

**TOWN COUNCIL MEETING
December 2, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on December 2, 2019. Town Council Members present were as follows: Michael G. White, Nancy A. Beye, Randall White, and William J. Piva, Jr. Vice President Mary Meagher was not present. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, Chief of Police Edward A. Mello and Public Works Director, Michael Gray.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President White called the meeting of the Jamestown Town Council to order at 6:33 P.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Resolution:
- 1) No. 2019-21 Resolution in support of training on the Open Meetings Act and Access to Public Records Act

Council President White read the following Resolution:

**RESOLUTION
IN SUPPORT OF TRAINING ON THE OPEN MEETINGS ACT
AND
ACCESS TO PUBLIC RECORDS ACT**

WHEREAS, the Town Council of the Town of Jamestown (the “Town Council”) has identified Rhode Island General Law has and its application has changed regarding the Open Meetings Act (OMA) and Access to Public Records Act (APRA); and

WHEREAS, the Town Council understands the importance that all staff, boards and commissions are appropriately trained on the OMA and APRA; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Town Council of the Town of Jamestown, Rhode Island, supports training opportunities to be provided; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby instructed to coordinate with the Town Solicitor’s Office on a training regarding the OMA and APRA statutes and to notify and encourage all staff, boards and commissions to attend.

A motion was made by Councilor Beye with second by Councilor White to approve the 2019-21 Resolution on the Open Meetings Act and Access to Public Records Act. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

IV. OPEN FORUM

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

No public comment.

V. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORT

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Town Administrator's Report: Christina D. Collins, Interim Town Administrator
 - 1) Cellular Service & Tower Update

Interim Town Administrator Collins provided the following update regarding the Cell Tower: On August 20, 2018, Town staff provided the Town Council a report on improving wireless service to the North End of Jamestown with the construction of a cell tower. Town staff reviewed Town owned parcels of land and identified possible properties where a cell tower could be constructed. Two sites were recommended for further study, Cedar Lane and North Reservoir property on North Main road. After review of the deeds of the north parcel, it has been determined that neither property is viable for construction of a cell tower. The Cedar Lane site has restrictions in the deed which prohibits development. The North reservoir property is currently zones as OS-1, which prohibits the construction of a tower. At the October 21, 2019 Council meeting, staff from Dewberry engineers presented the results of the drive test survey of the north end of Jamestown. The results of the survey indicated that a majority of the north end of the island has poor coverage outdoors and very poor coverage indoors. Councilman White asked staff to provide an estimate for the construction of a cell tower. Dewberry Engineers stated that a high – level budgetary estimate for a typical monopole construction of 150 feet, approximately \$450,000. This estimate includes engineering, foundation, furnishing, and installing the monopole, a 50' x50' compound, fencing and gate, access drive up to 100', 600 amp electric service, utility fees and permits. This estimate may increase due to site acquisition, development infrastructure, local approvals and market increases in materials and labor. She further requested Public Works Director Gray to provide further explanation regarding the cell tower.

Public Works Director Gray also advised on the Cell Tower and past review and studies regarding the proposed sites to address cellular service on the North End.

Councilor White asked for clarification regarding node sites.

Public Works Director Gray advised 30 or more nodes would be needed. Each node would cost about \$40,000 for infrastructure.

Councilor White questioned if other municipalities have provided a solution to this issue and if those municipalities were studied.

Public Works Director Gray advised they did look at other municipalities' research and their RFP's were used as part of the bid documents.

Discussion ensued on potential revenue from the tower.

Councilor White stated our situation is unique and not all residents will be serviced.

Councilor White questioned if private owners, would have a suitable location.

Public Works Director Gray advised location is the largest hurdle to overcome.

Councilor Piva questioned if West Reach residents have come forward.

Public Works Director Gray advised they only looked at town parcels and next steps would be to sit down with carriers to determine interest.

Discussion ensued on carriers and tower locations.

Public Works Director Gray advised on the need to look at revenue and determine the feasibility of the project.

Jim Rugh of America Way and President of East Passage Estates stated there are no buildable lots to give from the Association.

John Hamell of Columbia Lane advised on the safety and important of cellular service and urged the Council to look at something that will provide adequate service.

Councilor White questioned if the Cell Service Provider should provide the coverage.

Council President White stated we have to consider all tax payers.

Frank Haggerty of West Reach Drive advised on cell towers and increasing the height of equipment on the water tower site.

Karen Butens of Columbia Lane questioned the process and suggested a subcommittee be formed to keep moving this forward.

Wade Moore of West Reach Drive and current President of West Reach Association is in favor of additional cell coverage. He would also be interested in serving on a task force or committee.

Council President White stated the focus should not only be on a tower; but improving cellular service on the north end.

- B) Town Solicitor's Report: Peter D. Ruggiero opinion regarding Section 219 – Initiative Procedure of the Town Charter concerning the initiation of a Moratorium by the Town Council

Town Solicitor Ruggiero advised the Council has no authority on the initiative process. The process was reserved for the voters and Council has no legal authority to stop petitions.

Discussion ensued on the procedure on an initiative petition.

Town Solicitor Ruggiero advised on the form created and initiative process.

Councilor White questioned if this proposed Charter amendment will be placed on the ballot.

Councilor Piva stated believed it would be placed on the General Election ballot.

Town Solicitor Ruggiero stated he would check the record on the matter as the Council will need to approve the amendment to be placed on the ballot.

Jim Rugh America Way questioned the process of an executive order.

Town Solicitor Ruggiero advised an executive order is much different.

VI. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Upcoming Meetings and Sessions – dates and times
Town Council Meeting Schedule: December 16, 2019 at 6:30 p.m.

Meeting dates were reviewed.

- B) Release of Funds Regarding 2016 RIDEM Grant Lawn Avenue

Interim Town Administrator Collins clarified on the Deobligation of the funds and they have requested two extensions and do not have remaining time to complete the proposed use for the funds. .

A motion was made by Councilor Beye with second by Councilor Piva to Deobligate the Funds Awarded for the 2016 RIDEM Recreation Grant – Lawn Avenue Recreation Complex in the amount of \$400,000.00. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

C) Review of Harbor Operating Budget and Long Range Infrastructure Plan

Chief Mello advised on the need to continue this matter to January.

A motion was made by Councilor Beye with second by Councilor Piva to continue review of the Harbor Operating Budget and Long Range Infrastructure Plan to the first meeting in January. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

VII. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

A) Setting of 2020 Town Council Meeting Date Calendar

Dates were reviewed for 2020 and it was noted the dates could be amended if needed.

A motion was made by Councilor Beye with second by Councilor White accept the proposed meeting dates for 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

B) Request of the Conanicut Island Arts Association (CIAA) for Approval of 2020 Exhibit

Kathleen Caswell President from CIAA thanked for the Council for their partnership. She further explained events to be held.

A motion was made by Councilor Piva with second by Councilor Beye to approve the 2020 Exhibit dates for the Conanicut Island Arts Association. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

VIII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote:

*has applied for more than one committee

Council President White explained tradition with regards to members seeking reappointment.

Councilor White questioned term limits.

1) Jamestown Conservation Commission (four vacancies with a three-year term expiring December 31, 2022)

- a) Letters of interest for reappointment
 - i) Joyce Antonello
 - ii) Anne Kuhn-Hines
 - iii) Susan Shim Gorelick
 - iv) George Souza
- b) Letter of interest for appointment
 - i) Leo N. Orsi, Jr.
 - ii) Jessica McCarthy*
 - iii) Robert Tormey*
 - iv) Elisa S Conte
- c) Letters of recommendation for J. Antoneillo, S. Gorelick and G. Souza from Committee Chair Ann Kuhn-Hines

A motion was made by Councilor White with second by Councilor Piva to appoint J. Antonello, A. Kuhn-Hines, S. Gorelick and G. Souza to the Conservation Commission with terms expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

- 2) Discover Newport Board of Directors (one vacancy with an unexpired term expiring September 5, 2020)
 - a) Letters of interest for appointment
 - i) James Rugh
 - ii) Thomas McNiff
 - iii) Jessica McCarthy*

It was noted the Council would like to set up interviews to review applicants.

- 3) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with an unexpired term ending date May 31, 2021 and One Citizen-at-Large with a term ending May 31, 2022)
 - a) No Applicants

It was noted an applicant had applied, but after the Agenda deadline. This will be considered at the next Council meeting.

- 4) Jamestown Harbor Commission Member (two vacancies with a three-year term expiring December 31, 2022)
 - a) Letter of resignation
 - i) James R. Heagney

It was noted a letter of thanks would be sent to J. Heagney for his service.

- b) Letters of interest for reappointment
 - i) Michael Junge
- c) Letter on interest for appointment
 - i) Richard Raynes
 - ii) Leo N. Orsi, Jr.
 - iii) Jessica McCarthy*
- d) Letter of recommendation for M. Junge from Committee Chair J. William W. Harsch

A motion was made by Councilor White with second by Councilor Piva to appoint M. Junge to the Harbor Commission for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

It was noted interviews would be set up for the remaining vacancy.

- 5) Jamestown Housing Authority (one vacancy with a five-year term expiring December 31, 2024)
 - a) Letter of Resignation
 - i) Carroll Pruell

It was noted a letter of thanks would be sent to C. Pruell for her service.

- b) Letters of interest for appointment
 - i) Jessica McCarthy*
- 6) Juvenile Hearing Board (one vacancy with a three-year term expiring December 31, 2022)
 - a) Letter of interest for reappointment
 - i) Agnes Filkins
 - b) Letter on interest for appointment
 - i) Jessica McCarthy*

A motion was made by Councilor Beye with second by Councilor White to appoint A. Filkins to the Juvenile Hearing Board for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

- 7) Jamestown Library Board of Trustees (two vacancies with a three-year term expiring December 31, 2022)
 - a) Letters of interest for reappointment
 - i) Peter Carson
 - ii) Paul Houseberg
 - b) Letter of interest for appointment
 - i) Jessica McCarthy*
 - ii) Stephen Levesque *

A motion was made by Councilor Piva with second by Councilor Beye to appoint P. Carson and P. Houseberg to the Library Board of Trustees for the term expiring December 31, 2022. President White, Aye; Councilor Beye, Aye; Councilor White, - Aye; Councilor Piva, Aye

- 8) Planning Commission (two vacancies with a four-year term expiring December 31, 2023)
 - a) Letter of interest for reappointment
 - i) Rosemary Enright
 - ii) Duncan Pendelbury
 - b) Letter of interest for appointment
 - i) Jessica McCarthy*

A motion was made by Councilor White with second by Councilor Beye to appoint R. Enright and D. Pendelbury to the Planning Commission for the term expiring December 31, 2023. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 9) Quonset Development Corporation Board of Directors (one vacancy with a three-year term expiring December 31, 2022)
 - a) Letter of interest for reappointment
 - i) Job Toll
 - b) Letter of interest for appointment
 - i) Joseph Cannon, Jr.
 - ii) Jessica McCarthy*
 - iii) Robert Tormey*

A motion was made by Councilor Beye with second by Councilor Piva to appoint J. Toll to the Quonset Development Corporation Board of Directors for the expiring term- December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 10) Tax Assessment Board of Review
 - a) Letter of interest for appointment
 - i) Dave Dolce

A motion was made by Councilor Piva with second by Councilor Beye to appoint D. Dolce to the Tax Assessment Board of Review for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 11) Traffic Committee (three vacancies with a three-year term expiring December 31, 2022)
 - a) Letters of interest for reappointment
 - i) Michael Junge
 - ii) William Munger
 - iii) Timothy Yentsch

- b) Letter of recommendation for Timothy Yentsch from Jamestown Shores Association/Ann Gagnon
- c) Letter of interest for appointment
 - i) Leo N. Orsi, Jr.

A motion was made by Councilor Piva with second by Councilor Beye to appoint M. Junge, W. Munger, and T. Yentsch for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 12) Tree Preservation and Protection Committee (two vacancies with a three-year term expiring December 31, 2022)
 - a) Letter of resignation
 - i) Andrew Hunter

It was noted a letter of thanks would be sent to A. Hunter for his service.

- b) Letter of interest for reappointment
 - i) Beth Herman
- c) Letters of interest for appointment
 - i) Carol Coleman
 - ii) Thomas Farrell
- d) Letter of recommendation for B. Herman from Committee Chair Elaine Peterson

A motion was made by Councilor Piva with second by Councilor White to appoint B. Herman to the Tree Preservation and Protection Committee for the term expiring December 31, 2022. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

It was noted interviews would be set up for the remaining vacancy.

- 13) Tree Warden (one vacancy with a one-year term expiring December 31, 2020)
 - a) Letter of interest for reappointment
 - i) Stephen Saracino

A motion was made by Councilor Beye with second by Councilor Piva to appoint S. Saracino as Tree Warden for the term expiring December 31, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 14) Zoning Board of Review
(three vacancies with a one-year term expiring December 31, 2020)
 - a) Letters of interest for reappointment
 - i) Judith Bell
 - ii) James King
 - iii) Eric Brine
 - b) Letter of interest for appointment
 - i) Jessica McCarthy*
 - ii) Stephen Levesque *

A motion was made by Councilor Beye with second by Councilor Piva to appoint J. Bell, J. King and E. Brine to the Zoning Board of Review with terms expiring December 31, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

Councilor White questioned the practice of reaching out to applicants to prevent discouragement.

It was noted that applicants are kept on file and notified if a vacancy occurs.

A motion was made by Councilor Piva with second by Councilor White to approve the Consent Agenda. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Town Council Minutes
 - 1) November 14, 2019 (special meeting)
 - 2) November 14, 2019 (executive session)
 - 3) November 15, 2019(special meeting)
 - 4) November 15, 2019 (executive session)
 - 5) November 18, 2019 (regular meeting)
 - 6) November 18, 2019 (executive session)
 - 7) November 19, 2019 (special meeting)
 - 8) November 19, 2019 (executive session)

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Harbor Commission (October 9, 2019)
 - 2) Jamestown Board of Canvassers (July 22, 2019)
 - 3) Jamestown Board of Canvassers (July 25, 2019)
 - 4) Jamestown Board of Canvassers (September 13, 2019)

2) Request of Tax Assessor for Specific Abatements & Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2012 TAX ROLL		
02-0123-49M		\$1.50
MOTOR VEHICLE ABATEMENTS TO 2014 TAX ROLL		
03-1693-25M		\$55.08
MOTOR VEHICLE ABATEMENTS TO 2015 TAX ROLL		
03-1693-25M		\$14.39
REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
06-0109-30	Plat 8, Lot 297	\$766.36
REAL ESTATE ADDENDA TO 2019 TAX ROLL		
12-0837-10	Plat 5, Lot 129.	\$250.00
TOTAL ABATEMENTS		\$ 837.33
TOTAL ADDENDA		\$ 250.00

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

A motion was made by Councilor Beye with a second by Councilor White to accept the Communications. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

The Communications and Proclamations and Resolutions from other RI cities and towns consists of the following:

- A) Communications
 - 1) Copy of Letter to: Planning Board of Jamestown
From: Deborah A. Foppert, Esq.
Dated: November 8, 2019
Re: 70-78 Narragansett Avenue Proposed Condominium Project Withdraw of Application of Stuart and Ann Sanderson
 - 2) Copy of Email to: Erin Liese
From: Marian Falla
Dated: November 15, 2019
Re: Airbnb Short Term Rentals in Jamestown

Councilor White requested this item be placed on a future agenda.

- 3) Copy of Letter to: Jamestown Town Council
From: Alma Davenport
Dated: November 19, 2019
Re: Golf Course
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
 - 1) Resolution of the North Smithfield School Committee regarding Field Trip Funding Law

A motion was made by Councilor Piva with a second by Councilor Beye to accept the Resolution from other Rhode Island Cities and Towns. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

X. ADJOURNMENT

A motion was made by Councilor Beye with second by Councilor White to adjourn. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye.

The regular meeting was adjourned at 7:56 P.M.

Attest: