

TOWN COUNCIL MEETING
March 2, 2015

I. 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
Peter D. Ruggiero, Town Solicitor
Edward A. Mello, Police Chief
Christina D. Collins, Finance Director
Lisa Bryer, Town Planner
James Bryer, Fire Chief
Howard Tighe, Deputy Fire Chief
Michael Gray, Public Works Director
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:04 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

**III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS,
RESOLUTIONS AND PROCLAMATIONS**

A) Acknowledgements

- 1) Certificate of Recognition awarded to the Jamestown Tree Preservation and Protection Committee by the Rhode Island Tree Council for exceptional work and providing innovative leadership in advancing sustainable community forestry effort

The Council thanks the Tree Committee for their outstanding service and congratulates them on their Certificate of Recognition. Appointment of a member for the Tree Committee appears later in the agenda.

- 2) Designation of May 6th as Tom McAleer Day in Jamestown

Vice President Meagher noted the May 6th Exhibit of the works of Tom McAleer at the Jamestown Arts Center and his extensive paintings of Jamestown. Tom could be seen all over the Island painting. He died suddenly last August. He had a wonderful style, was a wonderful friend and a wonderful neighbor. Tom also worked for Life, Inc. developing art

programs for the developmentally disabled and established an art space called the Top Drawer Art Center to house their works. Mary would like to name May 6th in Tom's honor and lead a parade over to the Arts Center where an exhibit of his works will open. A Proclamation will be on the next agenda for adoption. Council members agree this is a fitting tribute to Tom McAleer.

A motion was made by Vice President Meagher with second by Councilor White to declare May 6, 2015 as Tom McAleer Day in the Town of Jamestown. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Council Tighe, Aye.

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

A) Public Hearings:

- 1) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 70 Traffic and Vehicles, Article III. Specific Street Regulations, Sec. 70-52 through Sec. 70-54; and Article IV. Stopping, Standing and Parking Sec. 70-84 through Sec. 70-87; duly advertised in the *Jamestown Press* February 19th edition
 - a) Memorandum of Police Chief Edward A. Mello with maps

A motion was made by Councilor Dickinson with second by Vice President Meagher to open the public hearing at 7:11 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Council Tighe, Aye.

President Trocki noted the ordinance amendment is a clean-up of language and gives the Police Chief the authority to call parking bans as needed. It defines stop intersections, road closures, and stop signs. Discussion of Watson Avenue ensued including the 40 ft. parking requirement from intersections. Vice President Meagher asked if the 40 ft. parking restriction from Pemberton Avenue and Watson Avenue could be relaxed. Public Works Director Gray stated this is consistent with other locations. Areas with the 40 ft. restriction was lessened were noted. Solicitor Ruggiero advised adopting the amendment as written and revise this portion at a future meeting after review by the Traffic Committee and when Chief Mello is in attendance.

No public comment.

A motion was made by Vice President Meagher with second by Councilor White to adopt the ordinance amendment. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Councilor Dickinson with second by Vice President Meagher to close the public hearing. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Council Tighe, Aye.

V. 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.

- A) Scheduled to address. None.
- B) Non-scheduled to address. None.

VI. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

A) Administrator's Report: Town Administrator Andrew E. Nota.
Mr. Nota referenced the items in his report that included the Economic Development Initiative, update on the progress of the East Ferry Lease, and additional information on the FY 2013-2014 Financial Audit.

Economic Development Initiative. Mr. Nota referenced the meeting he attended at the Newport Chamber of Commerce regarding a regional economic development initiative through the Newport Chamber for Newport County and Bristol County formed a year ago. Through an RFP process (funded by to the communities involved, excluding Jamestown, and a Van Buren Grant) consulting firm Tip Strategies was hired to conduct a study on the sustainability of such an organization. Release of the initial report is forthcoming, and tentative findings reveal a budget requirement of \$200,000 to \$300,000 for professional staffing in the first year. RIEDC showed support for this initiative. The cost to participate is unclear, and it is estimated smaller communities would be assessed \$5,000 to \$10,000. Mr. Nota feels Jamestown should have a voice in the initiative as it affects our community, but we must value the cost to participate with the potential impact. Follow-up meetings will continue and Mr. Nota will keep the Council apprised. Councilor Dickinson asked if this group would be working with the State and whether this would be a duplication of effort. Mr. Nota stated it is unclear at this time. Discussion ensued.

B) QDC Annual Report: James Rugh, QDC Representative.
The PowerPoint presentation on the Quonset Business Park Port of Davisville included:

- Total of 3,212 acres
- Over 200 companies
- More 10,000 jobs
- 2014 Highlights
 - Major expansion for Electric Boat
 - Gateway Office Phase 2 100% leased
 - Auto imports continue to grow at the Port
- Major New Tenants – Greencore, Edesia, and Neo Energy
- Opportunities
- Tennant Expansions/Improvements
- Port of Davisville Accomplishments
- Challenges
- Explanation and Discussion of Land Status Map

Mr. Rugh invited Council members to join the next tour of Quonset Davisville. Council members comment how business friendly the port is, the report was most informative, and thank Mr. Rugh for the presentation.

C) Jamestown Philomenian Library Report: Donna Fogarty, Library Director
Director Fogarty reports on the November workshop on emerging technologies in libraries. A lot of what was suggested as emerging technologies are already in use at the Jamestown Philomenian Library, and RI is ahead of the game. The initiative to merge Library catalogs was noted, which would allow sharing of books and information with many other libraries and institutions, including the collaboration on the local level between our Library and the Jamestown Historical Society. The AskRI database now offers downloadable periodicals at local libraries. Jamestown is right on target for technologically, and awarding of the bid for Cat6 cabling is later in the agenda. The Council thanked Donna for her report.

VII. UNFINISHED BUSINESS

A) Ordinance Review Committee: Adoption of Authorizing Resolution with discussion of Committee membership, Committee Charge, and possible appointment of Committee members.

President Trocki read Resolution No. 2015-04 Relative to the Establishment of an Ordinance Committee. The Committee will consist of two Council Members and Town Administrator, who will provide technical staff assistance as needed. Meetings will be posted. President Trocki and Vice President Meagher agree to serve on the Committee.

A motion was made by Councilor Dickinson with second by Councilor Tighe to appoint President Trocki and Vice President Meagher to the Ordinance Review Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

Meetings will be scheduled as needed, and staff will assist and attend meetings as needed.

VIII. NEW BUSINESS

A) FY 2015-2016 Budget: submission to Town Council
President Trocki thanked the Town Administrator, Finance Director and department heads for their efforts in producing the budget. Council will review the budget thoroughly during public sessions. Mr. Nota stated the budget includes a 1.96% budget increase. Noted were expected increases for electricity rates and operating expenses for EMS with the addition of Advanced Life Support (ALS). The updated schedule for budget work sessions, PAC Referendum, public sessions, and Fire Department Expansion Project public sessions were noted and debt service for both proposed projects is included in the budget. The first budget work session is March 9th at 6:00 p.m. Budget review discussion ensued and will be continued to the budget work session.

B) Harbor Budget: submission to Town Council, discussion and vote to approve

Town Administrator Nota gave an overview of the proposed Harbor Budget for 2015-2016 as unanimously approved by the Harbor Commission, including expenditures and capital programs adopted at their last meeting. Revisions to the budget as regards the Harbor ordinance, lease funds, asset inventory, and waterfront reserve funds were noted. Discussion ensued of infrastructure projects that could be done using those funding sources. Harbor is an enterprise fund; capital projects and equipment needs were addressed. Infrastructure projects are so extensive that fees for local beach passes and mooring fees could not support them and to do so would require a 30% increase in fees. All options were reviewed and the option approved for recommendation to Council includes the diverting of four additional revenue accounts – Fort Getty and West Ferry outhauls, beach permits, and the Fort Getty dock – realizing \$26,700 this year. Reevaluation of the six-year capital program and grant funding were discussed.

The Harbor Commission realized that annual capital contributions needed were less than the \$200,000 anticipated. Harbor supported no rate increases for 2015 and a 10% fee increase for 2016 for some categories for placement in the waterfront reserve. This budget stabilized the rates, and after discussion Harbor unanimously supported the budget before the Council this evening. Discussion ensued. The quantity of excess dollars no longer exists in the Operating Budget, but exists in dedicated infrastructure accounts, which is the basis of the proposal, and is a dramatic change from the past. It is the recommendation of the Town Administrator, Finance Director, and unanimous vote of the Harbor Commission, to support this concept and adopt the 2015-2016 Harbor Budget as presented and submitted, with the 10% mooring fee increase.

Councilor Dickinson introduced his presentation addressing the Harbor Operating Budget. As a Town Council member he wants the Harbor Budget to be simple to understand, transparent to the public, it is his role to challenge advisory committee budgets, and he has reservations with the mooring fee increases. An explanation of his reservations ensued. Each year Harbor prepares a budget consisting of operating and capital budgets. For the last three years there has been approximately \$43,000 each year in excess funding. As revenues tend to come in higher and not all funding allocated is expended, there is no justification for bringing in more fees and the 10% increase in mooring fees is not necessary. Raising rates on commercial operators is double jeopardy, and he cannot see any justification for a rate increase.

Vice President Meagher agreed some of the items have been over budgeted. However, maintenance of docks and harbors are speculative as storms like Sandy or Nemo cannot be anticipated and must be budgeted high in anticipation of such events. Town Administrator Nota stated Harbor needs to fund operating and capital budgets as defined in the Harbor Ordinance. With the current structure they need to generate more revenue annually to be able to fund the capital program they developed. Discussion ensued. Councilor Dickinson feels the Town should wait until the commercial leases are restructured before initiating any rate increases. Vice President Meagher noted only the Conanicut Marine lease is under negotiation. The capital money from the leases exits as those properties are assets owned by the taxpayers. The excess money becomes their capital budget, which is not appropriate.

The goal of the Harbor Plan is “. . . to maintain and improve public access to the waters of the town for the benefit of all user groups, including residents and non-residents, with or without boats, who seek to use town waters for passive and active recreation.” Councilor Dickinson questions whether the Harbor Commission has justified raising the mooring fee across the board, and that is his dilemma. President Trocki noted this is an extra 40 cent increase per foot for moorings. Lengthy discussion ensued.

Councilor White commented the waterfront fund is a fantastic idea. To summarize he believes Councilor Dickinson’s concern is the budgeting process for Harbor results in a surplus every year and a 10% fee increase is not necessary. Councilor Tighe asked if this should be continued to a meeting when Harbor could attend to explain the reasons for the proposed fee increase.

Public Comments.

Jerry Scott of Walcott Avenue commented on enterprise funds which depend on revenues from a dedicated source, and in this case, the town has now taken away that dedicated source, namely the lease funds.

Town Administrator Nota explained this is different and not the same as the Water and Sewer enterprise fund, as the town actually owns the assets.

Clifford Kurz of Rosemary Lane, Harbor Commission member, stated a lot of things have changed over time, and this is an area where change is needed in budgeting, especially regarding capital. The 10% will help us fund capital projects and we shouldn’t go back to the past.

Councilor Dickinson stated statistically you need to review the past, and based on the last three years, it is his opinion the increase is not needed; revenues are not flat and increase annually.

A motion was made by Vice President Meagher with second by Councilor White to approve the Harbor Budget as presented for 2015-2016.

Discussion. Harbor should keep up the good work in improving their budgeting process. This was a unanimous decision by the Harbor Commission and the Council should support their decision. The Council is supportive of this process going forward and the 10% increase was a unanimous decision by Harbor.

Back to the vote on the motion. **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.**

C) Taylor Point conditions and restoration (presentation); possible creation and appointment of Taylor Point Committee

- 1) Letter of Chair James Rugh re: Tree Preservation & Protection Committee Support for Taylor Point Steering Committee
- 2) Memorandum of Chair Maureen Coleman re: Conservation Commission Support for Taylor Point Steering Committee

Dennis Webster of Mount Hope Avenue and member of the citizens group Taylor Point Steering Committee gave a narrative on how the group was formulated. The Committee's vision is to restore the habitat at Taylor Point with native vegetation and to provide for safe and convenient public access to the shoreline. He proceeded with a PowerPoint presentation. The areas reviewed were:

- Taylor Point Cliffs - nine acres of vegetation with spectacular views and 1,600 feet of shoreline. Discussion involved accessibility, proposed erosion-resistant footpaths to the shoreline, and providing handicapped access.
- Potter Cove Beach – four acres with parking area at the south end, and a long beach and road embankment extending north used for water-related activities. Discussion involved erosion and erosion control and the CRMC map outlining erosion from 1939, 1975, and 2003.
- Inland Section – six acres of woods including native black cherry trees, shady footpaths, smothering vines, and thickets. Discussion involved its 25% destruction and that it is not too late to restore the damage.
- Sewer Outfall Section – two acres with 200 feet of shoreline, installation of sewer pipe under this section in late 1970's, and extensive erosion. Discussion involved restoration required.

The Committee plans to fix the problems by forming a non-profit organization, planned for March 28, 2015, develop a detailed plan, working with the Town Administrator and staff, and a detailed plan prepared over the summer, which would be ready for approval by the end of the summer or early fall. The Committee plans to prepare grant applications and put as little burden on the taxpayers as possible. The project will take several years to complete with volunteers and contractors, with work to begin in late 2015. A long-term maintenance and management system will be set in place once the project is completed. Timeline review ensued. Concept review ensued.

Council members express support for the Committee's plans and appreciate the excellent presentation. They seek Council approval for their non-profit, volunteer organization.

A motion was made by Vice President Meagher with second by Councilor White to approve the concept outlined by Dennis Webster, thank his committee of volunteers, and looks forward to the future plans. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

D) Drafting of letter to Senator Paiva Weed and Speaker of the House Mattiello objecting to the new State mooring fee: discussion and possible vote.

Vice President Meagher referenced House Bill 5257 to charge additional exorbitant mooring fees. Origin of the Bill is unclear, as beneficiary RIDEM did not request it. Our legislators should be informed Jamestown is on record as opposing this legislation. Other seaside

communities have opposed this legislation as well. Representative Ruggiero is not in favor of this legislation, and the Bill may be dead at this time.

A motion was made by Councilor Dickinson with second by Councilor White to draft a Resolution opposing this legislation. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

E) Planning Commission: Request to schedule Public Hearing for adoption of the Comprehensive Community Plan as amended and discussion of amendment of Planning and Zoning Regulations to be consistent with the Comprehensive Plan

A motion was made by Councilor Dickinson with second by Councilor Tighe to continue this agenda item to the next Town Council meeting until the Council completes its goals.

Discussion. This has been on the agenda several times. The goals are important and we should wait to vote to proceed to public hearing. Upcoming meetings and recent cancellations were noted. There is ample time to address this issue.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

IX. ORDINANCES AND APPOINTMENTS

- A) Appointments and Vacancies
- 1) Tree Preservation & Protection Committee (One vacancy with a three-year term ending December 31, 2017); interview completed
 - a) Request for Appointment
 - i) Paula Shevlin

A motion was made by Vice President Meagher with second by Councilor White to appoint Paula Shevlin to the Tree Preservation & Protection Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- 2) Charter Review Committee (Seven vacancies with a term ending date unspecified)
 - a) Request for Appointment
 - i) Anthony Antine
 - ii) James Rugh

The limit of seven members is the maximum. The application form is on the Town website for any interested candidates.

A motion was made by Vice President Meagher with second by Councilor Dickinson to
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continue this agenda item to the next meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

X. 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 Dickinson 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:

- A) Adoption of Council Minutes
 - 1) February 23, 2015 (interview session)
 - 2) February 23, 2015 (regular meeting)
- B) Minutes from Boards, Commissions and Committees
 - 1) Tree Preservation and Protection Committee (01/20/2015)
- C) Resolutions and Proclamations from other Rhode Island cities and towns
 - 1) Resolution of the Warwick City Council endorsing passage of House Bill 5044 regarding Taxation of Development Property
 - 2) Resolution of the Middletown Town Council opposing passage of House Bill 5257 relating to Waters and Navigation – Harbors and Harbor Lines
- D) CRMC Notices
 - 1) Notice of State Assent of Town of Jamestown File No. 2014-08-089 Shoreline Protection facility at Bay View Drive public hearing on Tuesday March 10, 2015 at 6:00 p.m., Conference Room A, Administration Building, One Capitol Hill, Providence, RI
- E) Holiday License Renewals:
 - 1) Conanicut Marine Services, Inc. dba: The Conanicut Store
Location: 20 Narragansett Avenue
 - 2) The Island Scoop dba: The Island Scoop
Location: 79 North Road
- F) Holiday and Peddler License Renewal:
 - 1) Lucky Ridge Co., LLC dba: Spinnakers Café Mobile Unit
Locations: East Ferry, Fort Getty, Mackerel Cove Beach Parking Lot
- G) Awarding of Bid: Installation of Cat6 Plenum Cabling for the Jamestown Philomenian Library computer network to JM Communications for an amount not to exceed \$13,495.00 (using ICC cable) as recommended by Library Director Donna Fogarty

XI. COMMUNICATIONS AND PETITIONS

A) Communications

- 1) Letter of Superintendent Carol A. Blanchette re: Town Council representation on the Strategic Planning Committee

Superintendent Blanchette requests that one member of the Town Council sit on the Strategic Planning Committee, and Councilor White is interested in serving.

A motion was made by Vice President Meagher with second by Councilor Dickinson to appoint Councilor Michael White to the Strategic Planning Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

XII. EXECUTIVE SESSION

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

- A) Pursuant to RIGL §42-46-5(a) Subsection (5) Real Estate (Fort Wetherill Boat Owners Association); discussion, and/or potential action and/or vote in executive session and/or open session

A motion was made by Councilor Dickinson with second by Vice President Meagher to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (5) to discuss Real Estate.

Pursuant to RIGL §42-46-5(a) Subsection (5) Real Estate the following vote was taken by the Jamestown Town Council to enter into Executive Session: 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 9:36 p.m. President Trocki announced that no votes were taken during the Executive Session.

A motion was made by Vice President Meagher with second by Councilor Dickinson to seal the Minutes of the executive session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White,

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 9:37 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

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Copies to: Town Council
Town Administrator
Finance Director
Town Solicitor