

**TOWN COUNCIL MEETING**  
**September 2, 2014**

**I. ROLL CALL**

Town Council Members Present:

Kristine S. Trocki, President  
Mary E. Meagher, Vice President  
Thomas P. Tighe  
Eugene B. Mihaly  
Blake A. Dickinson

Also in Attendance:

Andrew E. Nota, Town Administrator  
Peter D. Ruggiero, Town Solicitor  
Christina D. Collins, Finance Director  
Lisa Bryer, Town Planner  
Maureen Coleman, Conservation Commission Chair  
Michael Glier, IT Director  
Michael Gray, Public Works Director  
Justin Jobin, GIS Coordinator/Environmental Scientist  
Cathy Kaiser, School Committee Chair  
Edward A. Mello, Police Chief  
William Piva, Parks and Recreation Director  
Bruce Dickinson, Tick Task Force  
David Fuquea, Tick Task Force  
Cheryl A. Fernstrom, Town Clerk

**II. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Town Council President Trocki called the regular meeting of the Jamestown Town Council to order at 8:15 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and Councilor Dickinson led the Pledge of Allegiance.

**A motion was made by Blake Dickinson with second by Mary Meagher to move agenda item VII. Unfinished Business A) Tick Task Force Update: discussion on Committee recommendations and possible action before agenda item III. Acknowledgements, Announcements, Presentations, Proclamations and Resolutions A) Presentations. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Thomas Tighe with second by Mary Meagher to move agenda Item IX. Ordinances and Appointments A) Ordinances 1) Amendment of Code of Ordinances regarding Reservoir Circle prior to agenda item III. President**

**Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

## **VII. UNFINISHED BUSINESS**

- A) Tick Task Force Update: discussion on Committee recommendations and possible action
- 1) Resolution No. 2014-09 “A Resolution to Authorize Hunting on Town-owned Properties”

Tick Task Force Member David Fuquea stated he and Member Bruce Dickinson are here to reinforce our earlier discussion of the concrete steps and effective plan to combat and reduce the serious public health crisis of Lyme disease and other tick borne diseases that the residents of Jamestown face. Central to that is the expansion of available town-owned property to increase the land available for hunting in order to reduce the existing herd of deer from an anticipated 400 plus to a scientifically supported maximum of 10 per square mile or no more than 100 in the herd on the Island. This is one of several initiatives that the TTF has put forward, but the most concrete one the Council can have an impact on. By passing the Resolution and showing support we can make positive steps forward. The TTF will work with the Town Administrator and Chief of Police to ensure that we take advantage of current recreational hunting governed by the State of RI and make it more restrictive to meet our goals and keep the Island safe for its residents.

A PowerPoint presentation showing properties to be opened for hunting proceeded. All town-owned parcels of land requested for hunting are located north of the Creek including: one parcel adjacent to the Water Treatment Plant; parcels around the Reservoir from Eldred Avenue to Carr Lane; four parcels on the east side of North Road and south of the Transfer Station; and north of the intersection of East Shore Road and North Road previously donated to the Town by the Rembijas family. Discussion of previous restrictions on that property were referenced and discussed. The property was previously donated to the Land Trust and is now owned by the Town. Further research is required to be sure that information is accurate.

Richard Koster of West Reach Drive asked if there were restrictions on the property that would prevent hunting. He was informed the information this evening was based on Tax Assessor’s data. Town Administrator Nota and town staff will research this further and report back to Council.

Ellen Winsor of East Shore Road referenced the Transfer Station property elevation and stated we don’t know what is in there and we want to be sure it is safe, as this is an unlined landfill, and we need to be sure nothing lethal exists. Town Administrator Nota will confer with Chief Mello and Public Works Director Gray and research this and any environmental concerns that may exist there for hunting.

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the Resolution as amended as previously described as to the methodology as well as to the research of these two issues. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

David Fuquea complimented the Town Council for their aggressive approach to this public health crisis that has existed in Jamestown for many years and their support for the Tick Task Force and the steps taken to make our Island safe for its citizens. The Council thanked the Tick Task Force for their efforts to make this Island safer for all residents, including the deer.

### **IX. ORDINANCES AND APPOINTMENTS**

#### **A) Ordinances**

- 1) Amendment of the Jamestown Code of Ordinances, Chapter 70 Traffic and Vehicles, Article III. Specific Street Regulations, Sec. 70-55 Restrictions on certain streets; review, discussion, and possible vote to proceed to advertise in the *Jamestown Press* for public hearing on October 6, 2014

The Traffic Committee met and discussed the current situation at Reservoir Circle. Twenty or more residents attended and spoke to the issue of large trucks associated with construction projects on East Shore Road parking on Reservoir Circle. This should be advertised and proceed to public hearing. President Trocki read Exhibit A as requested.

**A motion was made by Mary Meagher with second by Thomas Tighe to proceed to advertise for an October 6, 2014 public hearing. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

### **III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS AND RESOLUTIONS**

#### **A) Presentations**

- 1) National Grid – Clarke Street Substation

David Arthur, Project Manager for Substation Improvements for National Grid, is in attendance. The Grid is planning a total rebuild for the Eldred Avenue and Clarke Street substations, and he is here to discuss the Clarke Street improvements that are about to commence. One transformer will be replaced with a larger capacity transformer in order to provide better service to the South side of the Island. The current equipment is over-dutied and must be replaced to provide reliable service. The current transformer is a 1.7 MVA and will be replaced with a 4.7 MVA transformer for greater reliability and capacity. It is of a different design, is compact, smaller in size, and will remain entirely within the fenced area. The new design has no fan and will be quieter than the existing transformer. There should be a sound level increase for the residents on Columbia Avenue. The consistent hum will remain and may produce a higher noise level behind the

substation due to the nature of how the transformer operates. There are no health risks due to the increased size of the transformer, and readings can be shared with residents and Town Council. Noise studies were conducted with worst-case scenario conditions, including a chain link fence. What is proposed is a solid fence with privacy screen. They do not see any increase in the EMF readings, and no overhead wires will be changed. The majority of the work will be underground and it is hoped the work will begin this month. Preliminary excavation work is needed, will continue through the off season, and the substation should be operational in May of 2015, with construction on and off until that time. Specific dates will be provided upon request by residents and the Town. There may be a minor power loss when switching from the old system to the new, but it should be very limited (May 2015). No rate increases are expected due to the project. There will be only minor excavation around the outer fencing with nothing to be left open. The fence will improve both sound and visual conditions, and the project makes sense for the area.

#### Public comments.

Brian Cotsonas of Columbia Avenue stated he has many concerns with the substation based on the communication he received, delays in communication, past performance of National Grid, and the substation being the No. 1 eyesore on the Island. It affects his neighbors with a constant hum and buzzing. Some of the wording regarding the new transformer is confusing when comparing the humming to the loudest noise created by the fans. Mr. Arthur stated the fans do not run constantly.

Mr. Cotsonas asked what will happen to the other 1.7 transformer, why it would remain with an increased capacity transformer of 4.7, and will it save residents money? Mr. Arthur stated the current transformers are 57 years old. Mr. Cotsonas commented on the unanswered questions, and he has many concerns for his neighborhood and all citizens. It should be quieter for everybody and this affects all property values in the downtown area. He would like any improvements to be quieter, safer, look nicer, and cost less. He doesn't want to move or hear a family member 20 years from now has a health concern due to this type of transformer. The arborvitae planted around the fence by National Grid died and it is an eyesore. Work has already begun, and he doesn't want anything changed without his questions answered first.

President Trocki questioned why two transformers are needed with the 4.7 transformer. Mr. Arthur stated the second transformer is there for backup. Discussion continued.

Mr. Cotsonas stated it should work better, be quieter, energy efficient, and reduce costs. Who does it benefit?

Mr. Arthur stated the transformer is being replaced as it is not functioning well, not due to its age. The new compact design replaces the current 3 pole structure with a 1 pole structure. Discussion ensued of elevation.

Mr. Cotsonas stated more information is needed as we will have to live with it for 50+ years. This should be done right, and he is asking National Grid to do what he and his

neighbors have done – improve the looks and quality of their homes and property, making them more energy efficient. He thanked the Council for listening to him.

Bill and Evelyn Dawson of Southwest Avenue showed the Council a picture of the substation in relation to their property. They stated the same concerns as Mr. Cotsonas. The substation was there when they bought their home, and the fans are louder than anticipated. When a bird died in the transformer it was extremely noisy and it took National Grid many calls to come out and fix it. They understand the need to increase power, but they don't want sound level increases. They planted bushes, replaced windows, insulation, central air, and other measures to make their home quieter, they are right across the street, and they are concerned. National Grid could not tell them what a safe level was, and if they are increasing the transformer capacity, how much higher will the readings be? Mr. Arthur stated the power and the levels will not be increased. Mr. Dawson stated National Grid should maintain their property better.

Mr. Arthur stated he is here for this project, is the contact person for the project, will be available for questions or concerns, and will share all readings taken once the new equipment is installed. He is reluctant to explain why the jump in power from 3.4 to 6.4 is necessary as he doesn't want to misspeak.

Town Council members express concern for residents and the safety of this project. If information is not available this evening, it should be obtained prior to moving forward with the conversion. Council members welcome input from the Town Administrator and Town Solicitor and want everyone to have the opportunity to speak. Council members have a hard time understanding how new technology would be louder and more disruptive than old technology. Mr. Arthur stated the new equipment has a lower decibel level than the old transformer, but he is not the noise consultant. Discussion ensued of how houses behind the substation will hear more than previously. Mr. Arthur stated he will get everything in writing for Council members and Town residents. Discussion continued.

Cary Seigler of Southwest Avenue purchased his home 3 years ago and expressed concern the substation is located in a neighborhood, unlike the substation at Eldred Avenue which is more removed. He commented five larger poles have been installed in the area recently and it would be better to have an 8 foot fence around the substation. The arborvitae planted was a good idea, but were not maintained and died. The substation is an eyesore and any work that can be done is helpful. He has spent considerable funds to camouflage the substation from his property, and National Grid should do the same.

Ellen Winsor of East Shore Road commented on the proposed grounding and asked if there were any environmental issues or problems with the underground wires. Mr. Arthur stated there were no problems. She asked if any other environmental mitigation would be done at the site. She was informed the transformer would be more contained, but there were no environmental issues to mitigate. Ms. Winsor commented that Mr. Arthur made mention of an alternative location and asked where could that be? Can this be

encapsulated by more than just a fence? She was informed with walls. Discussion continued.

George Watson, Outside Counsel for National Grid, stated he is here representing National Grid, who wants to work with the Town to review the project. He referenced measures to be taken to improve conditions, such as removing the chain link fence and replacing it with privacy fencing. Their hands are tied as the Jamestown Zoning Ordinance has a fence height limit of 6 feet. They are willing to work with the Town and neighbors and are open to seeking a variance from the 6 foot fence height limit.

Vice President Meagher stated better information should have been provided and informed representatives of National Grid should have been in attendance this evening to answer questions and provide information. Any proposed changes and upgrades should be in writing, and she is surprised there is no PowerPoint presentation. National Grid is an enormous utility that can afford to come to the Town in an appropriate and respectful way and present the facts accurately. President Trocki stated the only information they had was the letter Mr. Cotsonas provided.

Mr. Arthur stated they were asked to come this evening to explain the project. They came to the Town to get a zoning certificate and follow the process, did their outreach, and are here to answer questions and gain information so that they can provide to the Town and the residents what is needed.

Mr. Watson stated National Grid will respond to the concerns expressed this evening.

The Council expressed that Jamestown is a welcoming community, we want to have a good working relationship with National Grid, and asked them to do the best that can be done for Jamestown. The example of the Cross Island Expressway was given, where the best solution for Jamestown was the end result. National Grid can do a better job than what currently exists. We need more information and an assurance the appearance will be improved.

Town Administrator Nota and Public Works Director Gray met in May with National Grid and will continue to communicate with them; he is confident the Grid will be able to address the majority of the resident's concerns and will report back to Council. Then a decision can be made whether more formal meetings with residents and/or Town staff to continue to monitor the project is necessary. Notice will be given to the substation neighbors of any meetings or sessions.

President Trocki thanked National Grid representatives for their time.

- 2) Fort Getty Design Project – Update and Permitting: Landscape Architect Arek Galle of GLA/Beta, Inc.

A PowerPoint presentation was given by Arek Galle. The Pavilion Plan stands largely unchanged as presented previously to the Town Council and he is working on permitting,  
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which consists of OWTS for seasonal rest rooms and Stormwater Treatment for runoff from the site. Reconfiguration will result in less hard surfaces. The Story Circle is added to the project as part of the permitting process. It is a 20 foot in diameter circle with a seawall, ADA acceptable walkway, and raised fire pit in the center. Funding is provided through the Roach family and Lions Club donations. The Roach family supports the final design and production in phases. The next step will be the pricing package.

The most current site plan demonstrates the proposed volley ball court, restrooms, Pavilion, green space, 30 parking spaces, stormwater treatment moved to the northern side of Fort Getty Road, and the curve in the road is pulled away from the marsh. The CRMC application will not be granted without OWTS approval from RIDEM, which were submitted concurrently. Testing revealed a high ground water table, and the OWTS is proposed at 80 ft. x 120 ft. with a 5,000 tank. Discussion of the OWTS process, options, and maintenance ensued. Councilor Dickinson asked for capacity of the design. He was informed for 200 seats (capacity of the Pavilion), at 5 gallons per seat. He asked when the rest rooms were included. Town Administrator Nota stated it is part of the project and part of the \$200,000 that was allocated last budget cycle. Town staff felt it should be permitted now and if funding falls short we could go forward with it at a later date, depending on how far the funding will go. The annual cost for the rest rooms for access and maintenance are unknown.

Councilor Dickinson asked if going forward with the rest rooms will hold up the project or the Assent. Mr. Galle stated CRMC will not grant an Assent without an approved OWTS design. If not granted, can ask them why and retool the application. The Permit is good for five years. What is proposed is to match the amenities to the level of the Pavilion, and the application was developed knowing there could be changes. Town Administrator Nota commented the remaining rest room facilities at Fort Getty are in poor condition, and the proposed rest room facility cannot accommodate all park patrons. Those projects are going to have to be addressed due to the volume of people served by the Park, and it is best to get it permitted now. Arek Galle further explained the OWTS. The rest rooms will be ADA compliant.

Lengthy discussion ensued. Mr. Galle was thanked for the presentation and his patience.

### 3) Town Website Development

A PowerPoint presentation was prepared by IT Director Michael Glier. Town Administrator Nota gave an introduction stating staff has been working diligently. The website was introduced to Council last week, and much has changed since then. Town staff is working through the issues and are very close to where we want to be; that won't happen until the Town takes control from the vendor. Mike is working closely with the vendor, and he will highlight what is ahead.

Mr. Glier stated this is a work in process. The website features and the objective for a single button access and how it was achieved were explained. Discussion ensued of the menu bar and online forms. Mr. Glier explained that areas of most interest by site visitors

were researched. Other implementations and improvement of web services to submit and compile information were reviewed. Discussion continued. The goal is to minimize the number of “clicks” required to access the desired page/information.

The Home Page, News Section, and Calendar were referenced, reviewed and explained. Tonight’s meetings posted on the website were demonstrated and the location and construction of information will be consistent for all departments. Mr. Glier noted it has been 3 weeks since receiving data from the vendor, we need 2 more weeks in house to open the website for feedback, and he would like to review functions further at that time. The website contains many new features, including a form for citizens to complete if website information is inaccurate and the Google Translate service that will translate to the language of choice. Search services will not be provided until the site becomes live. All of the Town’s data is part of the data base; the website is substantially changed in how information can be accessed, presented, searched, and used. Many documents including Minutes will be part of the website. There is a lot of functionality that is available; part of how we use it will be based on feedback from the Council and others asked to review the site. Mr. Glier would like the 3<sup>rd</sup> week in September as feedback week, with the second week in October going live to the public. The process of building a site is never done.

Councilor Dickinson commented this site is more pleasurable than the current site. He asked when the design was done by the vendor, whether they looked at the scope of all sites in town to give us a migration strategy. He thought there would be standardization of content across all departments. Mike Glier stated that was not part of the contract. The vendor migrated the existing pages and provided only generic style input. Councilor Dickinson asked about views and was informed that font size can be adjusted for visually impaired and hearing impaired can get repeated feedback. He asked if it worked similarly in other pages as well as the home page. Mr. Glier stated the scaling continues and is a substantial improvement. Councilor Dickinson asked whether other non-town websites will be integrated into the Town’s format. Mr. Glier explained the Library and others are single topic organizations and are very different stylistically and their content is just navigated. Once we get control this should be achieved with a link. Lengthy discussion ensued. Mr. Glier noted we are trying to refine the design with content. The current calendar is town centered and an event/activities calendar would be separate from a town meeting calendar, and there could be separate calendars for each department. This needs to be vetted out. The project focused on the Town website as it existed. Discussion continued.

Mr. Glier noted two weeks are needed to complete the migration and upgrade process with Council comments the 3<sup>rd</sup> week of September. The following week staff will incorporate the changes and the 2<sup>nd</sup> week in October (tentative) we go live. It will be a day-long process to move from the vendor site to our site. Discussion ensued of available skills to develop a service level agreement for all departments. Mr. Glier would like specific examples to follow.

Mr. Glier was thanked for the presentation.

#### **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 motion was made by Mary Meagher with second by Thomas Tighe to convene as the Alcoholic Beverage Licensing Board. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- A) **Request for motion** that the applications listed below will be in order for hearing at a meeting of said Licensing Board on Monday, November 3, 2014 at 7:00 p.m., and advertised in the *Jamestown Press*. **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 **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the year December 1, 2014 to November 30, 2015:

#### **CLASS A (PACKAGE STORE) - RETAIL**

Tunstall, Inc.

dba: Grapes & Gourmet  
9 Ferry Wharf

Varsha, Inc.

dba: Jamestown Wine & Spirits  
30 Southwest Avenue

**A motion was made by Eugene Mihaly with second by Mary Meagher to proceed to advertise for the CLASS A (PACKAGE STORE) – RETAIL liquor license renewals. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

#### **CLASS B – TAVERN**

Plantation Catering, Inc.

dba: Plantation at The Bay Voyage  
150 Conanicus Avenue

**A motion was made by Eugene Mihaly with second by Mary Meagher to proceed to advertise for the CLASS B – TAVERN liquor license renewal. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**CLASS B – VICTUALER**

Islandish, Inc.  
dba: Chopmist Charlie's  
40 Narragansett Avenue

Jamestown Culinary Partners, LLC  
dba: Jamestown Fish  
14 Narragansett Avenue

Jamestown Oyster Bar, Inc.  
dba: Jamestown Oyster Bar  
22 Narragansett Avenue

Jamestown Restaurant Group, LLC  
dba: Narragansett Café  
25 Narragansett Avenue

New England Golf Course Management, Inc.  
dba: Jamestown Golf and Country Club  
aka: the Caddy Shack  
245 Conanicus Avenue (lower level rear)

Portuguese American Citizens Club  
dba: Jamestown Bar & Grille  
11 Pemberton Avenue

Slice of Heaven, Inc.  
dba: Slice of Heaven  
32 Narragansett Avenue

ESJ, Inc.  
dba: Simpatico Jamestown  
13 Narragansett Avenue

**A motion was made by Mary Meagher with second by Blake Dickinson to proceed to advertise for the CLASS B – VICTUALER liquor license renewals. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**CLASS B – LIMITED**

Lucky Ridge Co. LLC  
dba: Spinnaker's Café  
3 Ferry Wharf

**A motion was made by Eugene Mihaly with second by Mary Meagher to proceed to advertise for the CLASS B – LIMITED liquor license renewal. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**CLASS D FULL (CLUB)**

Conanicut Yacht Club  
40 Bay View Drive

**A motion was made by Mary Meagher with second by Blake Dickinson to proceed to advertise for the CLASS D FULL (CLUB) liquor license renewal. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

B) **Request for motion** to advertise for extended hours [in accordance with RIGL §5-24-1 (a) & (b)] in the Jamestown Press for a public hearing on November 3, 2014:

- 1) **NOTICE** is hereby given that there will be a public hearing by and before the Town Council of the Town of Jamestown on Monday, November 3, 2014 at 7:00 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI pursuant to §5-24-1 of the General Laws of Rhode Island 1956 and as amended, upon the following applications:

**RENEWALS:**

Jamestown Mist, LLC  
dba: Jamestown Mist  
35 Narragansett Avenue  
Plat 9 Lot 246

Cumberland Farms, Inc.  
dba: Cumberland Farms Store #1108  
41 North Main Road  
Plat 8 Lot 626

APPLICATION OF JAMESTOWN MIST, LLC, dba: Jamestown Mist, for renewal of additional operational hours to open at 5:00 AM for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 AM to 2:00 AM daily (RIGL §5-24-1 allows this establishment to be open from 6:00 a.m. until 2:00 AM without additional operating hours).

APPLICATION OF CUMBERLAND FARMS, INC., dba: Cumberland Farms Store #1108, for renewal of additional operational hours to open at 5:00 AM for said establishment, holder of a Victualing License issued by the Town of Jamestown. If  
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granted, this will allow the establishment to continue to be open from 5:00 AM to 2:00 AM daily (RIGL §5-24-1 allows this establishment to be open from 6:00 AM until 2:00 AM without additional operating hours).

**A motion was made by Eugene Mihaly with second by Mary Meagher to proceed to advertise for extended hours license renewals. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Mary Meagher with second by Eugene Mihaly to adjourn as the Alcoholic Beverage Licensing Board. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

C) Approval of One Day Event/Entertainment License

- 1) Applicant: Victoria Hellewell
- Event: Hellewell/Moretti Wedding
- Date: September 20, 2014
- Location: Fort Getty Pavilion

**A motion was made by Mary Meagher with second by Blake Dickinson to approve the license for the Hellewell/Moretti Wedding. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

D) Affirmation of Event/Entertainment Licenses approved administratively

- 1) Applicant: Mary Meagher
- Event: Celebration of the Life of Tom McAleer
- Date: August 20, 2014
- Location: Fort Getty Pavilion

Vice President Meagher recuses on this license application and files the appropriate form.

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve the license for the Celebration of the Life of Tom McAleer. President Trocki, Aye; Vice President Meagher, Recused; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 2) Applicant: North Kingstown Lions Club
- Event: North Kingstown Lions Club Steak Fry
- Date: August 30, 2014
- Location: Fort Getty Pavilion

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve the license for the North Kingstown Lions Club Steak Fry. President Trocki, Aye;**

**Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, 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.

Paul Cartier of 87 Pemberton Avenue addressed the Council on a safety issue regarding a dog and the Jamestown Code of Ordinances. Last week when returning home from a walk at 5:05 p.m. a dog circled him and his wife, nipped at their heels, growled, and the hair on its back went up. It was a very nerve racking experience that continued down the entire street. The Police Department was called, the responding officer took their statement, and informed them that the leash law in the Code of Ordinances is not in force between the hours of 4:00 p.m. and 7:00 a.m. and there wasn't much he could do. The area of concern is the Ordinance. Who is responsible for unrestricted dogs between 4:00 p.m. and 7:00 a.m.? What is the dog owner's responsibility during such hours? What is the definition of a vicious dog in our ordinance? Mr. and Mrs. Cartier are concerned and feel at a disadvantage as the current Code is vague. Most towns have 24/7 acknowledgement of responsibility for the leash law. State guidelines were referenced. Mr. Cartier asked that the 4:00 p.m. to 7:00 a.m. clause be revisited as well as references to the animal control officer (which no longer exists). Discussion continued. The Town Administrator and Town Solicitor will reach out to Mr. Cartier. He was thanked for staying this late.

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

- A) Town Administrator's Report. Andrew E. Nota
  - 1) Meeting Schedule.
  - 2) Hazard Mitigation Plan Update.

Town Administrator Nota reported that he would like a Meeting date to review the draft Hazard Mitigation Plan. Discussion of Council meeting schedules, potential dates, and available dates ensued. The Plan review session would not be for an approval, it would be a part of the public discussion. The Hazard Mitigation Plan Update will take place October 6, 2014 as part of the regular agenda.

- 3) Rights-of-Way Policy and Action Plan.

Town Administrator Nota reported vested residents will work with the Conservation Commission on how we will address such issues, open them up, plan for maintenance and management, and will be reporting back in the future.

- B) Traffic Committee Report.

Mary Meagher noted rights-of-way were reviewed at the Traffic Committee Meeting. Town Administrator Nota reviewed ways to address rights-of-ways, and solutions for particular parking issues.

## VII. UNFINISHED BUSINESS

- A) Tick Task Force Update: discussion on Committee recommendations and possible action.

Budget and Education. Conservation Commission Chair Maureen Coleman is pre-planning for the education component which will take us into October. The Budget was going to be set not to exceed a certain amount. The Tick Task Force went through a full slate of recommendations. Solicitor Ruggiero advised not voting on the Education and Budget at this time as this agenda item addressed previously. This will be continued to the October 6, 2014 agenda.

## VIII. NEW BUSINESS

- A) Awarding of Bid: Exterior Door Replacement Project for Town Hall to New England School Services, Inc. for an amount not to exceed \$28,740 as recommended by Public Works Director Michael Gray.

Vice President Meagher asked if the architect of the building was contacted. Public Works Director Gray stated he has contacted him on numerous occasions. The recommended aluminum doors would minimize the seasonal environmental issues while getting the most view possible and will be attractive and durable. The back doors are proposed to be green and the front doors white. Ms. Meagher would love to get Architect Burgin's recommendation on color.

**A motion was made by Mary Meagher with second by Thomas Tighe to award the bid for the Town Hall Exterior Door Replacement to New England School Services, Inc. for an amount not to exceed \$28,740 as recommended by Public Works Director Michael Gray. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- B) Agenda items for October 6, 2014.
- Discussion of Budget for Tick Task Force. It was previously decided the TTF would work with the Town Administrator to develop a budget, which has been done. The budget would not exceed a set number that would include donations.
  - Discussion ensued of obtaining quotes for the cooler and when this could be completed. Per the TTF, there is no urgency, and this will be placed on the October 6<sup>th</sup> agenda.

## IX. ORDINANCES AND APPOINTMENTS, continued

- B) Appointments

- 1) Discover Newport Representative (Three-year term expiring September 7, 2017)
  - a) Letter of interest for reappointment
    - i) Frank F. Sallee

**A motion was made by Mary Meagher with second by Eugene Mihaly to reappoint Frank F. Sallee as the Representative to Discover Newport for the three year term expiring September 7, 2017. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, 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 Eugene Mihaly with second by Thomas Tighe to approve and accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
  - 1) August 4, 2014 (work session)
  - 2) August 4, 2014 (regular meeting)
  - 3) August 4, 2014 (executive session)
- B) Minutes from Boards, Commissions and Committees
  - 1) Jamestown Harbor Commission (06/11/2014)
  - 2) Jamestown Harbor Commission (07/09/2014)
  - 3) Jamestown Philomenian Library Board of Trustees (07/08/2014)
  - 4) Jamestown Traffic Committee (07/15/2014)
  - 5) Jamestown Tree Preservation & Protection (07/08/2014)
- C) CRMC Notices
  - 1) September 2014 Calendar
- D) Abatements/Addenda of Taxes
- E) Authorization for signing of Nondiscrimination Assurances for the Jamestown Safe Routes to School Infrastructure Project No. 2013-CI-002, by the Town Administrator and Town Solicitor, pursuant to Title VI of the Civil Rights Act of 1964

#### **XI. COMMUNICATIONS AND PETITIONS**

**A motion was made by Thomas Tighe with second by Mary Meagher to forward Communication 5) to the Town Solicitor for his review and recommendation. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

Sav Rebecchi of Sail Street commented on the similar problem experienced in his neighborhood regarding a property owner who uses it as a rental and it is disruptive at all hours of the day and night. Town Administrator Nota has been working on this and it is more than the length of time for the rental that creates the problem, it is the behavior of the renter and lack of direction/enforcement by the property owner. This is being addressed on a case-by-case basis.

Town Administrator Nota discussed this issue at length with Mr. Willis and Building Official Fred Brown is working on this. It has more to do with the renter than the tenant, the problem is difficult to enforce, and it is more than regulating the length of time a property can be rented. Mr. Nota will report back to the Council with a regulation strategy and a progress report on working with property owners and renters.

**A motion was made by Thomas Tighe with second by Mary Meagher to accept Communications 1) through 4) and 6) and 7). President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 3) Town Administrator Nota will obtain a full report on the property and report back to Council.
- 7) William Kelly's letter will be forwarded to the Traffic Committee.
- 6) The CIAA letter can be handled administratively.

The Communications accepted consist of the following:

- A) Communications
  - 1) Letter of Maris Humphreys, Aquidneck Island Chapter Daughters of the American Revolution, requesting Town Council observance and adopting of a proclamation for Constitution Week, September 17<sup>th</sup> through September 23<sup>rd</sup>
  - 2) Email of Clark Poston re: target shooting in Jamestown and request for safety regulations
  - 3) Letter of Rebecca Singer on behalf of Peter and Beatric Porrazzo who wish to donate a plot of land to the Town of Jamestown
  - 4) Memorandum of Brian Cotsonas re: National Grid Clarke Street Substation Construction outlining concern and requesting Town Council assistance
  - 5) Letter of Norma and Phil Willis re: concerns with use of neighboring rental property
  - 6) Letter of CIAA President Elaine Porter requesting to change the date of their October Opening Reception to November 6, 2014, 5:00 to 8:00 p.m.
  - 7) Letter of William Kelly on behalf of the Residents of Reservoir Circle thanking members of the Traffic Committee and Town Council for their

concerns and positive actions re: traffic and parking issues on Reservoir Circle

**A motion was made by Mary Meagher with second by Thomas Tighe to reconvene the Water and Sewer Meeting that started at 6:00 p.m. this evening at 11:02 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Town Council meeting is reconvened at 11:07 p.m.

## **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 (acquisition of property/purchase and sales agreement); discussion, and/or potential action and/or vote in executive session and/or open session
- B) 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 Mary Meagher with second by Eugene Mihaly to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (5) Real Estate, and RIGL §42-46-5(a) Subsection (1) Personnel.**

**Pursuant to RIGL §42-46-5(a) Subsection (5) Real Estate, and RIGL §42-46-5(a) Subsection (1) Personnel the following vote was taken by the Jamestown Town Council to enter into Executive Session: President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

A five minute recess was called at 11:08 p.m.; the Council proceeded to Executive Session at 11:15 p.m.

The Jamestown Town Council reconvened the regular meeting at 12:43 a.m. President Trocki announced that no votes were taken in the Executive Session.

**A motion was made by Mary Meagher with second by Eugene Mihaly to authorize an allocation of \$72,000 from the Town's Affordable Housing Trust Fund to assist Church Community Housing Corporation to purchase and rehabilitate 147 Beach Avenue. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Eugene Mihaly with second by Mary Meagher to increase the Town Administrator's expense allowance by \$450 per month. President Trocki,**

**Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

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

### **XIII. ADJOURNMENT**

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

The regular meeting was adjourned at 12:52 a.m.

Attest:

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Cheryl A. Fernstrom, CMC, Town Clerk

Copies to:     Town Council (5)  
                  Town Administrator  
                  Town Solicitor  
                  Finance Director