



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Tuesday, September 7, 2021
5:00 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:
<https://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.htm>

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

Attachments for items on this meeting agenda are available to the public on the Town website at:
<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion and/or potential action and/or vote on the following:

- A) Review, Discussion and/or Action and/or Vote in Executive Session pursuant to RIGL 42-46-5(a) Subsection (3) regarding the matter of cyber security
- B) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Review of Judges Ruling), Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS
- C) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential

Litigation (Tax Assessment Appeal), Ahrens et al. v. Jamestown, NC File No. 2020-0117

- D) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), Blue Rock, LLC v. Jamestown, NC File No. 2020-0114
- E) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), Farrell et al. v. Jamestown, NC File No 2020-0115
- F) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), Lee v. Jamestown, NC File No. 2020-0116
- G) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), Westwood Trust v. Jamestown, NC File No. 2020-0132
- H) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), Westwood Road, LLC et al. v Town of Jamestown. Case No. NC 2021-0121
- I) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), Westwood Road, LLC et al v Town of Jamestown. Case No. NC 2021-0122
- J) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Tax Assessment Appeal), John H.N. Potter et al. v Town of Jamestown. Case No. NC 2021-0120
- K) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Adverse Possession/Quiet Title), Smith et al., Archetto, et al. v. Jamestown, NC File No. 2020-001
- L) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Adverse Possession/Easement/Quiet Title), Cary v. Jamestown, NC File No. 2020-0375

The Town Council's Open Meeting will begin at 6:30 pm

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Acknowledgements:
 - 1) Formal Swearing in of new Town Clerk Roberta J. Fagan

- B) Review, Discussion and/or Action and/or Vote regarding the request of Representative Deborah Ruggiero to recommend the Town of Jamestown for the Purple Heart Town Proclamation
 - 1) Presentation by Representative Deborah Ruggiero
 - 2) Proclamation 2021 Purple Heart Town

V. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. 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. 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 Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following application has been received for a **New Class BV-L – Victualer Liquor License:**

CLASS BV-L – VICTUALER

Our Table LLC
dba: Our Table
53 Narragansett Avenue
Jamestown, RI 02835

- 1) Request for Town Council Review, Discussion, and/or Action and/or Vote of approval to proceed to advertise for Public Hearing on a date to be October 4, 2021 by the Town Council, with advertisement in the *Jamestown Press* editions of September 16th and September 23th

- B) Town Council Sitting as the Alcoholic Beverage Licensing Board
 - 1) **REQUEST** that the applications listed below will be in order for hearing at a meeting of said Licensing Board on Monday, November 1, 2021 at 6:30 p.m. and advertised in the *Jamestown Press*. **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the year December 1, 2021 to November 30, 2022; review, discussion and/or potential action and/or vote:

CLASS A (PACKAGE STORE) – RETAIL

Tunstall, Inc.
dba: Grapes & Gourmet
9 Ferry Wharf

Varsha, Inc.
dba: Jamestown Wine & Spirits
30 Southwest Avenue

CLASS B – TAVERN

JB's On the Water, LLC
dba: JB's On the Water
150 Conanicus Avenue

CLASS B – VICTUALER

Johnny Angels Clam Shack LLC
Dba: Angel's Kitchen
23B Narragansett Avenue

Islandish, Ltd.
dba: Chopmist Charlies
40 Narragansett Avenue

Jamestown Locals LLC
dba: Narragansett Café
25 Narragansett Avenue

New England Golf Course Management, Inc.
dba: Jamestown Golf and Country Club
aka: The Caddy Shack
245 Conanicus Avenue

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

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue

KALI, LLC
dba: J Twenty-Two Tap & Table
22 Narragansett Avenue

Tallulah's Taqueria, LLC
Dba Tallulah's Tacos
35 Narragansett Avenue, Unit D

CLASS B – VICTUALER - LIMITED

Village Hearth Bakery, Inc.
dba: Village Hearth Bakery
2 Watson Avenue
Jamestown, RI 02835

CLASS D – FULL (CLUB)

Conanicut Yacht Club
dba: Conanicut Yacht Club
40 Bay View Drive

The Town Council Adjourns from sitting as the Alcoholic Beverage Licensing Board

- C) Victualing License Application (New): All victualing license application approvals are subject to compliance with all state and local requirements and any and all COVID-19 protocols in affect; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Our Table LLC dba Our Table
Address: 53 Narragansett Avenue, Jamestown, RI 02835
- D) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Tallulah’s Taqueria LLC dba Tallulah’s Taqueria
Address: 35 Narragansett Avenue
- E) Licenses and Permits
- 1) **REQUEST** to advertise for extended hours [in accordance with RIGL §5-24-1 (a) and (b)] in the *Jamestown Press* for a public hearing on November 1, 2021: **NOTICE:** Is hereby given that there will be a public hearing by and before the Town Council of the Town of Jamestown on Monday, November 1, 2021 at 6:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI pursuant to §5-24-1 of the General Laws of Rhode Island 1956 and as amended upon the following: **RENEWAL** application; review, discussion and/or potential action and/or vote:

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

Application of **Cumberland Farms, Inc. dba: Cumberland Farms Store #1108**, for renewal of additional operational hours to open at 5:00 a.m. for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 a.m. to 2:00 a.m. daily (RIGL §5-24-1

allows this establishment to be open from 6:00 a.m. until 2:00 a.m. without additional operating hours).

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Broad Band Services to the Island
 - 2) Short Term Rental Ordinance
 - 3) Letter to Jamestown Housing Authority
 - 4) Hurricane Henri Emergency Order
 - 5) Covid 19 update: Covid Testing

- B) Police Chief Ed Mello
 - 1) September 11, 2011 – 20th Anniversary Memorial Ceremony

VII. 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) Review, Discussion and/or Action and/or Vote to consider a publicly operated Broad Band Utility to all residents
 - 1) Review New Shoreham study (distributed at August 16th Town Council Meeting)

- B) Review, Discussion and/or Action and/or Vote to consider Short Term Rental Ordinance
 - 1) Review by Council with Staff on Planning Commissions Short Term Rental Ordinance proposal

VIII. 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) Review, Discussion and/or Action and/or Vote to commence a needs assessment and evaluation for a new Senior Center

- B) Review, Discussion and/or Action and/or Vote regarding the July 6, 2021 letter of concern from the Jamestown Fire Department Board of Fire Wardens on the lack of affordable housing as it relates to the availability of volunteer first responders
 - 1) Letter of Jamestown Fire Department Board of Fire Wardens

- C) Review, Discussion and/or Action and/or Vote regarding the July 19, 2021 Presentation by Sharon Gold on idling vehicles and request to post signs in Town, and approval of Resolution No. 2021-07 Anti-Idling Resolution for the Town of Jamestown, Rhode Island

- 1) Resolution 2021-08 Anti- Vehicle Idling
- D) Review, Discussion and/or Action and/or Vote regarding application for use of the Recreation Center ten consecutive Wednesdays, starting September 1, 2021 thru November 3, 2021, 5:30pm – 7:30pm by the Jamestown Guitar Circle.
 - 1) Application and letter from the Jamestown Guitar Circle (non-profit) requesting waiver of rental fee

IX. 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 Action and/or Vote:
 - 1) Jamestown Affordable Housing Committee (One [1] Member vacancy with a three-year term ending date of May 31, 2023)
 - a) Quaker Case
 - 2) Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with an unexpired term ending date of May 31, 2023 and an unexpired term ending May 31, 2024)
 - a) No applicants
 - 3) Jamestown Housing Authority (Two [2] Commissioner vacancies with an unexpired five-year term ending date of December 31, 2024 and an unexpired five-year term ending date of December 31, 2025)
 - a) No applicants
 - 4) Jamestown Juvenile Hearing Board (One [1] Alternate vacancy with a two-year term ending date of December 31, 2021)
 - a) Nancy Ventrone
 - 5) Jamestown Zoning Board of Review
 - a) John Shekarchi to replace Ed Gromada
 - b) Alternate – No applicants

X. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) August 16, 2021, 2021 (Regular/Water and Sewer Meeting)
 - 2) August 21, 2021 (Emergency Meeting)
 - a) Declaration of Local Disaster Emergency Resolution
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Housing Authority Board of Commissioners (June 30, 2021)
 - 2) Zoning Board of Review (July 27, 2021)
- C) Tax Assessor’s Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2020 TAX ROLL

REED ADAM I	NO BILL UNDER 5 DOLLARS	01-0001-96M	\$3.79
KALE STEMS LLC	CAR TOTALLED 7/29/2019	11-0041-64M	\$ 82.90
NORTH MEADOW FARM	EXEMPT FARM PLATE	01-0004-36M	\$22.68
WINDMIST FARM	EXEMPT FARM PLATE	01-0004-27M	\$363.11
ANDERSON STEPHEN M	EXEMPT FARM PLATE	01-0357-18M	\$73.01
HODGKISS FARM	EXEMPT FARM PLATE	08-0563-00M-2	\$132.75
WINDMIST FARM LLC	EXEMPT FARM PLATE	14-0046-00M-7	\$40.04
WINDMIST FARM LLC	EXEMPT FARM PLATE	14-0046-00M-8	\$60.84
BALL JEFFREY A	REG. IN PA 10/23/2020	02-0096-04M-2	\$73.99
BALL JILL H	REG. IN PA 10/27/2020	02-0096-04M	\$6.67

TOTAL ABATEMENTS	\$859.78
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- D) Narragansett Electric dba National Grid for the purchase of existing street lights in the amount of \$20,041.54 – after review and consultation of Solicitor authorize the Town Administrator to sign Agreement of Sale
 - 1) Agreement
 - 2) Agreement of Sale

- E) September 11, 2001 - 20th Anniversary Memorial
 - 1) Application for September 11, 2001 - 20th Anniversary Memorial Ceremony

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

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

- A) Communications Received:
 - 1) Copy of Letter to: Town Council
From: Robert Sutton
Dated: August 12, 2021
Re: Bike path naming

 - 2) Copy of Letter to: Wayne Banks, Jamestown Harbor Commission
From: Charlotte Zarlengo
Dated: August 16, 2021
Re: Regarding a copy of most recent Harbor Management plan submitted to CRMC plan, Heads Beach mooring site coordinates, approval of locations of moorings inside and outside of mooring field

 - 3) Copy of Letter to: Town Council
From: Frank Meyer
Dated: August 21, 2021
Re: Broadband for Jamestown

- 4) Copy of Letter to: Town Council
From: Clean Water Access
Dated: August 25, 2021
Re: Thank you for approving the Ben Tuff Swim
- 5) Copy of Letter to: Town Council
From: William A. Kelly
Dated: August 31, 2021
Re: Cell Phone Tower request

XII. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- A) Scheduled request to address – Frank Meyer
- B) Scheduled request to address – William A. Kelly
- C) Non-scheduled request to address

XIII. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to kmontoya@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on September 2, 2021