# TOWN COUNCIL MEETING

**August 21, 2017**

# ROLL CALL

Town Council Members present:

Kristine S. Trocki, President

Blake A. Dickinson

Mary E. Meagher

Eugene B. Mihaly

Town Council Members absent:

Michael G. White, Vice President

Also in attendance:

Andrew E. Nota, Town Administrator

Christina D. Collins, Finance Director

Michael C. Gray, Public Works Director

Lisa W. Bryer, Town Planner

Edward A. Mello, Police Chief

Andrew J. Wade, Parks and Recreation Director

Peter D. Ruggiero, Town Solicitor

Denise Jennings, Water Clerk

Cheryl A. Fernstrom, Town Clerk

# CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:03 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

President Trocki announced that the proposed Plastic Bag Ban ordinance is on the agenda for Town Council vote to proceed to advertise for public hearing at a future date, but will not be open for discussion this evening.

# TOWN COUNCIL SITTING AS THE BOARD OF

# WATER AND SEWER COMMISSIONERS

The Town Council convened as the Board of Water and Sewer Commissioners at 7:05 p.m. and adjourned from sitting as the Board of Water and Sewer Commissioners at 7:12 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

**A motion was made by Councilor Meagher with second by Councilor Mihaly to move up Agenda Item No. X A) Ordinances 1) to the next item on the agenda. President Trocki,** **Aye; Vice President White, Absent; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**X. ORDINANCES AND APPOINTMENTS AND VACANCIES**

## Ordinances

### Amendment of the Jamestown Code of Ordinances, Chapter 22 Environment, Article VII. Plastic Bag Ban, Sec. 22-350 Legislative Finds and Intent (new), Sec. 22-351 Purpose (new), Sec. 22-352 Definitions (new), Sec. 353 Prohibited Acts (new), Sec. 22-354 Exemptions (new), Sec. 22-355 Enforcement; Violations and Penalties (new), Sec. 22-356 Hardship Variance (new) and Sec. 22-357 Effective Date; review, discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* for public hearing on September 18, 2017

**A motion was made by Councilor Meagher with second by Councilor Mihaly to advertise the Plastic Bag Ban ordinance for public hearing on September 18, 2017. President Trocki, Aye; Vice President White, Absent; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

# IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

## Proclamation

### No. 2017-14 Honoring Chris and Candy Powell “Fools’ Rules Regatta”; review, discussion and/or potential action and/or vote

President Trocki announced Proclamation No. 2017-14 Honoring Chris and Candy Powell as requested by the Jamestown Yacht Club was adopted quietly so that it would be a surprise when it was presented to them at the Fool’ Rules Regatta. A letter of thanks will be sent to Chris and Candy for their 40-year commitment to the Fools’ Rules Regatta.

# PUBLIC HEARINGS, LICENSES AND PERMITS

None.

# OPEN FORUM

## Scheduled to address. None.

## Non-scheduled to address. None.

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

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

Town Administrator Nota reported the Special Election for Senate District 13 to fill the seat vacated by Senator M. Teresa Paiva-Weed is tomorrow. The polls will be open from 7:00 a.m. to 8:00 p.m. at the Recreation Center for District 1 and at the Lawn Avenue School for District 2. Contact the Board of Canvassers if you have any questions.

Town Administrator Nota referenced the *Jamestown Press* article covering Fire Department vehicles being charged to cross the Newport Pell Bridge. The State law requiring payment for non-emergency bridge crossings was noted. All Jamestown Fire Department fire and rescue vehicles will be equipped with transponders to alleviate future problems.

### Friends of the Jamestown Seniors – election of Board of Directors

Town Administrator Nota reported on the newly-elected Board Members as follows:

Thomas Tighe President

Eleanor Chase Vice President

Lawrence Bartley Secretary

Nancy Beye Treasurer

Donald Richardson Director

Fred Pease Director

Elizabeth Mancini Director

Heidi Moon Director

Karen Bell Director

The Board works closely with the Parks and Recreation Department. The inter-generational barbecue luncheon held Thursday, August 17th at the Fort Getty Pavilion was a great success.

### Sign Regulations

The *Jamestown Press* article regarding political signs was noted. The Town is proceeding with an RFP process to hire a consultant to facilitate the Zoning Ordinance update, with the bid award expected in October. The sign issue and other areas will be revised and updated during the comprehensive review process managed through the Planning Commission, including public hearings with public engagement. Upon completion, the proposed Zoning Ordinance will be turned over to the Town Council for public hearing and adoption, with ample opportunity for public input. Review by Town staff is already underway.

### Legislative Tracking Report (Senate/House)

The tracking reports from the League of Cities and Towns were noted. The Charter revisions and veteran’s exemption were approved during this season’s session. The Senate may convene this fall to address other issues, and Mr. Nota will alert the Council to any future legislation that affects Jamestown.

### Playground Renovation Update/Safe Routes to School Update

Town Administrator Nota reported work is coordinated by our Public Works Department

for an access walkway to the playground, eleven angled parking spaces on the Valley Street side, with access through North Road, a future sidewalk to be installed, and interconnection of walkways through the center of town to schools in conjunction with the Safe Routes to School Project. 90% of the design plans were approved and permits are being secured. The last cost estimate was $700,000 to $750,000, with $400,000 in grant funding remaining. Visibility concerns at crosswalks (reviewed by the Traffic Committee) are being addressed by Town staff.

Parks and Recreation Director Andy Wade reported the Playground Committee has been busy, meeting 15 times since March. Project funding includes a RIDEM Open Space Grant ($100,000), capital funding ($85,000), and Officer Ryan Bourque Memorial Fund ($70,000), and a Capital Campaign will be launched soon. M. E. O’Brien & Sons, Inc. was selected to develop a design that is unique to Jamestown. The Committee is ready to make a public presentation at the September 18th Council Meeting. It is expected the bulk of the equipment will be installed in the spring.

## Parks and Recreation Department Report: Andrew J. Wade, Director

## Summer Programs: Mr. Wade reported on the successful summer season. Online registration using RecDesk began May 1st, providing an effective revenue tracking and streamlined reservation process. Summer Camp is very successful, with swimming lessons and paddle and surf camp added this season. Relocation to the Lawn Avenue complex and use of the School cafeteria and gymnasium increased participation from an average 20 children per day to 50 to 60 children per day. Thanks were extended to Superintendent Duva and Buildings and Grounds Director Anderson for their cooperation.

Senior Center: programs have been well attended, including the annual summer picnic at the Fort Getty Pavilion. Meal Site Coordinator Ernest Anthony has moved on after 20 years and a replacement is being sought. The upstairs wood floor is being refinished and flooring options for the basement are being finalized for a fall bid process.

Facilities Update: Two lidded barrels were placed at Park Dock to curb littering and improve recycling. Visitors are pleased with the new Mackerel Cove beach house, beach wheel chair, and rescue equipment. Half of the window panel curtains have been replaced at the Fort Getty Pavilion. The new restroom cleaning unit improves results in a fraction of the time, and a Mutt-Mitt dog waste bag dispenser has been installed at East Ferry Beach for disposal of dog waste.

Projects: Both the RIDEM Open Space Recreation Small Grant for the Community Playground and the RIDEM Open Space Large Grant for the Lawn Avenue Recreation Complex are in the design phase.

## Conservation Commission Report: Anne Kuhn Hines, Chair

Recent activities and highlights were noted, including the resignation of Chair Maureen Coleman and passing of member Ted Smayda.

Restoration: Transplant of 30 Beach Rose (Rosa rugosa) bushes at Mackerel Cove.

Open Space Protection and Stewardship: 3rd year implementation of Management Plan for 86 Shores lots, partnering with CILT; Water Resources Technical Review Committee reconvened; pursuit of a cost-effective construction plan for a boardwalk at the Hull Cove ROW; and a memorial recognition for late Conservation Commissioner Michael Brown; support for the Taylor Point Restoration Group; and updated ARC map.

Public Education: Continued collaborative partnership with Jamestown Arts Center, initiative to establish a Lyme Disease Prevention Program, and curriculum coordination with Jamestown Schools and other groups.

Rights of Way: Collaborated with Friends of the Jamestown Rights of Way to support their efforts.

Protection of Natural and Coastal Areas: Ongoing advice to CRMC and RIDEM; continued partnership with Town staff and Planning Commission; follow-up on management/ maintenance plans for restoration/mitigation plans at Beavertail State Park.

Litter Cleanup: Annual Earth Day cleanup in April; spring and fall cleanups at North Road.

# UNFINISHED BUSINESS

## Town Council Meeting Schedule for September 2017; review, discussion and/or potential action and/or vote

Discussion ensued of the next meeting date; all business could be conducted at one meeting. The next scheduled meeting will be September 18th, with a return to two meetings per month in October.

## Upcoming Meetings and Sessions – dates and times

The Plastic Bag Ban ordinance public hearing is scheduled for September 18th.

## Coyotes in Jamestown: threat to domesticated animals and livestock; review, discussion and/or potential action and/or vote

Chief Mello noted his research on coyote incidents. The issues faced in Jamestown are not unusual and happen all over RI. Since May seven coyote sightings have been reported to the Police Department. The increase is due to population increase, socialization, and feeding practices. The informational brochure “Living Safely with Coyotes” prepared by The Narragansett Bay Coyote Study was noted and available at Town Hall for helpful information.

Chief Mello reported on male coyotes residing in the Route 138/North Road area, near the beach, and Transfer Station. It appears there are pockets of coyote populations and they travel/relocate. To date there are no reported attacks or interactions with humans. There were livestock attacks at Watson Farm in the spring. JPD receives reports on domestic animal attacks from veterinarians as required by law; the Lepre dog attack was noted.

Coyote hunting is allowed 12 months a year using a .22 caliber (or less) rifle, following all rules promulgated through RIDEM, with no limit on the number of coyotes; they can be trapped but cannot be relocated. As outlined in the brochure and on the website, coyotes should never be fed, outdoor food for domestic pets should be removed upon consumption, and stray cats and dogs should not be fed. Wild and domestic animal remains are removed by JPD as soon as reported to reduce the food source. The “No Feed” ordinance adopted last year has helped reduce the incidents of wild life feeding.

JPD Officers are trained to deal with aggressive coyotes, including euthanizing them. Coyote populations and activities need to be assessed so that we can educate the public to keep people and pets safe. Human attacks are rare, but children and pets should not go outside from dusk to dawn as a precaution, and citizens should report interactions with coyotes to JPD.

Chief Mello supports bringing in wildlife experts, including Numi Mitchell (Narragansett Bay Coyote Study), for guidance. Brochures are available (next to the agendas) here and online. It is unknown how coyotes and fisher cats arrived on the Island. Their behavior is not like other wild animals who avoid human contact. Coyotes are opportunists rather than hunters and are acclimated to the Island and humans, and citizens need to use caution and common sense in dealing with coyotes. Discussion continued.

Chief Mello and Town Administrator Nota seek Council support and direction in dealing with the coyote nuisance. Council members support engagement of wild life professionals to conduct studies to gather information. Discussion ensued of wild life interactions.

Public comment.

Wes Sumner of Wright Lane expressed concern for the attack by multiple coyotes on his neighbor’s 40 pound dog and suggested the pack leader or the entire pack be euthanized as a matter of public safety. Discussion ensued of who would have responsibility for the coyotes, methods (trapping or shooting) to remove the threat, and what constitutes an aggressive animal and/or pack. Chief Mello is working with RIDEM on this issue.

Olafur Gislason of Beavertail Road thanked Chief Mello for the information provided this evening. He has lived here since 1987 and his first coyote siting was in 1996 at Mackerel Cove. The pack that lives on Beavertail was noted, and they previously lost a cat to coyotes. He expressed concern that police officers may not be trained and armed to deal with coyotes and would like to see an animal control officer position returned to assist with wild animal issues.

Dan Anton of Laurel Lane commented his property abuts the Lepre’s property and he is concerned for area children. He asked the Council to be proactive rather than reactive, as he is scared as a citizen, taxpayer, and father.

Gayen Thompson of Grinnell Street stated she came to Jamestown when she was four and expressed concern for summer rentals and short-terms renters, who need to be informed of the danger by the real estate professionals to reduce coyote interactions. Public information in the news media on a regular basis would be helpful to Jamestown visitors.

Linda Flinton of North Main Road stated she has lived here since 1975 and saw her first coyote in 2004. She has seen more coyotes this year than in the past, and it is scary to take walks, especially with pets. This is an increasing problem, and she asks the Council to assist residents.

Bob Hunt of Whale Rock Road encouraged the Council to be proactive in dealing with the coyotes. He agrees with having a study to determine an effective solution. Their 70 pound lab was attacked in their backyard and he reported it to the police. He asked Council to be proactive and engage the scientific community to gather knowledge for a solution.

Councilor Meagher acknowledged her dog was attacked by a coyote by the Whitman property.

John Flinton of North Main Road, a retired veterinarian, commented he was shocked to see a substantial coyote on Carr Lane and crossing North Road in the area of the coyote attack. He previously moved a dead deer to into the woods, called RIDEM, and when they came the next day to pick it up, the carcass was completely stripped. He urged people not to do as he did, and stated all roadkill should be removed. He urged everyone to use caution in dealing with coyotes.

Brad Whitman of Beavertail Road stated coyotes have a den on his property, he has observed them for 20 years, and interactions and attacks on humans are highly unlikely. Coyotes are individuals; he has shouted at some and they disbursed immediately, and others not as afraid leave slowly. Coyotes prey on other wildlife and we must be prudent with wildlife. Never let pets out into a situation where they could be mauled. The sense of fear is unjustified, it is a matter of responsibility, and people need to be educated not to attract coyotes.

President Trocki asked Town Administrator Nota and Chief Mello to stay on top of this situation as we investigate and develop options. This Council has demonstrated their commitment to public safety, and we want to find solutions that reduce our risks.

Councilor Dickinson asked Chief Mello to develop costs to properly outfit police officers and institute required training to address the issue. We need to rebuild the coyote’s fear of humans.

Councilor Meagher commented on coyote presence in town. It is frightening when animals disappear from the Melrose Avenue area. Councilor Dickinson commented though coyote attacks on humans are unlikely, the possibility exists.

Town Administrator Nota and Chief Mello will report back to update Council at the next meeting.

## Dutch Harbor Aquaculture Concerns, continued from July 17, 2017

### Application of Antonio and Joseph Pinheiro to modify Aquaculture Assent to float 595 permitted bottom cages on their 2 acre site for a potential maximum of 710 floating cages and to allow bottom planting of oysters on site; objections/requests for hearing must be submitted to CRMC in writing on or before August 29, 2017

Town Administrator Nota gave a background on aquaculture activities in Dutch Harbor for the six operators permitted through CRMC. CRMC has oversight over aquaculture activities, and more information is available on their website. The assent before Council, No. 2014-12-056 for Joseph Pinheiro, was approved in 2014. This application is a modification to the permitted activities to transition 595 bottom cages to floating cages. Westwind Drive area residents articulated concerns for this technology, its visual impact, and hazards to navigation. Operator Walrus & Carpenter applied for an assent to grow kelp within their existing permitted area in the off season, and Town representation attended the CRMC hearing to voice concerns. Former CRMC Member and Jamestown resident Ann Livingston listened to the concerns expressed at the hearing (Ms. Livingston was recently replaced by Governor Raimondo). The application is under the jurisdiction of CRMC, and any objections can initiate a public hearing. If there are no objections, the modification application will be approved.

Public Comment.

Sharon Purdie of Westwind Drive stated she is here on behalf of Westwind Drive neighbors. They are in favor of aquaculture, but there must be a balance. Ms. Purdie narrates a PowerPoint presentation depicting the Dutch Harbor area prior to aquaculture activities and what it looks like now, oversaturated with aquaculture cages. Seabirds on floating cages with droppings were noted. CRMC approved kelp farming last year, and now there is kelp on the beach, and aquaculture activities have resulted in fewer activities on the water. They are concerned for property values. There is an application to float 595 cages in addition to the permitted 115, resulting in three times the number of floating cages. Applicants are required to outline what they have done to alleviate adverse activities, and this does not have the emphasis it deserves. The neighbors are here to ask the Council to adopt a resolution to present to CRMC objecting to floating cages and expanded activities. If approved, Dutch Harbor will be the most densely concentrated aquaculture area in the state. The neighbors request Council support in order to maintain the beauty of Dutch Harbor, including recreation, and provide a balance for aquaculture and the historic scenic vista that is disappearing. It is a beautiful place that should remain that way.

Olafur Gislason of Beavertail Road stated he grew up in the fish business in Iceland, and RI has a history of economic benefit from seafood harvesting activities. There are stakeholders in the use and management of activities on the bay, and it is a regulated State resource that includes economic development. He looks at the growth of oyster farming as positive. One oyster will filter 20 gallons of water per day, improving the sanitation of Narragansett Bay. Often areas of the bay are closed due to contamination, and shell fishing is a low impact way to deal with the pollution. People want the view of the bay to remain the same, and there are differences of opinion. Aquaculture activities have resulted in job growth, there are controls in place to mitigate the problems and accommodate everyone’s needs, and all aspects involved are important. Aquaculture has less impact and more economic benefits than other bay activities.

Robin Main of Westwind Drive noted she is an environmental attorney who appears before CRMC. Those opposed to floating cages are not just concerned for visual impact. If the additional floating cages are approved, it will be the most densely populated floating-cage area in RI. How will that affect quality issues? Oysters clean the water, but are susceptible to some conditions, and there needs to be a balance. Her concern is over population of the area with floating cages and the resulting birds. What will happen when the floating cages reach their natural lifespan? We don’t have an answer, and we need Council support in securing answers from CRMC.

Mark Goerner of Howland Avenue stated he operates the Jamestown Oyster Company with a site just south of the bridge. The overall benefits of the aquaculture industry is a net positive. Oysters clean the water and provide income. The lease holder must remove all gear and equipment when the lease expires and must have a bond. The Town has been supportive to date, and this has been a difficult process to get established. Most people are supportive and interested in the activity. If left to a referendum of the Town population, the support would be positive. The activities are approved and regulated by CRMC, and if citizens have concerns, the law should be changed on the State level.

President Trocki asked him to explain the difference between floating and submerged cages.

Mr. Goerner explained floating cages are more efficient, as the oysters receive more nutrients and their growth increases, and the cages can be flipped, which will kill invasive species but not the oysters. This rotation keeps the cages and oysters clear and healthy and makes harvesting easier. He submerges his gear during the winter season, which keeps it safer until the following spring. He previously submerged the cages and they became loaded with mussels, making the operation and harvesting difficult. With the new floating cages he can see the operation making a profit.

Town Administrator Nota asked for clarification of his operation. Mr. Goerner noted his assent is for 15 years with a $10,000 bond to assure cleanup.

Sam Patterson of Fox Run commented on the presentation and encouraged Westwind Drive residents to follow the process and voice their concerns to CRMC. The State tests the water by the aquaculture farms, and the quality is decreased, the State shuts down the activity. Operators are held responsible for any failures and must remove their gear if the operation fails.

Ann Kuhn Hines of Narragansett Avenue stated she is speaking as a citizen and agrees with the comments made re: benefits of aquaculture. She understands the concerns, which could have been mitigated in the beginning. CRMC needs to be more inclusive in the application process, the benefits outweigh the problems, and CRMC needs to get the stakeholders together, provide information, be honest, and do a better job of managing it. The activities will improve the bay, and this is a solvable problem.

Ted Sybertz of Westwind Drive stated he is not trying to curtail oyster farming, but the way it is done. We hear a lot about oysters clarifying the water, which is good. But the pictures show birds, their droppings, and potential pollution. The water needs to be tested when 2,000 birds are perched on the equipment. He has seen Mr. Pinheiro’s assent, and the claim is this will have minimal impact. Please work as a Council to assure that it does have a minimal impact.

Ken Vario of Seaside Drive agrees with all comments made. There are benefits from aquaculture, and it comes down to balance. He can’t imagine another 600 floating cages, and there are other areas where this could be done.

Brad Whitman of Beavertail Road stated it is about balance, and we can’t count on CRMC. We need to have Dutch Harbor remain as it is, and we need good quality water. This is an overuse of this one area, and it would not be good to increase the number of floating cages. Dutch Harbor is a unique area and it is a matter of saying there is a turn off valve.

Renae McCooey of Westwind Drive commented Dutch Harbor is busy on weekends, with 12 to 16 recreational boats. Children and families access the area, we are getting boxed in, and it is not right. Her concern is for the next modification. She is not against aquaculture but how it is being done. We need assurances this is all that is proposed, as Dutch Harbor is being ruined.

Rob Braisted of Westwind Drive stated it is not a view issue for them, but he is concerned for hazards to navigation. He forfeited his mooring this year as the area is no longer safe. He sent a letter to CRMC with his concerns, they acknowledged receipt, but did not try to notify area residents of increased activities and operations. He believes aquaculture is important, but it is all about balance, and that balance has been exceeded.

George Souza of Prospect Avenue stated he is here as a citizen and understands the concerns of everyone, including the scenic vistas. There could have been more input by all stakeholders sooner in order to find better solutions. There are probably more suitable areas for a compromise solution.

William Kalander of Westwind Drive stated he does not have a water view from his house. He is in complete support of his neighbors. There has to be a balance and CRMC has done a poor job interacting with residents. Somehow floating cages are not a problem, but if they were on shore, there would be a problem. There has to be some action that can be taken.

Alan Katz of Westwind Drive stated his agreement with all that Sharon Purdie said and asked for a study to determine why there is so much seaweed and algae in the area. We need to put the brakes on and do studies before proceeding to approve expanded activities.

Council comments.

Councilor Mihaly stated the issue is not whether there will be aquaculture but whether a particular technology is appropriate here. He is struck by what we don’t know. Scenically it is bad, and we don’t know the impact on property values or if it contributes to algae growth. We don’t know the impact from the birds, and we need answers. He would like to see a halt in additional activities until we have answers. Do the advantages of floating cages outweigh the problems? If CRMC doesn’t do a study, he would like to see the Town do it. August 29th is the submission deadline and we don’t know when a public hearing would be scheduled. CRMC should not continue to grant expansion without further study.

Councilor Dickinson stated everyone supports improving the fisheries industry environment in RI, but over the last 50 years fishing activities have changed. People don’t want operations to stop, but ask for a balance. One of the State’s goals is access to the bay, but increased acres of floating cages does not support access to the bay. He would like to join with his colleagues to request a cease in increased activity and finding alternate locations.

Councilor Meagher expressed concern that all permitted operations in this quadrant are off Dutch Harbor. She appreciates the comments by Anne Hines, feels a public forum is in order, but has difficulty interceding with an approved application. She doubts a study can be done in the short time period that exists.

Councilor Mihaly noted any technology that becomes a problem needs to be reassessed.

President Trocki asked how we strike a balance and minimize the visual impact without hurting someone’s livelihood. She is unsure of legal or administrative options or whether this is a Town responsibility or jurisdiction. It is difficult to speak for the community when we don’t have the information.

Town Administrator Nota commented on the process. If there is an objection, a public hearing is scheduled with notice, objectors must be prepared, and the presence of residents at a hearing makes a difference. The original Walrus & Carpenter application was for seven acres, and with a Town presence at the hearing, CRMC did not approve the full application; however, we don’t know whether the new CRMC Council will listen as did prior leadership. The Pinheiro’s have approval for a 15-year lease for 710 cages, and it is doubtful they would be denied when other operators were approved for the same technology. We don’t know what impacts exist without a study.

Solicitor Ruggiero stated the first step is to determine whether the Town wants to file an objection, and the residents have to make that same decision. If there is a public hearing do you want the Town to object? If there are no objections the activities would be granted. The applicant’s burden must be proven, and the burden of proof is on the applicant who must provide credible testimony and information. Solicitor Ruggiero read CRMC guidelines on what has to be proven. Experts would have to be hired to conduct a study. Discussion continued.

President Trocki stated she would like to file an objection and request a public hearing to get on record and find out more information.

Brad Whitman of Beavertail Road stated you are putting on the record the town’s position objecting to this activity, otherwise, this will go forward without objection. His concern is the birds and the negative results from pollution they cause. Many concerns could be demonstrated at a public hearing, and individuals and groups should be prepared to testify and voice their concerns. Discussion continued.

**A motion was made by Councilor Mihaly with second by Councilor Dickinson to object and request a public hearing.**

Discussion. The Solicitor asked President Trocki if she would be signing the written communication to go out to CRMC. A draft will be prepared and forwarded to Council.

Back to the vote on the motion. **President Trocki, Aye; Vice President White, Absent; Councilor Dickinson, Aye; Councilor Meagher, Nay; Councilor Mihaly, Aye. Motion passes by a majority vote in the affirmative.**

President Trocki stated she is uncomfortable going forward without further information. This will be placed on the September agenda, and information will be gathered for a town-sponsored forum. President Trocki thanked everyone for their concerns and comments.

### **IX. NEW BUSINESS**

## Fort Wetherill Boat Owners Association Lease extension and possible negotiation; review, discussion and/or potential action and/or vote

Fort Wetherill Boat Owners Association President Mark Liberati was in attendance. Town Administrator Nota explained FWBOA is in their last automatic lease renewal, with three years left. As FWBOA is a non-profit organization, it doesn’t fall under State purchasing requirements as would a commercial operation. The members are requesting a renewal in order to go forward with necessary capital and infrastructure investment rather than holding off to see if the lease is renewed. A draft proposal would be prepared to bring back to Council for review, modification, and if appropriate, approval.

Mr. Liberati speaks to the difficulties of the site, gave a brief history, noted the Association has historically built and maintained the docks, and asked if the Council feels this could be renegotiated. FWBOA requests a 10-year lease with an option for an additional 10-year lease extension, with CPI increases and annual funding to replace the pilings and slips.

**A motion was made by Councilor Meagher with second by Councilor Dickinson to begin the renegotiation of the lease. President Trocki, Aye; Vice President White, Absent; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

# ORDINANCES AND APPOINTMENTS AND VACANCIES

### Appointments, Vacancies and Expiring Terms; review, discussion and/or potential action and/or vote

### Discover Newport (Newport and Bristol County Convention and Visitors Bureau) (One vacancy with a three-year term ending date of September 7, 2020); duly advertised; interviews conducted

#### Letter of interest for reappointment

##### Frank “Rusty” Sallee

#### Letters of interest for appointment

##### James Rugh

##### Richard Lynn

### Jamestown Affordable Housing Committee (One vacancy with an unexpired three-year term ending date of May 31, 2018); duly advertised; interviews conducted

#### Letter of interest for reappointment

##### Jerome Scott

#### Letters of interest for appointment

##### Valerie Malloy

##### Lisa Carlisle

##### Edie Flynn

##### John Gillespie

##### Richard Lynn

### Jamestown Tree Preservation and Protection Committee (One vacancy with a three-year term ending date of December 31, 2019); duly advertised; interview conducted

#### Letters of interest

##### Richard Lynn

President Trocki announced that interviews were conducted earlier this evening. As Councilor Dickinson and Vice President White were not in attendance, and not all applicants were available for an interview, appointments will be continued to the September 18th meeting agenda.

**XI. 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 Councilor Dickinson with second by Councilor Mihaly to approve and accept the Consent Agenda.**

Councilor Meagher asked to pull the July 17th regular meeting Minutes. As the Minutes are important she wants to make it clear regarding her remarks about East Ferry. On Page 8 the concerns expressed should include: “if we could pinch these areas and make a little more sidewalk, this is a high traffic area, quoting Blake, this is a passageway, and while we don’t design for extreme conditions such as for a 24 foot truck, we must provide someway so that people don’t have to go out into the street to get back to these and other areas.”

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

**The original motion and second were withdrawn.**

The Consent Agenda approved consists of the following:

## Adoption of Council Minutes

### July 17, 2017 (regular session)

### July 17, 2017 (executive meeting)

### July 17, 2017 (interview session)

## Minutes of Boards/Commissions/Committees

### Jamestown Philomenian Library Board of Trustees (06/06/2017)

### Jamestown Philomenian Library Board of Trustees (06/20/2017)

### Jamestown Philomenian Library Board of Trustees (07/11/2017)

### Jamestown Planning Commission (06/07/2017)

### Jamestown Planning Commission (06/21/2017)

### Jamestown Planning Commission (07/05/2017)

### Jamestown Planning Commission (07/15/2017)

### Jamestown Zoning Board of Review (06/27/2017)

## CRMC Notices

### August 2017 Calendar

## One Day Event/Entertainment License

### Applicant: Crossroads RI - Rob Upham

### Event: Crossroads Summer Event

### Date: August 23, 2017

Location: Fort Getty Pavilion

### Applicant: Aaron Hall-Stinson

Event: Hall-Stinson/Close Wedding

Date: August 26, 2017

Location: Fort Getty Pavilion

### Applicant: Kevin Hyman

Event: Sassi/Hyman Wedding

Date: August 27, 2017

Location: Fort Getty Pavilion

### Applicant: Cindy Moreau

### Event: Moreau-Black Wedding

Date: September 1, 2017

Location: Fort Getty Pavilion

### Applicant: Emily J. Murphy

Event: Murphy/Prior Wedding

Date: September 2, 2017

Location: Fort Getty Pavilion

### Applicant: Arthur H. Washburn, Jr.

Event: Seaside Family Cruise

Date: September 3, 2017

Location: Fort Getty

### Applicant: Jennifer Chase and Nicholas Mowry

Event: Mowry/Chase Wedding

Date: September 16, 2017

Location: Fort Getty Pavilion

### Applicant: RI Turnpike and Bridge Authority

Event: Four Bridges Ride

Date: September 17, 2017

Location: Jamestown Bridge/Route 138/Newport Bridge

### Applicant: Rachel Pineda

Event: Wedding

Date: September 22, 2017

Location: Fort Getty Pavilion

### Applicant: Deborah Slattery

Event: Wedding

Date: September 29, 2017

Location: Fort Getty Pavilion

### Applicant: Christopher Parkins and Melissa Knickerbocker

Event: Parkins/Knickerbocker Wedding

Date: October 6, 2017

Location Fort Getty Pavilion

### Applicant: Mark Esposito/Jamestown Police Department

Event: Wheels n’ Steel “Touch-A-Truck”

Date: October 8, 2017

Location: 250 Conanicus Avenue

### Applicant: RI Turnpike and Bridge Authority

Event: Citizens Bank Pell Bridge Run

Date: October 22, 2017

Location: East Shore Road/Freebody Drive/Pell Bridge

## Finance Director’s Report

**XII. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS**

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

The Communications received consists of the following:

## Communications; review, discussion and/or potential action and/or vote

### Email of Alexa Gold re: increased coyote population and the resulting threat to people and pets

### Email of Linda Flinton re: increased coyote population and the resulting threat to people and pets

### Letter of Stephen and Natalie Lepre re: coyote attack on their property that killed their Puggle, Scout

### Letter of Sharon Purdie re: aquaculture activities at Dutch Harbor and application of Antonio and Joseph Pinheiro to CRMC to modify Assent to float 595 permitted cages and allow bottom planting of oysters

## Petitions

### Pole Petition: Verizon New England, Inc. and The Narragansett Electric Company to relocate one (1) pole (Pole #22) on Watson Avenue approximately 70’ south of its existing location to accommodate customers request; review, discussion and/or potential action and or vote

#### Recommendation for approval by Public Works Director Michael C. Gray

**A motion was made by Councilor Meagher with second by Councilor Mihaly to approve the Pole Petition. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**A motion was made by Councilor Dickinson with second by Councilor Meagher to receive the Resolutions and Proclamations from other RI Cities and Towns. President Trocki, Aye; Vice President White, Absent; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

The Resolutions and Proclamations received consists of the following:

## Resolutions and Proclamations from other Rhode Island Cities and Towns; review, discussion and/or potential action and/or vote

### Resolution of the Barrington Town Council In Support of the Fiscal Year Ending June 30, 2018 State Budget

### Resolution of the Barrington Town Council In Opposition to Bills H5601 and S0896 An Act Relating to Towns and Cities – Optional Retirement for Members of Police and Firefighters

### Resolution of the Barrington Town Council In Opposition to Bills H5593 and S0285 An Act Relating to Labor and Labor Relations – Arbitration – Continuance of Contractual Provisions

### Resolution of the North Smithfield Town Council in Support of the Adoption of Legislation that Provides Reimbursement for the cost of the Municipal Police Training Academy

# XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

## Financial Town Meeting Rules and Procedures (September)

## Review of Town, School and Combined Budgets and Warrant items exceeding $50,000 through paper ballot, electronic ballot, FTM or Referendum (September)

## Fort Getty Discussion re: future planning (September/October)

## Golf Course Design Discussion (September/October)

## Parks and Recreation Department/Playground Renovation Committee: Playground Design Presentation (September/October)

Discussion ensued of the topics for upcoming meetings. The Playground Design Presentation is on the September 18th meeting. The Golf Course Design Discussion will be on October 2nd. Fort Getty Discussion will be on October 16th. The Financial Town Meeting Rules and Procedures and Review of Town, School, and Combined Budgets and Warrant items exceeding $50,000 through paper ballot, electronic ballot, FTM or Referendum warrants its own session at the first meeting in October prior to the regular meeting.

**XIV. EXECUTIVE SESSION**

## Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Town Administration/Library Board of Trustees and Proposed Letter of Understanding, pursuant to Rhode Island General Laws, Chapter 29-4, and Section 422 of the Jamestown Code of Ordinances); review, 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 Councilor Meagher to enter into Executive Session at 10:40 p.m. pursuant to RIGL §42-46-5(a) Subsection (1) Personnel.**

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

The Town Council reconvened the regular meeting at 10:51 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

**XIV. ADJOURNMENT**

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

The Jamestown Town Council adjourned the regular meeting at 10:52 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Finance Director

Town Solicitor