

**TOWN COUNCIL MEETING
May 4, 2015**

I. ROLL CALL

Town Council members present:

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

Also in attendance:

Andrew E. Nota, Town Administrator
Peter D. Ruggiero, Town Solicitor
Christina D. Collins, Finance Director
Edward A. Mello, Police Chief
James Bryer, Fire Chief
Michael Gray, Public Works Director
William Piva, Parks and Recreation Director
Cathy Kaiser, School Committee Chair
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 7:12 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) Proclamations

1) No. 2015-10 Teacher Appreciation Week, May 4-8, 2015

President Trocki read the Proclamation.

A motion was made by Vice President Meagher with second by Michael White to adopt Proclamation No. 2015-10 Teacher Appreciation Week. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IV. 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.

- A) One Day Event/Entertainment License Application for Race The State: Juliana Barbieri of Manuka Sports Event Management LLC

Juliana Barbieri of Newport, RI is in attendance representing Manuka Sports Events Management, organizer for the multi-sport “Race the State” event that will traverse RI that includes running, paddle boarding, kayaking and cycling on Sunday, August 9, 2015. Manuka Sports is a for-profit company organizing the event to benefit Special Olympics. They request to have the kayak portion (coming from Ft. Adams) land at Mackerel Cove, cross Beavertail Road, and continue the race via Sheffield Cove, in order to avoid going around Beavertail Point. Discussion ensued of Sunday beach goers, congestion, issues with summer events in town, and required Police presence. Town Administrator Nota would like to meet with representatives of Manuka Sports, Chief Mello and Recreation Director Piva to discuss the event. This item is continued.

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.

The Town Administrator’s report covered:

- 1) Regional Economic Development Initiative:

Mr. Nota reported on the April 29, 2015 meeting at the Newport Chamber of Commerce covering the formation of a sustainable Economic Development Corporation to serve Newport and Bristol County focusing on development of a regional organization to target industry clusters that take advantage of the area’s existing strengths. The group is working with consultant TIP Strategies to develop an economic development strategic plan, launch a capital campaign, and compile an economic conditions assessment. Mr. Nota included the Draft Economic Development Strategic Plan for Newport County and Bristol County prepared by TIP Strategies and The Ocean State WAVE Report to his report. Council discussion of the reports ensued.

- 2) Rhode Island Resource Recovery Corporation:

Excerpts from the Solid Waste Management Plan are included with the report. The State will be vetting the Plan recommendations on May 14th, which focuses on pay-as-you-throw. Town staff is evaluating the impact on the community to manage solid waste and the financial implications.

- 3) Right To Farm Act:

House Bill 6100 was included with the report. Under the proposed Legislation “agricultural operations” would include numerous activities, including weddings and

other special events, which . . . “shall not be restricted by the cities of towns”. Such non-agricultural activities would be regulated through the RI Department of Business Regulation. If passed, the rights of cities and towns would be taken away, which is very concerning. Discussion continued. A Resolution will be prepared for review and adoption at the May 18th meeting.

4) Pension Litigation Settlement:

The Report explains and gives insight into the settlement dated April 29, 2015. The settlement would protect 90-95% of the savings achieved through pension reform. The document contains good factual information.

VII. UNFINISHED BUSINESS

A) April 28, 2015 Referendum

Town Administrator Nota referenced the results of the Referendum as follows:

Approve	469
Reject	582
Absentee and Provisional Ballots (Uncounted)	46

Town Administrator Nota referenced the Promissory Note with the Holy Ghost Society initiated at the adoption of the Purchase and Sales Agreement, effective through the end of June, that allows them pay back the note over time or when the property changes hands.

VIII. NEW BUSINESS

A) FTM Warrant and Resolution Language: discussion and/or potential action and/or vote to approve.

Finance Director Collins explained the four traditional resolutions:

Resolution Number 1 Sewer Line Frontage Tax Rate.

Resolution Number 2 Borrowing in Anticipation of Taxes

Resolution Number 3 Disposition of Collected Back Taxes

Resolution Number 4 Setting the Tax Rate

Finance Director Collins explained the two additional resolutions:

Resolution Number 5 Borrowing for Fire Department Purposes Through Issuance of Bonds - The Resolution authorizes borrowing \$2,500,000 for the Fire Station project for up to \$2,200,000 for building renovations and up to \$300,000 for a new fire truck.

Resolution Number 6 Borrowing for Sewer Slip Lining Purposes Through Issuance of Bonds – The Resolution authorizes borrowing up to \$550,000 for sewer slip lining to be paid back by the Water and Sewer customers. Borrowing through the town would realize a more favorable bond interest rate.

The anticipated tax rate increase is 3¢ (three cents), pending decisions on tax appeals

before the Tax Assessment Board of Review (potential \$80,000). This information will be available by the FTM. Resolution Number 6 should read Five Hundred Fifty Thousand Dollars.

A motion was made by Vice President Meagher with second by Councilor White to accept the Financial Town Meeting Resolutions as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

President Trocki asked for public comment on the Warrant and Resolution language.

Frank Dorsi of Grinnell Street referenced the warrant/resolution he delivered to Town Hall today to amend Resolution 5 for \$2,500,000 for the Fire Department Expansion so that the \$300,000 for the fire truck is a separate resolution from the \$2,200,000 for Fire Station renovations as he feels the \$300,000 is not an expansion it is a need, which confuses the issue.

Mike Smith of West Reach Drive stated the \$2,200,000 should not be approved by voters and we should be voting on a new fire station to be located next to the police station. We need to plan for the next 30 years now there should be a much larger conversation.

President Trocki explained what has transpired at Council meetings since the present Council was seated and discussions by past Councils. A new fire station would be cost prohibitive. Discussion continued. Vice President Meagher stated the Warrant language is specific to that present location. Town Administrator Nota commented the Resolution is site specific, reviewed the project, and stated relocation would triple the cost proposed. Response times are well within acceptable limits at the present location.

Properties adjacent to the Police Station were reviewed, and costs to reroute the fire alarm systems were between \$500,000 and \$1,000,000. The cost for a new facility would be \$6,000,000 to \$8,000,000. Chief Bryer stated JFD as a volunteer organization is healthy, and being in the center of town helps. To move the fire station out of the village would be detrimental.

Discussion ensued of Mr. Dorsi's comments. The fire truck goes with the fire station; if the renovation project is rejected, it should all be rejected. Solicitor Ruggiero noted it may be better suited to vote on Mr. Dorsi's proposal at the FTM. It is Mr. Dorsi's prerogative to propose the resolution. Discussion continued.

Martin Hellewell of Grinnell Street commented everything shouldn't be crowded downtown. There are parking issues and it is very dangerous with three churches, fire sirens, and fire trucks. He suggested putting a substation north of the Creek, as a station up north would be cheaper than renovating and expanding the Narragansett Avenue facility. He asked what happens to Knowles Court and the Golf Course; new buildings can be built cheaper than renovating old buildings; let's spread out not consolidate.

Councilor White stated the public would not be in favor of an \$8,000,000 facility, he is impressed with the work done to develop this plan, and it is necessary for EMS and JFD to be consolidated in one facility. This plan is the best way to go; this issue has been discussed for a long time during the tenure of several Town Councils; we have done our best, and submitted this as a proposal.

Jack Brittain of Conanicus Avenue asked if trucks would fit in the renovated station. Chief Bryer stated EMS trucks and fire trucks would fit. Mr. Brittain stated the public needs assurances the Council will not be back with a new Fire Station proposal in a few years; renovations scare people; to help the neighbors JFD should get rid of the fire horn. Chief Bryer noted the siren goes off a lot less than in the past and the alarm sounds only when a red call box is activated. Since the FCC cut their radio frequency in half, it is difficult to hear pagers, and until the system is 100% foolproof, the horn will be used.

Chief Bryer stated fire department volunteers are taxpayers, we are not trying to throw good money after bad, not trying to build an \$8,000,000 facility, and the renovated station will outlive the current population.

Mr. Hellewell stated he appreciates what is being done and understands the frequency issues; building a facility by the Police Station would solve the problem of too many things downtown. President Trocki commented on the horn noise and its improvement over the years.

Chief Bryer commented on the unknown cost for alternative properties. The North end barn discussed would be a basic structure to serve us during storm emergencies. The citizens may not appreciate a fire station next to the Police Department, and such a building would need to be aesthetically complimentary to the area.

Jerry Scott of Walcott Avenue commented this has not been discussed as much as proclaimed and he would like a presentation like the ones held for the PAC with questions and answers. President Trocki commented all of these issues have been reviewed at Town Council meetings.

Chief Bryer noted ISO certification does not correlate to locations, but to available water supplies; volunteer populations are equal for north end and in-town residents; the problem is during the day when no one is in the north end.

President Trocki stated everyone has the option to propose a warrant to the FTM; it is a matter of educating the public; none of this is simple and has been vetted for a long time. The Council is not trying to force anything on the public.

Mr. Scott doesn't think the public has been well informed by the Council. President Trocki stated we need to get people to information sessions and to read what is on the website.

Chief Bryer stated information will be available at the May open house, the fire station is open 7:00 a.m. to 3:00 p.m. daily, and the public is invited to come in for information. When people came to the last information session they were surprised with the proposal, even though it has been discussed numerous times.

Discussion ensued of the time frame to schedule a public information session for the JFD expansion. Vice President Meagher stated we need to inform and educate the public. Town Administrator Nota commented the front page of the Town website has information on the JFD expansion proposal. This issue has been vetted by Town staff and the information has been available to the public for some time. Discussion continued.

Councilor Dickinson commented on attendance at the PAC informational sessions due to people's busy schedules, but the sessions are needed. Vice President Meagher understands that and agreed the sessions are needed and asked how we get the information out there.

Discussion of scheduling of Fire Department Informational Sessions continued. The JFD Open House is May 23rd and 24th. Potential dates for the Informational Sessions are May 13th and 18th. Lengthy discussion ensued.

B) Request for use of Town Property at East Ferry for Chamber of Commerce Kiosk; discussion/overview and/or potential action and/or vote to approve.

President Trocki recuses as she is a member of the Chamber of Commerce, leaves the Council table, and files the appropriate Conflict of Interest form. Vice President Meagher presides over the meeting.

Chamber of Commerce Executive Director Aileen Flath noted prior meeting discussion and stated the Chamber is looking to have a presence in town to accommodate our visitors and residents in order to provide information regarding what businesses are available to them. Chamber members would be at the kiosk to assist with questions and what to do in Jamestown. Jeff Bush stated the kiosk (desk and cabinet with shade cover) to be located on the grass can be locked up and will be moved and stored away at the end of the season. Discussion continued.

A motion was made by Councilor Dickinson with second by Councilor White to approve the design and location for the Kiosk. President Trocki, Recused; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye. Motion passes by a majority vote in the affirmative.

President Trocki returns to preside over the meeting.

C) Awarding of Bid: Tennis Court Resurfacing to J. G. Coffey Co. of 25 Charles Street, Bristol, RI 02809 for an amount not to exceed \$22,642.16, as recommended by Parks and Recreation Director William Piva

Mr. Piva noted four vendors responded to the bid package. J. G. Coffey was the lowest bidder and if awarded the bid, the project should take six days to complete.

A motion was made by Councilor White with second by Vice President Meagher to approve awarding of the bid to J. G. Coffey Co. for an amount not to exceed \$22,642.16. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- D) Upcoming Meeting Schedules for May, June, July, and August 2015 – Town Council and Board of Water and Sewer Commissioners: discussion and/or potential action and/or vote to approve

Town Administrator Nota commented on the need to reschedule meetings to alternate dates to accommodate schedules. Discussion ensued of rescheduling the June 15th meeting to June 22nd at 7:00 p.m. with Water and Sewer at 6:00 p.m., June 8th for Water and Sewer at 6:00 p.m. and Town Council at 7:00 p.m. (potential), regular Council meetings on July 6th and August 3rd, with meetings scheduled if needed. Council would return to the regular two meetings per month schedule in September. The Traffic Committee Meeting is moved from May 19th of May to 12th at 6:00 p.m. Councilor White will not be in attendance at the May 18th meeting.

- E) Affordable Housing Rules and Regulations; discussion and/or potential action and/or vote to approve

Council members report these are Council procedures that have been revised over a period of time to correlate with the Resolution to appropriate money from the undesignated fund balance to finance an affordable housing loan program passed at the June 2, 2014 Financial Town Meeting. Councilor Dickinson noted the amount shall not exceed \$400,000. The use of such funds is subject to review by the Town Solicitor, Finance Director and Town Administrator. The first paragraph needs clarification to reflect the 2014 FTM vote to borrow from the town's undesignated fund balance. The last page reads "should should" and one of them needs to be removed. The document should reflect Financial Town Meeting rather than town meetings. Some of the rents should be in the maintenance fund, with the remainder to the affordable housing fund. Discussion ensued. This item is continued to next meeting with revised language.

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

- A) Ordinance
- 1) Amendment of the Jamestown Comprehensive Harbor Management Plan Chapter II. Jamestown (Conanicut Island) Description B. Administrative Divisions: Waters of Jamestown; D. Water Quality/Water Type; and H. References; discussion and/or potential action and/or to proceed to advertise in the *Jamestown Press* for public hearing on May 18, 2015

A motion was made by Vice President Meagher with second by Councilor Dickinson to proceed to advertise for public hearing on the Comprehensive Harbor Management Plan. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- B) Appointments and Vacancies
 - 1) Charter Review Committee (One (1) vacancy with a term ending date unspecified, maximum of nine months duration, to commence after FTM; Committee Charge adopted)
 - a) No new applicants
 - b) Appointments made to date:
 - i) Anthony Antine
 - ii) James Rugh
 - iii) Mary Lou Sanborn
 - iv) John Pagano
 - v) Arlene Petit
 - vi) Edward Gromada
 - c) Ex officio members
 - i) Mary Meagher, Town Council Vice President
 - ii) Blake Dickinson, Town Council Member

Discussion ensued of appointing a Council member as a voting member instead of an ex-officio member.

A motion was made by Councilor Tighe with second by Vice President Meagher to appoint Councilor Dickinson as a voting member so there are seven voting members, with Vice President Meagher to remain as an ex-officio, non-voting member.

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.

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

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
 - 1) April 20, 2015 (regular meeting)
 - 2) April 20, 2015 (executive session)
 - 3) April 22, 2015 (public information session)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Traffic Committee (03/17/2015)
- C) Resolutions and Proclamations of other Rhode Island cities and towns

- 1) Westerly Town Council Resolution Opposing Bill H 5847 “Relating to Waters and Navigation – Harbors and Harbor Lines”
 - 2) Westerly Town Council Resolution Supporting Bill H 5107 Creating a Commission to study monetary implications of taxing retirement and pension income paid to Rhode Islanders by out-of-state employers
 - 3) Westerly Town Council Resolution Supporting Bill H 5000 “An Act Relating to Taxation - Personal Income Tax
 - 4) Narragansett Town Council Resolution Supporting Bill H 5000 “An Act Relating to Taxation - Personal Income Tax
 - 5) Narragansett Town Council Resolution Opposing Bill H 5847 “Relating to Waters and Navigation – Harbors and Harbor Lines”
 - 6) Little Compton Town Council Resolution Opposing proposed statewide property surtax on non-owner occupied residences and vacant residential land valued at \$1,000,000 or more
 - 7) Middletown Town Council Resolution Opposing Bill H 5847 “An Act Relating to Waters and Navigation – Harbors and Harbor Lines”
 - 8) Middletown Town Council Resolution Opposing proposed statewide property surtax on non-owner occupied residences and vacant residential land valued at \$1,000,000 or more
 - 9) Middletown Town Council Resolution Opposing Bills H 5044, H 5713 and S 0559 exempting taxation on residential properties, condominiums, and commercial property until a development property is sold
 - 10) Middletown Town Council Resolution Opposing Bills S 0512 and H 5777 proposing legalization of marijuana
- D) Abatements/Addenda of Taxes
- E) Finance Director’s Report
- F) Licenses and Permits
- 1) Marine Vessel Beverage License – **Class G** – Renewal
 - a) Conanicut Marine Services
dba: MV The Jamestown
Location: East Ferry Wharf
 - b) Conanicut Marine Services, Inc.
dba: MV The Katherine
Location: East Ferry Wharf
 - 2) One Day Event/Entertainment License Application
 - a) Applicant: Conanicut Yacht Club
Event: NBYA Jr. Race Week
Date: August 10-12, 2015
Location: Fort Getty Boat Ramp

XI. COMMUNICATIONS AND PETITIONS

None.

XII. EXECUTIVE SESSION

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

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation (Paicos v. Town of Jamestown); discussion and/or potential action and/or vote in executive session and/or open session
- B) Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (IBPO negotiations); discussion and/or potential action and/or vote in executive session and/or open session
- C) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel; discussion and/or potential action and/or vote in executive session and/or open session

A motion was made by Councilor Dickinson with second by Vice President Meagher to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) to discuss Pending Litigation and Collective Bargaining and Subsection (1) to discuss Personnel.

Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation and Collective Bargaining and Subsection (1) Personnel the following vote was taken: President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Jamestown Town Council reconvened the regular meeting at 10:34 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 10:35 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Solicitor