

TOWN COUNCIL MEETING
June 22, 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
Christina D. Collins, Finance Director
Edward A. Mello, Police Chief
Cathy Kaiser, School Committee Chair
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 7:00 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

- A) Acknowledgement
- 1) Swearing-in Ceremony for new Jamestown Police Officers Andrew Dutra, Ryan Bourque, and Michael Carrasquillo
 - a) Administration of the Oath of Office, Presentation of Certificates, and Pinning of Badges: Police Chief Edward Mello, Town Administrator Andrew Nota, and Council President Kristine Trocki

Police Chief Mello addressed the Town Council, audience, new Police Officers and their family and friends in attendance. New Dispatcher David Carrillo was introduced. (applause)

Chief Mello highlighted the competitive recruitment process, 22 week extensive training at the Municipal Police Academy, 14 weeks of additional field training with a senior officer, and 12 months of monitoring and evaluation each officer must complete. The officers have been on the job since May 22nd. Chief Mello explained the higher level of professionalism and expertise expected of police officers. He advised them to treat everyone they encounter with respect, uphold the law, and be fair. With every action, you

not only represent yourself, but the over 900,000 law enforcement officers across the country. Remember that compassion is free, but respect must be earned.
(applause)

Chief Mello introduced Officer Andrew Dutra; Bishop Hendricken High School and Rhode Island College graduate. Town Council President Trocki administered the Oath of Office. Officer Dutra's mother pinned his police badge on. (applause)

Chief Mello introduced Officer Ryan Bourque; Bishop Hendricken High School and University of Rhode Island graduate. Town Council President Trocki administered the Oath of Office. Officer Bourque's mother pinned his police badge on. (applause)

Chief Mello introduced Officer Michael Carrasquillo; Chariho High School and University of Rhode Island graduate. Town Council President Trocki administered the Oath of Office. Officer Carrasquillo's mother pinned his police badge on. (applause)

Chief Mello stated this is and always will be the most admirable professional there is, and congratulations. (applause)

President Trocki, on behalf of the Town Council, welcomed the new officers to the Jamestown community, expressed pride in having them on board, and extended congratulations and thank you for their hard work and accomplishment. Councilor Dickinson thanked the new officers and their families for completing the steps to become a member of the Jamestown Police Department, stated they will make a positive addition to the department, and congratulated them. (applause)

Reception. A ten minute recess was called at 7:16 p.m. for a reception in the Conference Room in honor of the new police officers. The regular meeting resumes at 7:30 p.m.

B) Proclamation: No. 2015-12 Honoring Frederick W. Brown, Building/Zoning Official.

President Trocki read the Proclamation honoring Fred Brown on the occasion of his retirement.

A motion was made by Vice President Meagher with second by Councilor White to adopt Proclamation No. 2015-12. Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IV. 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) Public Hearing

- 1) Proposed Amendment of the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles Article IV. Stopping, Standing and Parking, Sec. 70-

87 Prohibited or Restricted Parking on Specified Streets; Sec. 70-91 Jamestown Resident Overnight Parking Permit Program (add NEW); and Sec. 70-92 Parking Restriction Waiver (add NEW); duly advertised in the *Jamestown Press* June 11, 2015 edition

A motion was made by Vice President Meagher with second by Councilor Tighe to open the public hearing at 7:33 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

Police Chief's comments.

Police Chief Mello stated the ordinance review and amendment process was vetted through the Traffic Committee. It includes no parking on both sides of Hull Street, no parking on Helm Street from the intersection of Tashtassuc Road to the intersection of Hull Street, and no parking on the even side for the rest of Hull Street. It includes the south Shores area from Route 138 south to Helm Street, with no parking on the even side for the neighborhood.

Overnight parking is not allowed, but has not been enforced. The new Sec. 70-91 provides for a "Resident overnight parking permit program." Overnight parking permits are obtained and tracked through the Town Clerks Office and limited to no more than five per parcel of land to vehicles with a 7000 GVW or less. The first two permits are provided at no cost, with a \$5.00 fee for each additional permit. Violations and fines shall be enforced pursuant to the provisions of Sec. 70-24. The new ordinance revision begins in the Shores area and will become town-wide. New signage will be installed as needed and the digital VMS sign will be used. Warning tags will be issued for seven days prior to the issuance of violations and fines so that residents can adjust to the new program.

The new Sec. 70-92 "Parking Restriction Waiver" provides an application process through the Chief of Police for a short-term, temporary parking restriction waiver not to exceed 48 hours. This would make accommodation for special events and application should be made several days in advance.

Town Council comments.

President Trocki asked what precipitated the proposed ordinance revisions, and she was informed complaints by area residents regarding non-resident overnight parking and concerns for public safety, due to road width and safe access for emergency vehicles. Areas of concern in the north Shores area were noted and will be addressed in the future.

Vice President Meagher commented on Seaside Drive, ordinance language, signage, high-traffic Hull Street that serves as a connector, area residents not in favor of the no parking regulations, and maintaining the quiet character of the neighborhood.

Discussion ensued of revising the language to reflect “south of Hull Street” and “north of the bridge” the current regulations still apply. No overnight parking will remain in effect for the rest of the Town.

Councilor White commented this is a step in the right direction. Councilor Dickinson supports efforts to solve the problems, but has reservations with implementing Sec. 70-91. He hopes we can work the bugs out of it and give folks time to get accustomed to implementation of the new regulations.

Vice President Meagher commented Newport has a similar system, which our ordinance is modeled after, and charges more for overnight parking. President Trocki noted this is a way to manage overnight parking all across the Island and this section is a good test area. Solicitor Ruggiero stated Chief Mello can implement the ordinance and its conditions as he sees fit. Councilor Tighe stated he has no additional comments, and Chief Mello represented the Traffic Committee’s determination of the issues and what is needed.

Public comments.

William Johnstone of Summit Avenue asked if the ordinance amendment would affect his area. He was informed this would not, and he is scheduled to speak under Open Forum where his issue would be discussed.

Gail Taylor of Bow Street noted the references in the newspaper to speed bumps as an option. She was informed there will be no speed bumps installed in the Shores.

Bob Crooks of Hull Street commented on the issues that led to the proposed amendment, including disturbances that occurred on the lower end of Hull Street; if there are problems in the Shores area, the conditions being imposed on Hull Street should apply to all of the streets in the area.

Bob Grenier of Hull Street noted problematic issues that have been ongoing since before construction of the new Jamestown Bridge. Public safety, noise, debris, attitude, parking, trespassing, and inconvenience to area residents and other issues caused by non-resident fishermen were referenced and discussed at length.

Ada Haskell of Seaside Drive gave examples of overnight and daytime parking on weekends and weekdays that block parking for area residents and the inconvenience it causes.

Timothy Yentsch of Gondola Avenue, Traffic Committee member, inquired about penalties for violating the revised ordinance and expressed concern that parking will just move north of the bridge.

Councilor Tighe stated the violations are listed in Sec. 70-24, with a \$25.00 fine, which can be imposed multiple times for continued parking. This can also go to State Traffic Court for repeat offenders and failure to pay imposed fines. Councilor Dickinson

supports towing of vehicles for repeat violations. President Trocki stated this is a beginning and once adopted can be revised as needed. Discussion continued.

A motion was made by Vice President Meagher with second by Councilor Tighe to adopt the Ordinance revision as amended in the section reading “no parking even numbered side of Seaside Drive south of Hull Street”. 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 Councilor Tighe to close the public hearing at 8:15 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor 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.

1) William Johnstone of Summit Avenue – Linden Street. Town Administrator Nota’s memo and maps of the area located around the intersection of Summit Avenue and Linden Street where Mr. Johnstone lives was noted. Mr. Johnstone commented on his appearances before the Council, with Town personnel, and the Police Department requesting assistance. He referenced recorded deeds that are not correct, trouble with an abutting property owner, illegal creation of a road by a neighbor, that he doesn’t want any problems, and that no one is helping him. Lengthy discussion ensued. Mr. Johnstone stated that property surveys were never performed that should have been and there are numerous issues that must be rectified. He feels he is being harassed and cannot go down the road without being harassed by his neighbor, who came after him with a truck. Mr. Johnstone stated he is going to take this to the Federal government.

President Trocki stated the situation has been reviewed by the Town Administrator and Town Solicitor. This issue does not regard Town property as Linden Street is not a Town road and has never been accepted by the Town, does not own Linden Street, and this is actually a private property dispute between neighbors. The Town Council does not get involved in private property disputes, and Mr. Johnstone needs to find a civil attorney to assist him. Mr. Johnstone contends he should be able to access Linden Street without harassment.

Solicitor Ruggiero stated Linden Street is not town property and the town has no jurisdiction over it as it is private property. When the plat was created the developer left that right-of-way and named it Linden Street, which is called an incipient dedication, and the only way that street becomes public is if the Town Council accepted the street as public property. There is no evidence, no documentation, it was ever accepted by the Town Council as public property, and absent the Council action remains private property.

Every person whose lot was part of the subdivision has access to Linden Street. Mr. Johnstone stated his neighbor thinks he owns the road, won't let him pass, and has improved the road. He wants the harassment to stop. Mr. Johnstone was informed he needs an attorney to assist him otherwise the problem cannot be solved. Mr. Johnstone stated he cannot afford a lawyer. He was given the telephone number for the Volunteer Lawyers Program through the RI Bar Association for assistance. Lengthy discussion continued. Mr. Johnstone was advised to contact the Police Department if he feels threatened.

Town Administrator Nota agreed Mr. Johnstone is well organized, and has done a great deal of research. A number of Town departments have spent a great deal of time assisting him in trying to mitigate the problems that exist between Mr. Johnstone and his neighbors. We will continue to work with him to help educate him in order to resolve the issues.

B) Non-scheduled to address. None.

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

A) Administrator's Report: Town Administrator Andrew E. Nota.

1) Clarke Street Substation.

Mr. Nota reported he and Public Works Director Gray will meet with National Grid later this week. The project is moving forward, and it is hoped an updated timeline will be available by the end of the week. Crews are working and trying to expedite the project with completion by winter. National Grid has been cooperative and gone above and beyond what is required.

2) Simpatico Jamestown status report.

Mr. Nota reported as of last Friday, Fire Chief Bryer and Building Official Brown signed off on the fire alarm system and issued the certificate of occupancy, and Simpatico is operational and provided alcohol service to the expanded area of the restaurant this past weekend.

3) Filming at Veteran's Square

Mr. Nota reported a commercial was shot in Jamestown and viewed on television. The well-intentioned organization did not follow proper protocols to film on town property. Permission for filming on town property was reviewed, including insurance requirements. If filming in town is noticed, the Town should be notified to affirm that all proper steps have been fulfilled.

4) The segment of the Governor's budget regarding a rental tax was referenced. It looks favorable approval will occur and its impact would be felt by southern coastal RI communities. Properties rented for less than 30 days will be affected by an 8% tax. Properties rented for less than the entire structure could realize a 7% sales

tax and an additional 6% for a total of 13%. More discussion is expected and implementation may be delayed to January 1st. There are many community members opposed to the proliferation of rental properties. This will be followed and the Council informed what transpires. There is an opportunity for increased revenues, as well as many drawbacks for residents. Discussion ensued of rental registries.

B) First Quarter 2015 GZA Monitoring Report: Public Works Director Michael C. Gray

Mr. Nota stated this is an excellent report, reflecting no exceedances of drinking water quality standards. Sampling revealed that all categories are decreasing, which is good news. The EPA forwarded a letter stating the landfill has been reviewed by the Superfund Assessment Group, noted the site is no longer an appropriate candidate for further remedial action, and should be archived. This is more good news. Monitoring will continue.

VII. UNFINISHED BUSINESS

A) Antonio Pinheiro: Request for Town Council permission to place a portable tidal powered upweller system at the Fort Getty Dock, required by CRMC as part of the aquaculture project application, continued from May 18, 2015

Mr. Pinheiro stated he is in attendance to hear the Town Administrator's determination. Town Administrator Nota stated he reviewed Mr. Pinheiro's proposal with Planning and received information forwarded by the Conservation Commission and Harbor Commission. The Town is not adverse to the concepts proposed for an aquaculture project, but challenged with review of the Zoning Ordinance, Harbor Plan and Harbor Ordinance which do not address this issue as currently framed to operate out of a slip at Fort Getty, manage a commercial business from a boat at the location, and the ability to transfer product. The Ordinance and Plan are silent on the operation of a business at the pier. In order for Mr. Pinheiro to move forward, the Town must support his application. At this time it is difficult for Town staff to react as the regulations in place are silent. Such operations are usually structured differently than in a boat. As it is late in the season, it is his recommendation not to approve an application for 2015, but to allow Town staff to work with CRMC in several areas. Mr. Nota will observe a CRMC demonstration of upwellers in use in North Kingstown, which may help in determining if this could work at Fort Getty. Perhaps there is an alternative to installing an upweller on the slip.

Mr. Pinheiro referenced other commercial operations in the area and explained how his operation would work. Storage or transport of products is prohibited by the Town's ordinances; equipment storage and fishing is allowed by special use permit as long as it is permitted by the Harbor Management Ordinance and Harbor Management Plan. Vice President Meagher inquired about the season for this type of operation. Mr. Pinheiro stated it depends on water temperature traditionally starts in the spring. The Council reiterated their support for aquaculture, but expressed concerns on how the operation

would be managed. The operation may not be able to go forward this year, but perhaps there could be a better alternative for next season. Discussion ensued. Mr. Pinheiro would have to go before the Zoning Board for a special use permit. This proposal differs from others due to the permanence of the upweller.

Solicitor Ruggiero stated it is difficult to approve such an application as there are more questions than answers. The dilemma is that this is a new idea. President Trocki stated a thorough review of the proposed operation at Fort Getty is required. Evaluation of the infrastructure as well as insurance and numerous other issues require review, many policy decisions must be made, and it is difficult for this to happen this year. Mr. Pinheiro referenced other operations at Fort Getty. He was informed the comparison between those operations and his proposal cannot be compared. Everyone is trying to support this proposal, Council is supportive of the concept of aquaculture, but it is going to take time, as the town is responsible for making the right decision. Discussion continued. Councilor Dickinson commented on the speed of government and understands the frustration. He asked Mr. Pinheiro to continue to work with the Town Administrator. Mr. Pinheiro thanked the Town Council for their time.

- B) Church Community Housing Church Community Housing Corporation Affordable Housing – 147 Beach Avenue; discussion and/or action and/or vote to approve the following:
 - 1) Request for a repayable construction loan from the Jamestown Affordable Housing Trust Fund in the amount of \$122,632, continued from the May 18, 2015 agenda

Vice President Meagher commented on her request to confirm this is the type of action this fund was set up to address. Finance Director Collins stated there is approximately \$63,000 available in the other affordable housing fund, and \$207,368.00 would be available in the revolving fund after the repayable construction loan is granted.

A motion was made by Vice President Meagher with second by Councilor White to approve the repayable construction loan for 147 Beach Avenue in the amount of \$122,632. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

VIII. NEW BUSINESS

A motion was made by Vice President Meagher with second by Councilor White to address New Business Item B) first. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- B) Building and Zoning Official; discussion and/or potential action and/or vote
Town Administrator Nota explained the process to find a new Building and Zoning Official and thanked Mr. Costa for coming this evening. Mr. Costa's extensive experience, certifications, and qualifications were noted. The search committee
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unanimously determined Mr. Costa was the most qualified candidate for the position. Mr. Nota recommends Christopher Costa for Council affirmation for the Building/Zoning Official position. President Trocki commented on Mr. Costa's credentials and experience.

A motion was made by Councilor Tighe with second by Councilor White to affirm Christopher Costa as the Building and Zoning Official as recommended by the Town Administrator. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A) Awarding of Bids

- 1) New police car: 2014 Ford to MQH Ford, under the Plymouth County Contract, for an amount not to exceed \$29,757.00 as bid as recommended by Police Chief Edward A. Mello

A motion was made by Vice President Meagher with second by Councilor White to approve the bid for the new police car to MQH Ford for an amount not to exceed \$29,757.00 as recommended by Chief Mello.

Discussion. The intended use for the vehicle was discussed. Chief Mello stated the intended use is as a marked police vehicle.

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

- 2) Road Paving: to Cardi Corporation as recommended by Public Works Director for amounts listed below as bid and not to exceed

| | | |
|--------|---------------------------|--------------------|
| Item 1 | Bituminous Surface Course | \$68.49 per Ton |
| Item 2 | Bituminous Binder Course | \$70.49 per Ton |
| Item 3 | Pavement Reclamation | \$1.90 per Sq. Yd. |

A motion was made by Vice President Meagher with second by Councilor Dickinson to approve the bid for Road Paving to Cardi Corporation as recommended by Public Works Director Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- 3) Vacuum Truck: to Altrui Brothers Truck Sales, Inc. for an amount not to exceed \$206,516 as bid and for an amount not to exceed \$152,493.00 from the general fund as recommended by Public Works Director Michael C. Gray

A motion was made by Vice President Meagher with second by Councilor White to approve the bid for the Vacuum Truck to Altrui Brothers Truck Sales, Inc. for an amount not to exceed \$152,493.00 from the general fund as recommended by Public Works Director Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- 4) New Trash Ejector Trailer: to Warren Trailer, Inc. for an amount not to exceed \$93,285 as bid as recommended by Public Works Director Michael C. Gray

A motion was made by Vice President Meagher with second by Councilor Dickinson to approve the bid for the new Trash Ejector Trailer to Warren Trailer, Inc. for an amount not to exceed \$93,285.00 as recommended by Public Works Director Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- 5) Trailer Mounted Diesel Powered Portable Generator: to ATS Equipment for an amount not to exceed \$38,500 as bid as recommended by Public Works Director Michael C. Gray

A motion was made by Vice President Meagher with second by Councilor White to approve the bid for the new Trailer Mounted Diesel Powered Portable Generator to ATS Equipment for an amount not to exceed \$38,500.00 as recommended by Public Works Director Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

A) Ordinances

- 1) Amendment of the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles Article III. Specific Street Regulations Sec. 70-52 Stop Intersections; discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* for public hearing on July 6, 2015

A motion was made by Vice President Meagher with second by Councilor White to proceed to advertise for public hearing at the July 6, 2015 Council meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

B) Appointments & Vacancies.

The appointments and vacancies were read by President Trocki. Only the Jamestown Fire Department Compensation Committee Member at Large vacancy has more than one applicant. Discussion ensued of the Tax Board of Review Member who will be out of town for the coming year. One appointment can be made and the other appointment held for further review.

- 1) Affordable Housing Committee (Two vacancies with a three-year term ending May 31, 2018); duly advertised
 - a) Request for reappointment
 - i) Heather Lopes

- b) Letter of Resignation
 - i) Derek Hansen

A motion was made by Vice President Meagher with second by Councilor White to reappoint Heather Lopes to the Affordable Housing Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A letter of thanks will be sent to Derek Hansen for his services to the Town. Mr. Reardon, a previous applicant for Affordable Housing, will be contacted to determine if he is still interested in serving.

- 2) Board of Canvassers Member (One vacancy with a six-year term ending March 2, 2021); Recommendation to come from Political Parties
 - a) Recommendation of Democratic Town Committee
 - i. Carol Nelson Lee (current member)
 - b) Recommendation of Republican Town Committee
 - i. Hugh Murphy
 - ii. Rita Antine
 - iii. Mary Lou Sanborn

A motion was made by Vice President Meagher with second by Councilor White to reappoint Carol Nelson Lee to the Board of Canvassers. 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.

- 3) Coastal Resources Management Council (One two-year term ending May 31, 2017); duly advertised
 - a) Letter of resignation
 - i. Shawn Mayers

A letter of thanks will be sent to Shawn Mayers for her services. Advertising will continue.

- 4) Fire Department Compensation Committee Fire Department Representative (Two vacancies with a three-year term ending date of May 31, 2018); duly advertised
 - a) Term Limit Reached
 - i. Paul Balzer
 - b) Term expiring
 - i. Ronald Barber

Paul Balzer has reached his term limit and will be sent a letter of thanks for his services. Ron Barber has not submitted a request for reappointment, and this item will be continued.

- 5) Fire Department Compensation Committee Citizen at Large (One vacancy with a three-year term ending date of May 31, 2018); duly advertised
 - a) Request for reappointment
 - i. Jerome Scott
 - b) Request for appointment
 - i. Susan Hoagland

Susan Hoagland will be interviewed prior to the regular meeting on July 6, 2015.

- 6) Tax Assessment Board of Review (Two vacancies with a three-year term ending date of May 31, 2018); duly advertised
 - a) Request for Reappointment
 - i. Richard Allphin
 - ii. Joan McCauley
 - b) Letter of recommendation for reappointment by Tax Assessor Gray
 - i. Joan McCauley

A motion was made by Vice President Meagher with second by Councilor Tighe to reappoint Richard Allphin to the Tax Assessment Board of Review. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The appointment for the other member position will be continued.

Vice President Meagher noted new taxpayers in Jamestown – Andrew and Michelle Nota. Congratulations!

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 Michael White 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) Approval of Council Minutes
 - 1) June 1, 2015 (financial town meeting)
 - 2) June 8, 2015 (regular meeting)
- B) Minutes of Boards, Commissions and Committees
 - 1) Jamestown Conservation Commission (02/10/2015)
 - 2) Jamestown Conservation Commission (03/10/2015)
 - 3) Jamestown Conservation Commission (04/21/2015)

- 4) Jamestown Philomenian Library Board of Trustees (04/14/2015)
 - 5) Jamestown Philomenian Library Board of Trustees (05/12/2015)
- C) Abatements/Addenda of Taxes
- 1) Properties
 - a) Plat 1 Lot 24 \$ 294.88
 - b) Plat 9 Lot 154 \$3,452.98
 - c) Plat 14 Lot 139 \$3,247.88
 - 2) Motor Vehicles
 - a) Correct Valuation \$ 969.42
- D) Finance Director's Report
- E) One Day Event/Entertainment License Applications
- 1) Applicant: Jamestown Rocket Hogs
 Event: Annual Independence Day Fireworks
 Date: July 5, 2015
 Location: East Ferry Town Square

Please note: The Fireworks Display will be **July 5th**.

XI. COMMUNICATIONS, PETITIONS AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RI CITIES AND TOWNS

A motion was made by Councilor Dickinson with second by Councilor Tighe to move Communication No. 3) to the July 6, 2015 Water and Sewer Meeting and Town Council Meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Conservation Commission recommendation regarding "Race the State" was referenced.

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

The Communications, Proclamations and Resolutions received consists of the following:

- A) Communications
- 1) Memorandum of Conservation Commission Chair Maureen Coleman re: Pinheiro Aquaculture Project
 - 2) Memorandum of Conservation Commission Chair Maureen Coleman re: "Race the State" Mackerel Cove-Sheffield Cove
 - 3) Memorandum of Conservation Commission Chair Maureen Coleman re: Reservoir Trail Public Access
 - 4) Invitation of Attorney General Peter F. Kilmartin to 17th Annual Open Government Summit, July 31, 2015
 - 5) Letter of Narragansett Town Administrator Pamela Nolan requesting support for the Narragansett Town Council's Opposition to Senate Bill

- 0961 and House Bill 6278 re: Police and Firefighter Overtime
- 6) Letter of Attorney James Donnelly to RIDEM Office of Water Resources re: OWTS Permitting Application 1415-1699, objection to variance request
- B) Resolutions and Proclamations from other RI Cities and Towns
- 1) East Greenwich Town Council Resolution requesting the RI General Assembly support legislative initiatives to allow municipalities the flexibility to determine whether or not to hold school on Primary Day, Election Day, or Columbus Day
 - 2) Charlestown Town Council Resolution Opposing House Bill 6100 and Sub A “An Act Relating to Agriculture and Forestry – Right to Farm”
 - 3) Exeter Town Council Resolution Opposing House Bill 6100 and Sub A “An Act Relating to Agriculture and Forestry – Right to Farm”

XII. EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) pending litigation (Paicos v Town of Jamestown); discussion and/or potential action and/or vote in executive session and/or open session
- B) Pursuant to RIGL §42-46-5(a) Subsection (2) collective Bargaining (IBPO contract negotiations); discussion and/or potential action and/or vote in executive session and/or open session
- C) Pursuant to RIGL §42-46-5(a) Subsection (1) personnel (Town Administrator); 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 White to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) pending litigation, Subsection (2) collective bargaining, and Subsection (1) personnel.

Pursuant to RIGL §42-46-5(a) Subsection (2) pending litigation, Subsection (2) collective bargaining, and Subsection (1) personnel the Jamestown Town Council voted to enter into Executive Session as follows: President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Jamestown Town Council reconvenes its regular meeting at 10:33 p.m. President Trocki announced that no votes were taken in the executive session.

A motion was made by President Trocki 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, Aye; Councilor Tighe, Aye.

A motion was made by President Trocki with second by Councilor Dickinson to

authorize the Town Solicitor to proceed with a settlement agreement in the litigation matter involving Kevin Paicos, and further authorize the Finance Director to make payment in furtherance of the settlement. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Vice President Meagher with second by Councilor Tighe to approve the IBPO Union contract as ratified by the membership. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Vice President Meagher with second by Councilor White to give the Town Administrator a 2.5% raise effective July 1, 2015. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 10:35 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Solicitor