

TOWN COUNCIL MEETING
February 23, 2015

I. ROLL CALL

Town Council Members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Blake A. Dickinson
Michael G. White

Town Council Members absent:

Thomas P. Tighe

Also in Attendance:

Andrew E. Nota, Town Administrator
Peter D. Ruggiero, Town Solicitor
Edward A. Mello, Police Chief
Christina D. Collins, Finance Director
Lisa Bryer, Town Planner
James Bryer, Fire Chief
Howard Tighe, Deputy Fire Chief
Michael Gray, Public Works Director
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

**III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS,
RESOLUTIONS AND PROCLAMATIONS**

A) Resolution No. 2015-03: Jamestown Special Referendum Election April 28, 2015. President Trocki read the Resolution (for purchase of the PAC property). Voting will take place at the Recreation Center from 8:00 a.m. to 8:00 p.m. Appreciation for the assistance of Representative Ruggiero and Senator Paiva Weed was noted.

A motion was made by Vice President Meagher with second by Councilor White to approve Resolution No. 2015-03 Jamestown Special Referendum Election April 28, 2015. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Absent.

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

None.

V. OPEN FORUM

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

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

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

A) Administrator's Report: Town Administrator Andrew E. Nota. Mr. Nota referenced the items in his updated report covering several months.

1) Storm Recap. Town staff and volunteers were commended for their support and coordination in keeping our roads and sidewalks clear during the severe winter storms. The Town recently expended the budgeted allotment for overtime and materials and equipment dedicated to winter storm work. The public has been most helpful in staying off the roads so the Town crews could plow. Our Town crews did an outstanding job plowing on almost a 24-hour basis. President Trocki thanked all public safety entities and the Public Works department for the fine job done during these difficult weather conditions. We are fortunate we did not lose power during the major weather events.

2) ADA Accessibility Update. Mr. Nota reported Chief Mello completed the ADA accessibility work at the Police Station. The Police Station is now totally accessible. Updates to other Town facilities will follow.

3) Harbor Commission Budget. At next Monday's we will present the Harbor budget for FY 2015-2016 and proposed rate increases for the 2016 season (next year).

4) February 11th Harbor Meeting. Misinformation was quoted that there was a recommendation to discharge the enterprise fund structure. This is untrue. There was very involved discussion at recent Harbor Commission meetings. Significant rates increases were referenced and discussed at the January and February meetings as well as restructuring of revenue accounts. The Harbor Commission voted unanimously to support a proposal that included a 10% increase in mooring rates and wait list fees, outlined a Capital plan for infrastructure improvements, and a refined operating budget. The function of the Harbor Commission remains unchanged. Discussion may continue at the March 2nd meeting.

5) Turnpike and Bridge Authority. The RITBA is moving forward with installation of a center median on the Newport Pell Bridge. A public educational session is scheduled for 6:00 p.m. on Tuesday, March 3rd at Town Hall that will cover the time line. This will have a significant impact on bridge traffic over a two-week period as a result of the project, which is scheduled to be completed by Memorial Day weekend.

6) FY 2013-2014 Financial Audit. The FY 2013-2014 audit was distributed for Council review. Our Auditor is available to attend a workshop if one is needed for further explanation of the audit report. Council members will review the audit report.

B) Fire Department and EMS Report: Chief James Bryer and Deputy Chief Howard Tighe

Chief Bryer gave an overview of Fire Department activities this past year, including the move to ALS (Advanced Life Support) and the new Fire Station. Chief Bryer met with architect John Aharonian, who is doing a great job, on several occasions. Discussion ensued of the project timeline. The next meeting with the architect is March 13th. They will have to meet with Planning and Zoning and also plan public sessions to provide information for voters prior to the FTM.

Town Administrator stated the meeting with the architect went very well. Target date for the public sessions is late March/early April. The architect is working to keep costs in line with original estimate of \$1,500,000 for renovations and purchase of a new vehicle.

Councilor Dickinson asked if JFD is comfortable the amount will not to exceed \$1,500,000, including the building and truck. Chief Bryer stated yes. Councilor Dickinson recommended any information available for the public would be helpful. Discussion ensued of the ADA compliance factor and the focus on all areas of need and concern.

Deputy Chief Howard Tighe gave an overview of his report and noted ALS went operational on February 1st. There have been 25 calls this month, 80% of them ALS calls. We can now provide an increased level of care. Volunteers are excited and we are on our way to something that will result in a smooth operation. Vice President Meagher commented that everyone is pleased and ALS is working well. President Trocki stated she is proud the town can offer this service, and this is a good town-wide accomplishment. Thank you to all who made this possible.

C) Planning Department Report: Town Planner Lisa Bryer. The Planner's report involved the former Extra Mart property under construction. Planner Bryer feels the project should go before the Planning Commission for Development Plan Review. Discussion ensued of commercial development, public discussion and concern, vacant commercial properties, and revitalizing businesses in town. Town Administrator Nota is attending a Newport County Economic Development meeting on Wednesday to review the report from a consulting firm on sustainable economic development. He will report back at the next meeting.

VII. UNFINISHED BUSINESS

A) Calendar and Meeting Schedule. Town Administrator referenced the schedule of meetings over the next few months and focused on upcoming budget hearings. Highlights of the schedule were noted and Council availability is needed to confirm meeting dates. March
Town Council Meeting 02.23.2015

9 is Capital Budget review, March 12 is the joint School Budget review, and March 23 is Operating Budget review, March 26 is a tentative Operating Budget review is needed, and April 2 is a wrap up meeting to finalize budget reviews. Discussion ensued of other upcoming sessions that need to be scheduled, including the Fire Department Project, PAC Public Information sessions, Joint Meeting with Planning, and Council conflicts. Meetings can be scheduled earlier than 6:00 p.m. to accommodate Council member schedules. The Budget Work Session dates and other dates will be confirmed at the March 2nd meeting.

B) Goals and Objectives Update; set work session date. March 4th at 4 p.m. is scheduled for discussion of Part 1 of Goals and Objectives. Discussion ensued of removing completed projects from the Goals and Objectives spreadsheet. Discussion continued.

VIII. NEW BUSINESS

A) Donation of Lot 358 on Summer Street by the Long Family: Town Council acceptance and/or action, pending review and inspection by Town staff and Town Solicitor.

The Council is appreciative of the donation of land. This requires Council authorization to proceed.

A motion was made by Vice President Meagher with second by Councilor White to authorize town staff and Solicitor to review and inspect the property. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Absent.

The Council thanks the Long family.

B) Agenda setting for the Jamestown Town Council Meeting of Monday, March 2, 2015. The agenda should include:

- Harbor Budget
- Town Budgets
- Refer to Traffic Committee – business vehicles parked on the street and concern expressed by neighbors for backing up, exhaust fumes, overnight parking
- Taylor Point issues and creation of Committee to review restoration, with brief presentation
- Traffic ordinance amendment
- Park Dock
- Economic Development
- Executive Summary for FY 2013-2014 audit by Town Administrator and Finance Director (outline of audit highlights – Fund balances, Revenues, Expenses, and various pages that require review)

IX. ORDINANCES AND APPOINTMENTS

A) Ordinances

- 1) Discussion of development of internal Ordinance Review Committee and possible vote to appoint.

This has been discussed previously to deal with ordinance revisions in order to vet out an ordinance prior to Council review and public hearing. Solicitor Ruggiero noted a number of communities use this format for review and discussion prior to Council action. It is a way to streamline the process for the Council. The issue could be vetted more quickly and constitutes get more action than following the traditional process. The membership is up to the Council as they determine what will work. The public would present ideas to the Committee. This would be an Ad hoc committee that could be created by resolution and subject to the open meetings statute. Solicitor Ruggiero will prepare a resolution for review at the next meeting. Discussion of committee makeup continued.

B) Appointments and Vacancies

- 1) Library Board of Trustees (One vacancy with a three-year term ending date of December 31, 2017); interviews conducted
 - a) Request for Appointment
 - i) Cristina Harsch
 - ii) Jennifer Cloud
 - iii) Mary Lou Sanborn

President Trocki noted three very qualified, enthusiastic candidates were interviewed. Council members were impressed.

A motion was made by Vice President Meagher with second by Councilor White to appoint Jennifer Cloud to the Library Board of Trustees.

Discussion. Great thanks to Ms. Sanborn and Ms. Harsch, who were excellent candidates; impressed with all three candidates. All are qualified and have experience in volunteerism; Council members were torn between candidates. The candidates are urged to apply again when a Library vacancy arises or for the Charter Review Commission. Discussion continued.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Absent.**

The candidates were thanked for their interest.

- 2) Tree Preservation & Protection Committee (One vacancy with a three-year term ending December 31, 2017) (interview scheduled for March 2, 2015)
 - a) Request for Appointment
 - i) Paula Shevlin

Ms. Shevlin is schedule for an interview on Monday, March 2nd at 6:15 p.m.

- 2) Charter Review Committee (Seven vacancies with a term ending date unspecified) (no applicants to date).

President Trocki noted concern that there are no applicants for the Charter Review Committee. Solicitor Ruggiero commented other communities have faced the same issue. The Charter does not specify who can sit, and Council members can therefore sit as the Charter Review Committee. Once seated, the Committee has 9 months to report back their findings. Council members will reach out to potential members. This is continued to Monday's meeting.

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.

The awarding of bids for carpeting for the Library, Statistical Revaluation, and PAC design were noted. The awarding of bid for Cat6 cabling will be removed and continued to the next meeting. Agenda items I) and K) are removed from the Consent Agenda for discussion.

A motion was made by Vice President Meagher with second by Councilor White to approve and accept the Consent Agenda with the exception of I) and K). President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Absent.

A motion was made by Vice President Meagher with second by Councilor Dickinson to continue Consent Agenda Item I) to the March 2nd agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Absent.

K) Town Administrator Nota explained the process leading to the recommendation of an architect for the preliminary design and drawing component reflected in the \$5,300 amount for review of floor plans, measurements, and basic conceptual ideas. Other local architects who answered the RFP were noted.

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
 - 1) January 5, 2015 (interview session)
 - 2) January 5, 2015 (regular meeting)
 - 3) January 26, 2015 (emergency meeting)
 - 4) February 11, 2015 (special meeting)
 - 5) February 11, 2015 (executive session)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Conservation Commission (01/13/2015)
 - 2) Jamestown Harbor Commission (12/10/2014)
 - 3) Jamestown Philomenian Library Board of Trustees (12/09/2014)

- 4) Jamestown Philomenian Library Board of Trustees (01/06/2015)
 - 5) Jamestown Tax Assessment Board of Review (01/05/2015)
 - 6) Jamestown Traffic Committee (07/15/2014)
 - 7) Jamestown Traffic Committee (10/21/2014)
 - 8) Jamestown Traffic Committee (11/18/2014)
 - 9) Jamestown Tree Preservation & Protection Committee (10/21/2014)
 - 10) Jamestown Tree Preservation & Protection Committee (11/18/2014)
 - 11) Jamestown Zoning Board of Review (10/28/2014)
- C) Zoning Board of Review abutter notifications:
- 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing February 17, 2015 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of EJS, Inc. (Lessee) and JTN, LLC (Owner_ DBA: Simpatico Jamestown whose property is located at 13 Narragansett Avenue and further identified as Assessor's Plat 9 Lot 603, for a modification to Special Use Permits granted under Article 6, Special Use Permits and Variances Section 600, 601, 602 & 603. This application is made pursuant to the provisions of Section 82-1205 and 1205.1 as well as from Table 3-1 of the Zoning Ordinance in order to expand existing restaurant from 190 to 235 seats. Said property is located in CD zone and contains 13,195 sq. ft.
 - 2) Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing February 17, 2015 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Jamestown Arts Center, whose property is located at 18 Valley St., further identified as Assessor's Plat 8 Lot 461 for variances from Article 3, Table 3-1, Section 82-302 (District Dimensional Regulations) to construct an addition to existing non-conforming structure with a combined lot coverage of 55% were 35% is allowed and a building setback of 4ft. from a side property line instead of the required 6 ft.; Article 12, Section 82-1203 (Minimum off-street parking), to provide 8 on-site parking spaces where 17 are required. Said property is located in CL zone and contains 10,000 sq. ft.
- D) CRMC Notices
- 1) February 2015 Calendar
 - 2) Notice of application for an Assent to construct and maintain a 2.07 acre cage culture oyster farm at Dutch Harbor by Antonio and Joseph Pinheiro
 - 3) Notice of modification application for an Assent to add Eastern Oyster *Crassostrea Virginica* to the candidate species to be grown on an 8.25 acre aquaculture site west of Jamestown (West Passage of Narragansett Bay by Adam Silkes
 - 4) Notice of application for an Assent to add floating gear to the current suspended culture aquaculture farm by Mark Goerner

- 5) Notice of Proposed Amendments to the CRMC Management Procedures; public hearing March 24, 2015, Conference Room A at DOA, One Capitol Hill, Providence, RI
- E) RIDEM Notices
 - 1) Water Quality Certification request of Clark Boat Yard to expand existing marina with an additional 16' x 40' moored floating dock, 11.5' x 8' fixed pier, and establish MPL at pre-existing marina located at Plat 9 Lot 328
- F) Abatements/Addenda of Taxes
- G) Finance Director's Reports, ending 12/31/2014 and 01/31/2015
- H) Awarding of Bid: Carpet replacement project for the Jamestown Philomenian Library Item No. 1 meeting room, lobby, and hall for \$11,500, and Item No. 2 (add/alternate) study rooms for \$1,595, to Island Carpet, Tile and Hardwoods for a Total Bid Price not to exceed \$13,095 as recommended by Public Works Director Michael Gray
- J) Awarding of Bid: Statistical Revaluation of property values as of December 31, 2015 to Vision Government Solutions, Inc. for an amount not to exceed \$52,400 as recommended by Tax Assessor Kenneth Gray
- K) Awarding of Bid: Architectural Services to provide designs and drawings for future Town use of the Portuguese American Citizens Club as a community center to Aharonian & Associates, Inc. for an amount not to exceed \$5,350 as recommended by Public Works Director Michael Gray
- L) Holiday License Renewals:
 - 1) Ace's Pizza, Inc. dba: Ace's Pizza
Location: 1 Clarke Street
 - 2) Baker's Pharmacy of Jamestown, Inc.
Location: 53 Narragansett Avenue
 - 3) Doriana Carella dba: The Village Hearth Bakery
Location: 2 Watson Avenue
 - 4) Gail Chase dba: Hodgkiss Farm
Location: 305 North Road
 - 5) Conanicut Yacht Club dba: Conanicut Yacht Club
Location: 40 Bay View Drive
 - 6) Cumberland Farms, Inc. dba: Cumberland Farms Store #1108
Location: 41 North Road
 - 7) Deb's Beads/The Purple Door
Location: 47 Conanicus Avenue
 - 8) ESJ, Inc. dba: Simpatico Jamestown
Location: 13 Narragansett Avenue
 - 9) East Ferry Market, Ltd. dba: East Ferry Market & Deli
Location: 47 Conanicus Avenue, Units 1 & 2
 - 10) Islandish, Ltd. dba: Chopmist Charlies
Location: 40 Narragansett Avenue
 - 11) Jamestown Boat Yard, Inc. dba: Jamestown Boat Yard
Location: 60 Dumpling Drive
 - 12) Jamestown Culinary Partners, LLC dba: Jamestown Fish

- Location 14 Narragansett Avenue
- 13) Jamestown Designs dba: Jamestown Designs
Location: 17 Narragansett Avenue
- 14) Jamestown Hardware, Inc. dba: Jamestown True Value Hardware
Location: 5 Narragansett Avenue
- 15) Jamestown Restaurant Group, LLC dba: Narragansett Café
Location: 25 Narragansett Avenue
- 16) Lucky Ridge Co. LLC dba: Spinnakers Café
Location: 3 Ferry Wharf
- 17) MJ, Inc. dba: Jamestown Mercantile
Location: 16 Narragansett Avenue
- 18) New England Golf Course Management, Inc. dba: Jamestown Country Club
aka Caddy Shack
Location: 245 Conanicus Avenue, lower level
- 19) Ocean Essence & Therapeutic Massage, LLC
dba: Ocean Essence & Therapeutic Massage/Ocean Essence Spa
Location: 123B Narragansett Avenue
- 20) Slice of Heaven, Inc. dba: Slice of Heaven
Location: 32 Narragansett Avenue
- 21) TMT Corp. dba: McQuade's Laundromat
Location: 5 Clarke Street
- 22) TMT Corp. dba: McQuades's Supermarket
Location: 6 Clarke Street
- 23) Tallulah, LLC dba Tallulah's Tacos
Location: 252 Narragansett Avenue
- 24) Tunstall LLC dba: Grapes & Gourmet
Location: 9 Ferry Wharf
- 25) Urban Flowers, LLC dba: The Secret Garden
Location 12 Southwest Avenue
- 26) Varsha, Inc. dba: Jamestown Wine & Spirits
Location: 30 Southwest Avenue
- 27) Yun Chen dba: Peking Garden
Location: 34 Narragansett Avenue
- M) Holiday and Peddler License Renewals
 - 1) Del's Lemonade & Refreshments dba: Del's of Jamestown
Location: Mackerel Cove Beach (East side of Parking Lot), Fort Getty,
Jamestown Shores Beach
 - 2) Tallulah, LLC, dba: Tallulah's Tacos Mobile Unit
Location: Mackerel Cove (east side of lot only) and Head's Beach
 - 3) A. B. Munroe Dairy, Inc. dba: A. B. Munroe Dairy
Location: Island-wide
- N) Peddler License Renewal
 - 1) Jennifer Talancy dba: Stearns Farms Organic Produce
Location East Ferry Beach (near seawall)
- O) Trash Collector License Renewals

- 1) Island Rubbish Service, Inc. dba: Island Rubbish Service, Inc.
Location: 8 Swinburne Street (Island-wide)
 - 2) Republic Services, Inc. dba: Republic Services of MA
Location: 1080 Airport Road, Fall River, MA (Island-wide)
 - 3) Waste Management of RI, Inc. dba: Waste Management of RI, Inc.
Location: Island-wide
- P) Private Investigator License Renewals
- 1) Ronald F. Lewis
Address: 139 Seaside Drive
 - 2) South Shore Investigative Agency
Address: 203 Seaside Drive
- Q) One Day Event/Entertainment Licenses
- 1) Applicant: Conanicut Island Art Association
Event: 2015 Opening Receptions for Art Exhibits
Dates: 2/5, 3/19, 4/14, 6/25, 10/8, and 11/19
Location: Town Hall

XI. COMMUNICATIONS AND PETITIONS

The following Communications were removed from Communications for discussion:

- 3) Letter of B.J. Whitehouse announcing the donation of a console piano located at the Recreation Center. Thank you to B. J.
- 6) Letter of Sarah Kemmer thanking the Public Works Department for a fine job done clearing sidewalks and roads during the storms. The Council agreed.
- 8) Letter of Taylor Point Steering Committee for restoration and improvements at Taylor Point. A copy of the letter will be forwarded to the Traffic Committee and this will appear on the next meeting agenda.
- 10) Memorandum of Bernd Pfeiffer offering to serve on a municipal high speed network committee. The Council thanks him for his offer.

A motion was made by Vice President Meagher with second by Councilor White to accept the Communications. President Trocki, Aye; Vice President Meagher; Aye, Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Absent.

The Communications accepted consists of the following:

- A) Communications
 - 1) Public Notice of the Statewide Planning Program for major amendment of the Transportation Improvement Program with public hearing on Thursday, January 22, 2015 at 6:30 pm
 - 2) Letter of David Prior expressing appreciation to the Town Council for their support and Proclamation of Thanks
 - 3) Letter of B. J. Whitehouse announcing donation of Kawai console piano (by over 30 donors) to the Town of Jamestown and located at the Recreation Center

- 4) Invitation to Town Council members from Superintendent Blanchette to the School Committee Budget Workshops (1/29, 2/4, 2/5, 2/11 & 2/12)
- 5) Memorandum of Jamestown Art Center with year-end report
- 6) Letter of Sarah Kemmer thanking the Public Works Department for the fine job done clearing sidewalks and roads after the recent storm
- 7) Abutter letter of American Engineering on behalf of John Connors, applicant for variance from RIDEM Regulations to install and operate proposed OWTS at Plat 16 Lot 222 Frigate Street
- 8) Letter of Taylor Point Steering Committee (self-appointed interested citizens) for restoration and improvements to Taylor Point
- 9) Letter of RI Mineral Hunters President Steve Emma re: finding a location for their non-profit organization
- 10) Memorandum of Bernd Pfeiffer re: cable TV and internet and offering to serve on a municipal High Speed Network committee

XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 8:24 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor