# TOWN COUNCIL MEETING

**May 17, 2016**

# ROLL CALL

Town Council Members present:

Kristine S. Trocki, President

Mary E. Meagher, Vice President

Blake A. Dickinson

Michael G. White

Thomas P. Tighe

Also in attendance:

Andrew E. Nota, Town Administrator

Christina D. Collins, Finance Director

Edward A. Mello, Police Chief

Peter D. Ruggiero, Town Solicitor

Cheryl A. Fernstrom, Town Clerk

# CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 5:36 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

# ACKNOWLEDGEMENTS, ANNOUNCEMENTS, RESOLUTIONS

# AND PROCLAMATIONS

## Acknowledgements

1. Jamestown Police Department - New England Association of Chiefs of Police - Community Policing Award: Presented by Chief John Desmarais of the Cumberland, RI Police Department and NEACOP Executive Board

President Trocki thanked the police officers in attendance and congratulated the Jamestown Police Department on this achievement on behalf of the Town Council and citizens of Jamestown. This Award recognizes the efforts of our police officers and the department staff in its ability to build trust and relationships in our community. It is an honor for the Jamestown Police Department and the Town to be recognized by the New England Association of Chiefs of Police. Hundreds of police agencies applied for this distinction, and Jamestown is one of only two communities in New England receiving this award due to their outstanding community policing program. Our police department has made great efforts in this endeavor and is committed to continuing the success of its community policing. Chief Mello, police officers, and staff members of the Jamestown Police Department are commended for this remarkable accomplishment. (Applause)

President Trocki introduced Chief Desmarais.

Chief John Desmarais of the Cumberland Police Department addressed the meeting and reviewed the New England Association of Chiefs of Police Community Policing Award. The award is given to an agency that has truly achieved and successfully completed a community policing program. It shows that the Jamestown Police Department has adopted the community policing philosophy in its day-to-day operations and their interactions with the community they serve. On behalf of Chief Theodore Smith of Lincoln, NH, he presents the award to Police Chief Edward Mello and introduced the NEACOP Executive Director, Retired Police Chief Jack Coyle of North Attleboro, MA.

Chief Coyle addressed the meeting and reviewed the NEACOP Committee, made up of Police Chiefs and representatives from Roger Williams University and Norwich University, and their task of scrutinizing applications for the Community Policing Award. Only two rose to the top – Jamestown, RI and Putnam, CT. He is proud to present this Award to Chief Mello and the Jamestown Police Department. (Applause) The Award was displayed.

Chief Mello thanked Chief Desmarais for his kind words about the Department and the programs implemented. He welcomes fellow Chiefs representing the New England Chiefs of Police Association and Rhode Island Police Chiefs Association: Retired Chief Jack Coyle of North Attleboro, MA, Chief Brian Sullivan of Lincoln, RI, Chief Gary Silva of Newport, RI, Chief Joseph T. Little Jr. of the RI Capitol Police, Retired Chief Peter King of Raynham, MA, and US Marshall Jamie Hainsworth, and acknowledged his chiefs, wife Linda and son Mason. He is honored to represent the Department, as this Award is due to their hard work and commitment. We have worked to define community policing and what it means to this community – building trust within the community by building relationships. It is important to build strong relationships between the police and the community to prevent problems; whether it is an officer who visits homebound citizens, the Touch-A-Truck event, Dodge Ball, reading to children, participating in the Fools Rules Regatta, or other activities that make connections and build trust. Often the work of police officers goes unnoticed and is over shadowed by critical headline stories or comments. It is important to be recognized by our peers for our accomplishments. It is important to recognize our police officers for their hard work and for moving forward with our community policing plans, and we will continue to build on what has been accomplished. Relationships require a true partnership, each giving and not just taking, finding solutions, not just engaging in divisive behavior. Jamestown is one of only three agencies in RI to receive this award. He is proud of the members of this Department who have worked hard and the residents who have worked together to build relationships. These efforts will build a stronger community partnership. Thank you. (Applause).

President Trocki thanked everyone, congratulated Chief Mello and all members of the Department, and thanked the visiting Chiefs for coming this evening.

## Resolutions and Proclamations; review and discussion and/or potential action and/or vote

### In Support of the Green Economy Bond: No. 2016-10

#### Bond Referendum Proposed in Governor’s 2016 Budget

President Trocki read the Resolution.

**A motion was made by Vice President Meagher with second by Councilor White to approve Resolution No. 2016-10 In Support of the Green Economy Bond. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Nay; Councilor White, Aye; Councilor Tighe, Aye. Motion passes by a majority vote in the affirmative.**

Councilor Dickinson commented he doesn’t agree with all of the assertions in the Resolution and is more interested in jobs development.

### Graduates Week, June 19-25, 2016: No. 2016-11

President Trocki read the Proclamation.

**A motion was made by Vice President Meagher with second by Councilor White to approve Proclamation No. 2016-11 Graduates Week, June 19-25, 2016. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

# PUBLIC HEARINGS, LICENSES AND PERMITS

*All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.*

**A motion was made by Vice President Meagher with second by Councilor White to convene as the Alcoholic Beverage Licensing Board for the Town of Jamestown and open the public hearing at 6:00 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Town Council Sitting as the Alcoholic Beverage Licensing Board

### **NOTICE** is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3 Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **NEW** license application has been received by the Town Council under said Act, for the period May 17, 2016 to November 30, 2016 (duly advertised in the *Jamestown Press* April 28th and May 5th editions):

#### 

**CLASS B – VICTUALER – LIMITED**

PP Jamestown, LLC

dba: Preppy Pig BBQ

35 Narragansett Avenue

Jamestown, RI 02835

Applicant comments: Attorney Anthony Giannini, representing Preppy Pig BBQ, introduced owner/operator Jason Pannone. They are requesting conditional approval of the liquor license until all requirements are met, would like to open for business the first week in June, and ask the Board to consider the application this evening.

Town Administrator Nota stated upon completion of the construction a number of requirements could be completed. As the next meeting is June 21st due to the Financial Town Meeting on June 6th, the public hearing is going forward this evening and the request for approval is before the Council. Signatures of the Fire Chief/Fire Marshall, Building/Zoning Official, and Water and Sewer Clerk, as well as the Department of Health Certificate, RI Sales Tax Permit, and proof of insurance are not provided. All will fall into place when construction is completed and the Certificate of Occupancy issued. The Council historically has not approved licenses without more approvals, but due to the date of the next meeting and the summer season upon us, they are asking for approval. If granted the license would be held in the Clerk’s Office until all permitting and signoffs have occurred. Mr. Pannone stated the construction should be completed in two to three weeks.

Councilor Tighe stated he cannot in good conscience grant this license application until all signatures are in place and all conditions are met. President Trocki stated we want to support new business in town, but the Council has a policy in place and in the past other businesses have been required to fulfill all requirements. She asks if the Council has any comments.

Councilor Dickinson noted last year there was a similar issue and a special meeting was scheduled to address the license. He would entertain an early June meeting to review the status of the project. Vice President Meagher asked if their plan was to open prior to June 21st.

Mr. Pannone stated yes, they do; in the past they have appeared before Councils to make sure they would have a conditional license granted before proceeding to construction due to the costs involved. If the liquor license was not granted, they would not move forward with the project. There are signoffs that cannot be obtained until construction completion.

Vice President Meagher is in favor of supporting business, but she also supports the concerns of Council members who want all conditions met. Solicitor Ruggiero commented on conditional granting and when all aspects are completed the liquor license could be issued. Councilor White has no problem with a conditional granting or a special meeting for review. President Trocki stated the Council has confidence in the proposed business but has concern for all conditions being met. The public hearing would be continued. Notice was given to abutting property owners and President Trocki asked for public input. There was no public comment.

President Trocki stated the Council will convene in a special meeting to address the liquor license application. Discussion continued.

**A motion was made by Vice President Meagher with second by Councilor White to continue the application of PP Jamestown, LLC dba: Preppy Pig BBQ to a special meeting on Tuesday, June 14, 2016 at 6:00 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President with second by Councilor Tighe to adjourn as the Alcoholic Beverage Licensing Board at 6:15 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Licenses and Permits

### Multi-License Application (new)

Victualing and Entertainment

#### PP Jamestown, LLC dba: Preppy Pig BBQ

Location: 35 D Narragansett Avenue

### Holiday License (new)

#### PP Jamestown, LLC dba: Preppy Pig BBQ

#### Location: 35 D Narragansett Avenue

**A motion was made by Vice President Meagher with second by Councilor White to continue the Victualing, Entertainment, and Holiday License for PP Jamestown LLC. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

# OPEN FORUM

*Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue*

## Scheduled to address. None.

## Non-scheduled to address

Richard Koster of West Reach Drive inquired about the Bond reviewed under Resolution No. 2016-10 adopted this evening and asked if it had anything to do with the Bike Path proposed across the reservoir.

President Trocki stated this is a State Bond. Town Administrator Nota explained this is State funding and not a Town bond. There may be funding for bike paths under this program if it is passed by the voters in November and the Town could apply for grant funding through the Green Economy Bond.

Mr. Koster asked if the cost of the bike path would be totally on the Town. He was informed if no grants were received the cost would be totally on the Town. Mr. Koster asked for an update and progress report on the Rights-of-Way Committee. Vice President Meagher informed him the Friends of the Jamestown Rights-of-Way is a private committee, not a Town committee; they have visited almost all ROW’s, and are preparing a report to submit to Council. Mr. Koster was recommended to contact the Conservation Commission who can give an update on the activities of the Friends of the Jamestown ROW’s. The Town did an update on ROW’s and the report is on file at Town Hall. Town Administrator Nota advised Mr. Koster to contact his office for Conservation Commission contact information and to obtain a copy of the 2013 ROW Report.

William Kelly of Reservoir Circle would like to bring to everyone’s attention the significant number of comments and compliments on the excellent improvements made at Ft. Getty. The Garden Club hosted a plant sale this weekend attended by many and everyone was impressed with a positive attitude towards what has been accomplished. He appreciates the dedication and professionalism of our Town staff, the Police Department is a fine example receiving the Community Policing Award, and they should be commended. The professionalism done by our individual departments, particularly DPW and specifically Ramon, our Town carpenter and jack of all trades, should be noted. Construction of bathrooms and other improvements at Ft. Getty are excellent additions and improvements to the Park. Mr. Kelly suggests everyone visit the Park to see the improvements.

President Trocki stated the Council appreciates his comments and the Ft. Getty improvements are quite an achievement at a significant savings to the taxpayers. Mr. Gray will be informed of this appreciation. Organizations will appreciate the improvements, which are ongoing.

Arlene Volpe Seraichyk of Melrose Avenue stated she walks every morning and noticed opossums in the trash cans, expressed concern these wonderful animals would land in the Central Landfill, and asked if she would be trespassing if she checked trash cans on her neighbors’ properties for opossums. She also asked about custody of a dog she has been taking care of for ten years whose owner recently died. Chief Mello suggested she call him about the opossums so this can be further discussed. She was also advised the dog ownership is not an issue for the Council, wait to see what happens, and seek legal help.

# COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

## Administrator’s Report: Town Administrator Andrew E. Nota

### June Meeting Schedule

### Town Administrator Nota referenced the FTM on June 6th, special meeting on June 14th, regular Council Meeting on June 21st, and Parks and Recreation Department Workshop on June 22nd covering information on grant applications in progress for improvements at the North Road Playground and Lawn Avenue Recreation Complex coordinated through Parks and Recreation Director Andy Wade. An email with all the June meetings will be forwarded to Council members. Library Building Committee members and school officials will be invited to the June 22nd session.

### AT&T Lease Renewal Discussions

### The AT&T lease expires in March of 2017, and the renegotiation process with the Town Administrator, Town Solicitor, and AT&T will commence in the next few weeks. This will be a rewrite of the existing lease, with reports back to Council. The new lease will bring in more revenue to the Town.

### Golf Course Lease Renewal Update

Mr. Nota has been communicating with Golf Course Operator Joe Mistowski and will meet with him. The goal is to have a one-year lease proposal for review at the June 21st Council meeting. This would be advantageous to the operator and Town, give us time to review the building process and develop an RFP, and reconnect with this project.

### Fire Station Project Bid Opening – Thursday, May 19th

Mr. Nota reports the opening of the second bid with the five companies who bid on the Fire Station Project is Thursday at 10:00 a.m. There has been an addendum process, all five companies have been interviewed, and based on a value engineering technique, ideas and concepts were exchanged to improve the costs associated with the project. We remain optimistic numbers will be more favorable than the initial opening, and a report will be before Council at the June meeting.

### Revised FTM Warrant

Mr. Nota reports that we received two warrants to amend the budget in excess of $10,000. C. Richard Koster proposed to amend the General Budget Capital Program by reducing the Bike Path Bridge Design from $40,000 to $0. Frank Prete of Frigate Street proposed to reduce the cost of the Police Protection line item to $1,097,904, a reduction of $600,000. The proposed budget reductions will be presented at the FTM and members of the community can speak on behalf of the warrants at that time. Today was the deadline to file budget amendments of $10,000 or more.

## Police Department 2015 Annual Report: Police Chief Edward A. Mello

Chief Mello noted the Council has had a copy of report for a number of weeks. He hopes the information provided is explanatory, comprehensive, and complete. Vice President Meagher asked him to address the report and meetings with the Leadership Council and sessions held at the Library. Chief Mello stated part of the department’s focus is community policing and the accreditation process, which Lt. Denault explained, and Ken Newman and Jim Rugh moderated the community policing session. The sessions gave an opportunity for feedback, make better inroads, provide information to the public, and engage the younger population of the community. The Police Department is meeting with the School Superintendent to review additional programs, and communications have improved. Councilor Dickinson asked about public input regarding police investigations and how complaints are handled. Part of building a relationship is determining how this could be done better, and he suggested bringing this up with the Leadership Council. Discussion ensued of the Leadership Council. Chief Mello stated the intent was to meet twice a year to keep the dialogue open. Vice President Meagher asked if it is achieving what was desired. Chief Mello stated yes, this is an opportunity to work on what information is out there and to improve relations with the public, and members of the Leadership Council are the ambassadors for their neighborhoods. Vice President Meagher would like to see it promoted more. She found the meeting very good, wished more people attended, and asked how more people could be brought into the meetings. President Trocki referenced the quiz at the Community Policing session and asked if the *Jamestown* *Press* would review it for an article. The quiz will be forwarded to Tim Riel. Chief Mello stated he will continue to keep the public engaged.

# UNFINISHED BUSINESS

## None.

# NEW BUSINESS

## Approval and Authorization for signing of Police Department Mutual Aid Agreements; review and discussion and/or potential action and/or vote

### City of Newport

#### Adoption of Authorizing Resolution: No. 2016-12

### Town of North Kingstown

#### Adoption of Authorizing Resolution: No. 2016-13

Chief Mello explained RI General Law (§45-422) provides for Mutual Aid Agreements with adjacent communities to share resources. The new standards under the accreditation process require review and renewal of Mutual Aid Agreements by the respective Councils every three years. We are approaching expiration of the agreements and it is time to renew.

**A motion was made by Councilor Tighe with second by Councilor Dickinson to approve the authorization and signing of the Mutual Aid Agreements with the City of Newport and Town of North Kingstown. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Award of Bid: Repower 22’ Ribcraft Vessel with 150 HP Motor to Conanicut Marine for an amount not to exceed $13,000 as bid as recommended by Jamestown Harbor Commission and Police Chief Edward A. Mello; review and discussion and/or potential action and/or vote

Councilor Dickinson recused on this issue and filed the appropriate form.

**A motion was made by Councilor Tighe with second by Vice President Meagher to approve the bid award for the repower of the 22’ Ribcraft vessel with 150 HP motor to Conanicut Marine for an amount not to exceed $13,000 as bid as recommended by the Harbor Commission and Police Chief Mello. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Recused; Councilor White, Aye; Councilor Tighe, Aye. Motion passes by a majority vote in the affirmative.**

# ORDINANCES AND APPOINTMENTS AND VACANCIES

## Appointments & Vacancies

### Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016); duly advertised (no applicants)

### Jamestown Housing Authority (One vacancy with an unexpired five-year term ending date of December 31, 2017)

#### Letter of resignation

##### Cheryl Main

We are still looking for a Zoning Board of Review Alternate and advertising will continue. A letter of resignation was received from Housing Authority Board member Cheryl Main. A letter of thanks will be sent to Cheryl Main for her services to the Town, and the vacancy will be advertised.

# CONSENT AGENDA

*An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately.*

**A motion was made by Vice President Meagher with second by Councilor Tighe to approve and accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Consent Agenda approved consists of the following:

## Adoption of Council Minutes

### May 2, 2016 (interview session)

### May 2, 2016 (regular meeting)

### May 2, 2016 (executive session)

## Minutes from Boards, Commissions and Committees

#### Jamestown Philomenian Library Board of Trustees (04/12/2016)

## CRMC Notices

#### May 2016 Calendar

## Zoning Abutter Notifications

### Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing May 24, 2016 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island at 7:00 p.m. upon the following: Application of Anthony W. Cafone, whose property is located at Seaside Drive, and further identified as Assessor’s Plat 3, Lot 155, for a special use permit from Article 6, Section 82-601 and Article 3 Section 82-314, High Groundwater Table, to construct a single family home, OWTS system and storm water control. Said property is located in a R40 zone and contains 14,400 sq. ft.

### Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing May 24, 2016 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island at 7:00 p.m. upon the following: Application of Cellco Partnership dba: Verizon Wireless (Town of Jamestown, Owner), whose property is located at 96 Howland Avenue, and further identified as Assessor’s Plat 9, Lot 152, for a special use permit from Article 6, Section 82-601 and Article 3 Section 82-301, Uses & Districts, to expand its existing equipment outbuilding by 84 sq. ft. for the installation of distributed antenna system equipment. Said property is located in a R8 zone and contains 22,797 sq. ft.

## Finance Director’s Report

## Holiday License Renewal Applications

### Alfred B. Bingell dba: House of Pizza

Location: 23 Narragansett Avenue

### The Island Scoop dba: The Island Scoop

Location: 79 North Road

## One Day Event/Entertainment License Applications

### Applicant: Rowland P. Barrett

Event: Barrett Wedding Celebration

Date: May 29, 2016

Location: Fort Getty Pavilion

### Applicant: Kristin Thornton

Event: Party

Date: June 17, 2016

Location: Fort Getty Pavilion

### Antonio Fonseca/Packaging & More, Inc.

Event: Customer Appreciation Day Party

Date: August 4, 2016

Location: Fort Getty Pavilion

### Applicant: Karen Pinheiro

Event: Birthday Party

Date: August 7, 2016

Location: Fort Getty Pavilion

### Applicant: Jon Mistowski

Event: 15th Annual Golf Tournament

Date: September 11, 2016

Location: Jamestown Golf Course

# COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

**A motion was made by Vice President Meagher with second by Councilor White to receive the Communications, Petitions, and Proclamations and Resolutions from other RI cities and towns. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Communications, Petitions, Proclamations and Resolutions from other RI Cities and Towns received consists of the following:

## Resolutions and Proclamations of other Rhode Island cities and towns

### Resolution of the East Greenwich Town Council Supporting House Bill 8005 Student Transportation Legislation Revisions

# AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

* Coyote population

# EXECUTIVE SESSION

*The Town Council may seek to go into Executive Session to discuss the following items:*

## Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (NAGE 68 and NAGE 69); review and discussion and/or potential action and/or vote in executive session and/or open session

## Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Town Administrator’s review process and timeline); review and discussion and/or potential action and/or vote in executive session and/or open session

**A motion was made by Vice President Meagher with second by Councilor Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining and Subsection (1) Personnel at 6:51 p.m.**

**Pursuant to RIGL §42-46-5(a) Subsection (2) and Subsection (1) the following vote was taken: President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Jamestown Town Council reconvened the regular meeting at 7:48 p.m. President Trocki announced that no votes were taken in the Executive Session.

**A motion was made by Councilor Tighe with second by Vice President Meagher to seal the Minutes of the Executive Session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

# ADJOURNMENT

**A motion was made by Councilor Tighe with second by Vice President Meagher to adjourn. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The regular meeting was adjourned at 7:48 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Town Solicitor

Finance Director