owner re Award of Bid 1054 - 2024-2025 Tree Planting Landscape Services

(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 Fourth of July Committee General Committee Meeting - October 17, 2024
- (CA) HH2. Bristol Fourth of July Committee Macaroni Supper Sub Committee Meeting - October 8, 2024
- (CA) HH3. Bristol Fourth of July Committee Commemorative Coin Sub Committee Meeting - October 8, 2024
- (CA) HH4. The North and East Burial Grounds Commission Meeting - October 9, 2024
- (CA) HH5. Planning Board Meeting - October 10, 2024
- (CA) HH6. Conservation Commission Meeting - October 15, 2024
- (CA) HH7. Harbor Commission Meeting - October 7, 2024
- (CA) HH8. Rogers Free Library Board of Trustees Meeting - October 17, 2024
- (CA) HH9. Capital Projects Commission Meeting - October 22, 2024
- (CA) HH10. Bristol Housing Authority Meeting - Meeting Schedule for 2025
- (CA) HH11. Bristol Planning Board, Technical Review Committee Meeting - October 22, 2024
- (CA) HH12. Bristol Fourth of July Ball Committee Meeting - October 28, 2024
- (CA) HH13. Bristol Fourth of July Jingle Mingle Committee Meeting - October 28, 2024
- (CA) HH14. Bristol Zoning Board Meeting - November 4, 2024
- (CA) HH15. Bristol County Water Authority Policy Committee Meeting - October 24, 2024
- (CA) HH16. Bristol County Water Authority Board of Directors Meeting - October 24, 2024
- (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"

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 8:16 pm.

Melissa Cordeiro, Town Clerk
Council Clerk