**TOWN COUNCIL MEETING**

**December 2, 2013**

## **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:

Kevin E. Paicos, Town Administrator

Peter D. Ruggiero, Town Solicitor

David R. Petrarca, Jr., Assistant Town Solicitor

Frederick Brown, Building/Zoning Official

Lisa Bryer, Town Planner

Christina Collins, Finance Director

Michael Gray, Public Works Director

Edward A. Mello, Police Chief

William Piva, Recreation Director

Cheryl A. Fernstrom, Town Clerk

## **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

President Trocki called the regular meeting to order at 7:08 p.m.in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue and led the Pledge of Allegiance.

## **ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND RESOLUTIONS**

1. Presentation
2. Recreation Study Presentation: Monica Lamboy and Rob Hayley of the Edward J. Collins, Jr., Center for Public Management.

Representatives Monica Lamboy and Rob Hayley were in attendance, provided background information on the Collins Center, a brief history of the process followed to develop the report, and gave a PowerPoint presentation on the Organizational Assessment of the Parks and Recreation Department. The Assessment is a descriptive profile of operations, including financial information, best practices guidelines, and input from the community survey and meetings. The October 21st initial presentation was referenced, and the team noted it was a pleasure to work with the community, administration, and staff in preparing the Assessment.

The PowerPoint included:

Strengths of the Department

* Staff works with multiple community groups to accommodate recreational needs
* Solicits sponsorships from local businesses to support events
* Provides many popular events such as the Jack-o-Lantern Jog, Summer Concert Series, and many others

Improvement Opportunities - Recommendations:

* Acquire software package that allows online registration and records critical information for participants. System should:
* Allow online payments
* Facilitate analysis of program costs/revenues
* Retain participant information
* Department should enhance its website to provide more information and interactivity for visitors
* Provide information on how to volunteer
* Ability for participants to offer suggested improvements

Management and Planning Improvement Opportunities - Recommendations:

* Develop a set of performance measures to report progress to Town Administration
* Facilitate communication from department to stakeholders
* Engage in strategic planning process that involves a wide segment of the Town
* Think strategically to prevent stagnating programs and services; Strategic planning broadens the base of input
* Develop new job descriptions for each Department position; current ones are incomplete and inaccurate; should reflect minimum mental and physical requirements
* Finance Department should conduct random field audits of cash handling and night deposit procedures.

Programmatic Services - Recommendations:

* Department should be more strategic and visionary when developing recreational programs and include
* Census data
* Public health data
* Community surveys
* Department should establish attendance targets for Teen Center, with regular attendance monitoring
* Use of technology
* Provide clarity on space allocation

Program services improvement opportunities - Recommendations:

* Department should enhance communications about program offerings so that potential customers learn of programmatic offerings
* Town should go through process to determine what constitutes a “Town Program”
* Town should develop a standardized manner of compensating instructors of programs

Facilities improvement opportunities - Recommendations:

* Facility size and design should be driven by Town goals
* Town should explore construction of a cultural arts facility
* Design of second floor of the Country Club should be multi-purpose
* Town should identify alternate locations to hold adult fitness activities displaced from second floor of the Country Club
* Town should develop a bicycle master plan
* Town should consider building a year-round public swimming pool.

Staffing and operations improvement opportunities - Recommendations:

* Town should transfer the responsibility for parks and grounds maintenance, including Ft. Getty, from Parks and Recreation to the Public Works Department
* Both departments currently provide grounds maintenance services in a small geographic area
* Consolidating would offer increased flexibility in deployment of staff
* Town should transfer responsibility for enforcement of rules and regulations at Ft. Getty from Parks and Recreation to another department
* Consolidate current Senior Center and Parks and Recreation Department operations under a single organization
* Similar missions for both organizations
* Some intergenerational programming offered, but this is not a result of active coordination between departments
* Town should train employee to be certified playground safety inspector
* Town should create a Ft. Getty Improvement Fund that funds capital improvements and supplements current capital expenditures for the Park.

Questions/Comments.

Gayen Thompson of Grinnell Street commented favorably on the report, would like to find out more about the management of Ft. Getty, and expressed concern for what a friend experienced as a lack of capacity at the trash disposal area and needed upgrades to the electrical system to accompany the increased annual fee for seasonal campers.

Sav Rebecchi of Sail Street asked whether the Study gives an idea of appropriate demographics for a town the size of Jamestown and guidelines for what services should be provided for a town this size.

Monica Lamboy stated there is no formula or ratio - it is the choices and priorities of each community. The best practices document is a good place to start, and the median age (51), minimum participations, and other factors should be reviewed through the strategic planning process. Electronic registration would make the operation easier and show whether there is enough interest in an activity. No two communities are alike.

Councilor Mihaly commented the Study is a fine piece of work and very helpful.

Vice President Meagher concurred and stated the technology information piece if helpful.

The Executive Summary will be on the Town website tomorrow. The strategic plan is an important beginning activity. As Ft. Getty preceded the Town Administrator, this may have been handled by the Recreation Director by tradition. Discussion involved what should be provided for our community with a median age of 51. Town Administrator Paicos noted some recommendations can be done immediately, and some require assessment to develop goals and priorities.

President Trocki noted the inventory of recreation and cultural activities later in the agenda. Looking at all Town facilities, we need help gathering information to develop data on priorities. All are important steps required before allocating funds or building a facility. This is a very thorough report and there is a lot to learn.

Vice President Meagher noted improvements to the website underway and a Town calendar for facilities and other additional technology improvements will be helpful. Councilor Mihaly stressed we first must figure out what we want to do, where to house it, where to put things, and the costs to implement them.

Vice President Meagher liked the idea of Fort Getty maintenance under Public Works, and it will be interesting to determine where to assign enforcement. President Trocki noted we must be realistic. Councilor Tighe referenced a seasonal person for enforcement duties.

Vice President Meagher noted it will be interesting to hear about bicycle facilities. This is not a recreation program, but it is part of recreation and why people live here. President Trocki commented it is our goal to have a happy, viable community that provides recreational services. Swimming lessons should be provided to our children, and other activities should be offered to adults and seniors to facilitate a healthy lifestyle.

Gayen Thompson of Grinnell Street commented the report included handicapped access. She has advocated for that, and one of the best resources is the Military, as many young adults need handicapped accessible recreation, which does not exist in Town. Access needs to be addressed for all ages.

Councilor Dickinson read the report in detail and was very pleased. Two points noted were the lack of a strategic plan for supplying recreational services and the lack of tools to implement it. We also lack access to government, support for programs, and how to measure success and disseminate information.

Rob Hayley gave kudos to the Ft. Getty Master Plan Committee.

Vice President Meagher commented on the recommendation to explore the inclusion of a cultural arts facility. She is comfortable looking at goals and using the facilities we do have, what we do provide, how we use the facilities, and what we want to provide. Where do we go from here?

Rob Hayley stated an implementation plan was included with a timeline with realistic expectations. The first step is a computerized registration system, preceded by the strategic plan.

Town Administrator Paicos stated like all consultant reports there is the necessary review component by staff. He will appoint staff for report review. The review may not agree with all recommendations, but many aspects are applicable and should be implemented. It is hoped an action plan will be presented to the Town in 30 days outlining what staff proposes and areas of agreement and disagreement in spreadsheet form. Probably 80% to 90% of the report should be implemented. However, the pool requires a lot of thought. A target date of mid January is set.

**A motion was made by Eugene Mihaly with second by Mary Meagher to move Agenda Item VII. Unfinished Business A) to the next item to be addressed. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**VII. UNFINISHED BUSINESS**

1. Recreation Study update/Inventory of recreational and cultural programs
2. Collins Center proposal and costs – discussion and possible action

President Trocki referenced the program proposal. Monica Lamboy and Rob Hayley are in attendance and explained the scope of services and cost proposal for the inventory. It includes a questionnaire to gain an idea of who has needs, what they are, and whether they are being met. The goal is to develop a table that identifies schedules and needs and what is being met. Town Administrator Paicos noted the Recreation Director is preparing an inventory of activities offered through the Recreation Department and other organizations. The document should be ready in 4 to 6 weeks (probably the end of January) and would be a basic tool to formulate what is needed and what is possible, and assist the architect working on the golf course. Lengthy discussion ensued.

The proposed cost is for the Recreational Inventory by the Collins Center is $3,850 including three onsite visits. Funding has been identified by the Finance Director.

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the proposal from the Edwards J. Collins Center in the amount of $3,850. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. Resolution
2. No. 2013-23 Establishing a Temporary Moratorium on Building and Demolition Permit Applications Concerning Structures, Districts and Sites Designated on the National Register of Historic Places in the Town of Jamestown, discussion and possible action.

The Planning Commission memorandum recommending the Council enact a temporary moratorium, as unanimously passed at their regular meeting, was referenced. If passed the Resolution would provide enforcement and prevent a rush while Planning is reviewing Zoning Ordinance amendment recommendations. Solicitor Ruggiero noted that interior alterations are exempt, but all exterior renovations and alterations would not be allowed by the moratorium. Emergency repairs would be allowed at the discretion of the Building/Zoning Official.

Councilor Mihaly asked if modifications would be barred, and if there was an appeal process. Solicitor Ruggiero stated if it changes the appearance it would be under the resolution. Vice President Meagher stated the Resolution places a six-month moratorium on permitting any and all demolition, development, or redevelopment in the areas listed on the National Register of Historic Places.

Solicitor Ruggiero gave an overview of the proposed Resolution and moratorium. This came out of the proposed creation of the Historic District for Shoreby Hill, which is continued to February. The Planning Commission is grappling with the issue and how to address it properly, which may take 3 to 4 months. The current regulatory provisions are ambiguous and may lead to litigation if the regulations were enforced. Properties have changed hands, renovations are proposed, and the purpose is to halt major alterations and give Planning time to develop their recommendations. Building/Zoning Official Fred Brown noted the 2009 revisions and stated he is uncomfortable with what he considers unenforceable ordinance provisions. It will take some time to review and produce the proper stand alone ordinance, and this is a good first step to protect the historic areas.

Vice President Meagher noted this issue has been very prominent, Shoreby Hill represents 3% of the homes in Jamestown, concern exists that the icons of Jamestown are potentially at risk, and Planning is looking to develop a methodology to deal with this.

Solicitor Ruggiero reviewed what is covered under the moratorium. Interior renovations are exempted, property maintenance and stabilization, or anything of a threatening nature to the structural integrity of the property, is allowed. This is a legally defensible approach and he recommends its adoption. Councilor Dickinson expressed concern for exposing the Town to liability for 3% of the residents and finds it problematic. Councilor Mihaly expressed concern there is no exception provision for minor renovations. Solicitor Ruggeiro stated if someone disagrees with the Building/Zoning Official’s denial of a building permit, it could be appealed to the Zoning Board or Superior Court.

President Trocki understands the dilemma and the need for the regulations. It seems clearer to have a tailored moratorium that allows some activities. Our Solicitor recommends this is the best we can do, and that is that she bases her decision on. Councilor Dickinson commented on the existing Zoning Ordinance and potential liability exposure. Solicitor Ruggiero noted the Zoning Ordinance gives jurisdiction to the Planning Commission over historic properties, but regulatory language is ambiguous and needs to be revised. A property owner could challenge a ruling, and it may not be defensible. The Planning Commission wants to clear up the ambiguity.

Town Administrator Paicos noted Jamestown has historically significant assets. The moratorium was triggered by Lower Shoreby residents expressing concern those buildings might be sacrificed as a mechanism was not in place to protect them. Until an ordinance is prepared, damage could occur, and the logical step is moratorium. People are asked to give up their rights for 6 months to protect our unique historic buildings. Once that happens, it cannot be undone.

Vice President Meagher noted this is not internal renovations that do not affect the exterior of structures. The Historic Districts were referenced, not just Shoreby Hill, and she is concerned for the breadth of what is listed the National Register. She feels the moratorium should only include Lower Shoreby Hill. Lengthy discussion continued.

Solicitor Ruggiero noted the current proposal is the only area currently regulated. Planning would like to reach out and regulate the other areas. President Trocki wants to be fair. Councilor Dickinson is comfortable with giving the Town the tools needed, but he is unsure this is appropriate. Town Planner Lisa Bryer noted Planning was looking for a fair rationality in picking districts and structures with historic significance. Vice President Meagher stated it is her recommendation is to limit it to Lower Shoreby. Councilor Mihaly supports that. Exhibit A to the Resolution lists the properties, and it would have to be amended.

Public Comment.

Holly Gifford of Whittier Road commented on her family’s old home that is for sale, and the moratorium would directly affect her family. Any parties interested in the property do not want to keep it the way it is. It is small, in need of repair, and the price has come down as a result. If it cannot be significantly changed when the moratorium is adopted, 3 of the 4 interested parties will rescind their interest, placing the family in a challenging financial position. They cannot afford legal counsel to fight the moratorium, hopes there is another alternative, that all affected by the moratorium can have input, and 6 months is a long time to wait.

President Trocki noted the moratorium is up to 6 months, and perhaps less if the ordinance revisions are completed prior to the 6 month period.

Deb Foppert, an Attorney in Jamestown, noted she is here on behalf of clients. The National Register protects buildings. One of her clients has a buyer for their home who will tear it down. If there is going to be a moratorium, limiting it to where the issue is, Lower Shoreby Hill, or to just buildings in the National Register. This is a surprise and her client will not be able to sell their home.

Gayen Thompson noted she hopes people will not dig up archaeology and the idea of limiting the moratorium to Lower Shoreby is a compromise we can live with.

Sav Rebecchi of Sail Street noted he is in favor of homes selling in Shoreby Hill. He admires the efforts to place properties on the National Register and the efforts to protect Shoreby Hill by Betty Hubbard. The Historic District proposal recognizes Shoreby Hill as a private subdivision seeking extra protection from the Town. This moratorium is taking rights away from people, when all are not in agreement to do, which is unfair. He believes the Planning Commission concurred to go ahead with the moratorium as long as an applicant had an option to go before the Zoning Board or a technical review committee, which is missing from the Resolution. There is no real rush or threat to buildings on the National Register, except those perceived by the residents of Shoreby Hill, and we have no liability until we put a building of historic value on the Zoning map.

Solicitor Ruggiero stated this is not so. There are provisions in the ordinance for properties designated as historic or in an historic district; there is an “or” that creates a jurisdiction without standards.

Sav Rebecchi stated once we start doing this, it is over. Please step back to notify all the people who would be affected by the moratorium to let them know this will happen.

Vice President Meagher noted this is not the request of a single individual, historic buildings in Jamestown deserve protection, and there is a community-wide interest. Once a house is demolished you can’t bring it back. She proposes to protect historic properties and to limit the moratorium to Lower Shoreby Hill.

President Trocki stated it removes the element of surprise to limit the moratorium to Lower Shoreby. She cares about the character of Jamestown and preserving it, this is a short-term hold, and a temporary solution to protect Jamestown until a viable solution can be developed. No one wants to take anyone’s property rights away.

Arek Galle of Clinton Avenue, a landscape architect and planner, noted the moratorium is a blunt instrument and may cause some injury somewhere. We’re trying to take this discussion to a higher level. He referenced the “Three Sisters” as an example and protection of significant buildings that shape the character of Jamestown. The trick is to buy the correct amount of time to find the proper process that is fair, and it may not take six months. Make sure the moratorium is broad enough so that it doesn’t have to be revisited down the road.

Vice President Meagher stated her concern is that people are not part of the discussion (perhaps from the Archaeological District). The moratorium would take us to May 2nd when people will be working on their homes again. The discussion will be broad, but the moratorium needs to be precise.

Councilor Dickinson noted we need to give Building/Zoning Official Brown the tools he needs to protect the Town and significant buildings. He is uncomfortable with supporting a moratorium as it is unclear who supports this moratorium. This is private property and we do not have the right to restrict what people will do with their property. He would give in a little for limiting it to Lower Shoreby Hill, but is otherwise opposed.

Councilor Mihaly stated there is no perfect solution and the dialogue has been going on for quite some time. This moratorium gives time for a better solution and will not cause a hardship. There are no such things as absolute property rights and we all surrender by living in a community.

**A motion was made by Eugene Mihaly with second by Blake Dickinson to strike everything on the list in Exhibit A except for Lower Shoreby and adopt the Resolution.**

Discussion. Vice President Meagher further delineated the area as a modified Exhibit A as listed in the National Register of Historic Places as the First Subdivision of Shoreby Hill, also known as Lower Shoreby Hill, recorded in 1898, as described on the map shown on the screen (Figure 200-1 Jamestown Historic District Map, Plat 8 – First Subdivision of Shoreby Hill). Internal renovations and remodeling will be exempt from the moratorium.

**A motion was made by Eugene Mihaly with second by Blake Dickinson to amend the original motion to include the language “to adopt the Resolution with a modified Exhibit A as described in the National Register of Historic Places as the First Subdivision of Shoreby Hill, also known as Lower Shoreby Hill, recorded in 1898, and described on the map shown as a portion of Assessor’s Plat 8 depicting the First Subdivision of Shoreby Hill, with internal renovations and remodeling exempt from the moratorium, and such language shall be added to the Resolution as Item No. 6.”**

Discussion. The document can be amended, adopted, and prepared for distribution tomorrow morning. The amendment shall be adopted first.

Back to the vote on the amendment. **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 pass the Resolution of the Town Council No. 2013-23 as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Resolution will be revised and circulated tomorrow.

## **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.*

* 1. Licenses and Permits

1) One Day Event/Entertainment License Applications

a) Applicant: Mark Baker

Event: Jamestown Tree Lighting Ceremony

Date: December 7, 2013

Location: East Ferry

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the One Day Event/Entertainment License application of Mark Baker for the Tree Lighting Ceremony. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. Applicant: Lisa Bryer

Event: 8th Grade Fundraiser Yard Sale

Date: December 7, 2013

Location: Jamestown Fire Station

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the One Day Event/Entertainment License application of Lisa Bryer for the 8th Grade Fundraiser Yard Sale. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. Applicant: Jamestown Chamber of Commerce

Event: Polar Express - movie holiday showing

Date: December 21, 2013

Location: Jamestown Recreation Center

**A motion was made by Blake Dickinson with second by Mary Meagher to approve the One Day Event/Entertainment License application of Jamestown Chamber of Commerce for the Polar Express movie holiday showing. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. Applicant 1st Day Plunge Committee/Bob Bailey

Event: Jamestown 1st Day Plunge

Date: January 1, 2014

Location: East Ferry Beach

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the One Day Event/Entertainment License application of 1st Day Plunge Committee for the Jamestown 1st Day Plunge. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

## **OPEN FORUM**

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

1. Scheduled to address. None
2. Non-scheduled to address

Gayen Thompson voiced her opposition to the Hull Cove trail boardwalk and will share her letter with town administration.

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

1. Town Administrator’s Report. Town Administrator Paicos will pass on his report this evening.
2. 3rd Quarter 2013 GZA Monitoring Report. Public Works Director Gray noted the summary pages of the report. The landfill site remains constant and trends that are tracked are significantly decreasing. He reports essentially they have capped the landfill. The upper storage pad and compost area are finished; drainage is in; the site was seeded. The one challenge is preventing erosion over the winter.

## **UNFINISHED BUSINESS**

B) Fort Getty landscape project Permitting Phase, subject to availability of funding. Arek Galle of GLA/BETA referenced his proposal outlining the Design Development and Permitting phase. The tasks developed for the next level are as follows:

* Task 1 Landscape and Site Design 50 hrs Cost: $ 7,130
* Task 2 Stormwater Design 113 hrs Cost: $17,065
* Task 3 CRMC Permitting 42 hrs Co: $ 5,130
* Task 4 On-Site Wastewater Treatment

System Design 28 hrs Cost: $ 4,210

* Task 5 RIDEM (RIPDES) Permitting 42 hrs Cost: $ 4,940

Total Phase 2 Design and Permitting Cost: $38,475

**A motion was made by Mary Meagher with second by Kristine Trocki to accept the proposal, using available funding in the Fort Getty Fund, mindful of the fact some of these pieces may not go forward. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. Appointments/Reappointments/Interviews for Board/Commission/Committee vacancies discussion and possible actions

The memos regarding the Zoning Board and other appointments and current vacancies were referenced. The Zoning Board appointments would be effective as of January 1, 2014. Councilor Dickinson stated he must recuse on one appointment. Discussion ensued of how to proceed with reappointments, new applications, and resignations. Vice President Meagher noted the reappointments listed under Consent Agenda and questioned what candidates should be interviewed, what appointments should be addressed during Consent Agenda, who should be interviewed, and should other appointments be scheduled for the next meeting. Councilor Dickinson thought if there were reservations regarding any candidates we hold the appointments. Solicitor Ruggiero noted the past practice of moving alternate members to full member positions when a member has reached their term limit or decides not to serve, and that is how they have been presented. Council members state they do not have an issue with promoting alternate members. Councilor Dickinson asked to pull the Tree Warden appointment, as there are two applicants. Vice President Meagher asked if the other appointments could be made along with the Consent Agenda appointments. President Trocki stated that is very possible.

**A motion was made by Thomas Tighe with second by Blake Dickinson to appoint the three applicants requesting reappointment to the three openings on the Conservation Commission, Ted Smayda, George Souza, and Anne Kuhn-Hines. 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 Blake Dickinson to reappoint David Cain to the Harbor Commission.** **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 Blake Dickinson to appoint Alternate Member Agnes Filkins to the Regular Member position to replace William Piva. 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 Blake Dickinson that since Mr. Piva was one of the original members of the Juvenile Hearing Board, a letter of thanks for his services should be sent to him. 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 Blake Dickinson to reappoint Andrew Ford to the Juvenile Hearing Board Alternate position.**

Discussion. It is fine to reappoint him as an Alternate.

Back to the vote on the motion. **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 Eugene Mihaly to reappoint Richard Lynn, Michael Smith, and Michael Cochran to the Planning Commission for the three openings.**

Discussion. There are two other applicants, so there are 5 applicants for 3 openings, interviews should be conducted, and these appointments will be held.

**A motion was made by Thomas Tighe with second by Eugene Mihaly to reappoint James Rugh to the Quonset Development Corporation Board of Directors. 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 Blake Dickinson to reappoint John Collins to the Tree Preservation and Protection Committee.** **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

There are two openings on Tree Preservation and Protection Committee. There are two applicants for the Tree Warden position, and interviews will be scheduled.

**A motion was made by Mary Meagher with second by Eugene Mihaly to reappoint Richard Boren to the Zoning Board of Review as a regular member. 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 appoint Zoning Board 1st Alternate Richard Cribb to the Zoning Board of Review regular member position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

Discussion ensued of Zoning Board alternate positions.

**A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Zoning Board 2nd Alternate Richard Allphin to the Zoning Board 1st Alternate position, and appoint Zoning Board 3rd Alternate Judy Bell to the Zoning Board 2nd Alternate position. 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 Thomas Tighe to appoint Bruce Dickinson to the Harbor Commission Non-Riparian Recreational Boater position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Recuses.**

**A motion was made by Mary Meagher with second by Thomas Tighe to appoint Cheryl Main to the Jamestown Housing Authority. 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 appoint Liz Brian and Paul Housberg to the Library Board of Trustees. 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 Blake Dickinson to appoint Robin Watters to the Newport County Convention and Visitors Bureau. 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 Blake Dickinson to appoint Paula Samos to the Tree Preservation and Protection Committee upon the resignation of David Frank. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Council encourages citizens to apply for the vacancies that exist for the Juvenile Hearing Board, Jamestown Housing Authority, Affordable Housing Committee, Beavertail State Park Advisory Board, Tax Assessment Board of Review, and Town Building and Facilities Committee.

## **NEW BUSINESS**

1. Conanicut Island Sailing Foundation Summer 2014 Programs – Request for Council approval
2. *Sea Adventure Camp* (marine/environmental science and sailing camp) for six (6) one-week sessions July 7 through August 15 at Fort Getty
3. *Wednesday Night Free Sailing* for six (6) sessions July 9 through August 13 at Fort Getty

Meg Myles was in attendance and requests a multiple year approval. Solicitor Ruggiero recommended as the Town is in the middle of the recreation study, the Council should not approve multiple years at this time. CISF could come back once the study is completed. Discussion continued.

**A motion was made by Blake Dickinson with second by Eugene Mihaly to approve the requests of CISF for approval of the Sea Adventure Camps and Wednesday Night Free Sailing. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

Other items requested can be addressed administratively through Town Administration. The input from Recreation Director Piva was appreciated.

1. Disbanding of Town Administrator Search Committee

**A motion was made by Mary Meagher with second by Eugene Mihaly to disband the Town Administrator Search Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. Fort Getty 2014 Season fees, rules and regulations, and season dates

Solicitor Ruggiero, Town Administrator Paicos, and Recreation Director Piva prepared the 2014 season rules. Mr. LaFlamme’s input was noted. The User Agreement is terrific. The season is proposed for May 14 to September 14, consistent with this year; the season begins and ends on a Thursday. The changes made last year worked well; there is no need to change the rates at this time. The dates of the camping season were reduced last year to 122 days, and additional requests to reduce the season further were referenced. Councilor Dickinson would like an evaluation of the process comparing multiple seasons. Perhaps next year it might be appropriate to raise the non-resident rates and the ratio. President Trocki is in favor of keeping rates the same for this season, as listed in the packet. Is it desirable to omit the transient sites and have all sites reserved for seasonal campers.

**A motion was made by Mary Meagher with second by Thomas Tighe to approve the 2014 season dates of May 14 to September 14, keep the Pavilion rates the same as last year, keep the camping user permit the same as last year, and adopt the revised rules and regulations for the 2014 camping season. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

1. **ORDINANCES AND APPOINTMENTS**

None.

1. **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 Mary Meagher with second by Blake Dickinson to remove F) Reappointments from the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

Vice President Meagher removes B) 3) Zoning Board of Review Minutes for discussion, as they reference “to allow the existing restaurant to offer beer and wine service to its customers.” She asked for a report regarding the regulations on a BYOB. Solicitor Ruggiero will work with Town Administrator Paicos and Police Chief Mello.

**A motion was made by Mary Meagher with second by Thomas Tighe to approve the Consent Agenda as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Consent Agenda approved consists of the following:

1. Adoption of Council Minutes
2. November 4, 2013 (regular meeting)
3. November 18, 2013 (workshop)
4. November 18, 2013 (regular meeting)
5. November 21, 2013 (special meeting)
6. Minutes from Boards, Commissions and Committees
7. Jamestown Harbor Commission (10/09/2013)
8. Jamestown Tree Preservation & Protection Committee (10/15/2013)
9. Jamestown Zoning Board of Review (09/24/2013)
10. Zoning Board of Review abutter notice:
11. Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing November 19, 213 at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: application of Anthony W. Cofone, whose property is located at Catamaran Street and further identified as Assessor’s Plat 3A, Lot 157 for a special use permit from Article 3, Section 82-314 )High groundwater table & impervious layer overlay district) to construct a two bedroom single family dwelling. Said property is located in a R40 zone and contains 7200 sq. ft.
12. CRMC Notices
13. Semi-Monthly Meeting Agenda for November 26, 2013

a) Map of proposed mussel farm

1. Abatements/Addenda of Taxes

## **COMMUNICATIONS AND PETITIONS**

1. Communications
2. Letter of James J. Burgess re: Historic Zoning for Shoreby Hill

**A motion was made by Kristine Trocki with second by Mary Meagher to approve the Communications. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

## **EXECUTIVE SESSION**

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

1. Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Discussion and establishment of performance objectives regarding the Town Administrator)
2. The Town Council may meet in open session to discuss and establish performance objectives regarding the Town Administrator

**A motion was made by Eugene Mihaly with second by Blake Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (1) Personnel at 10:17 p.m.**

**Pursuant to RIGL §42-46-5(a) the following vote was taken by the Jamestown Town Council to discuss Personnel. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Jamestown Town Council resumed its regular meeting at 12:25 a.m. President Trocki stated that no votes were taken during the Executive Session.

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

## **ADJOURNMENT**

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

The regular meeting was adjourned at 12:26 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)

Town Administrator

Finance Director

Town Solicitor