

TOWN COUNCIL MEETING
July 6, 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
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 7:00 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

None.

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) Public Hearing
 - 1) Proposed Amendment of the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles, Article III. Specific Street Regulations, Sec. 70-52 Stop Intersections; duly advertised in the *Jamestown Press* June 25, 2015 edition

A motion was made by Vice President Meagher with second by Councilor White to open the public hearing at 7:01 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

Police Chief's comments.

Police Chief Mello stated the ordinance review and amendment process was vetted through the Traffic Committee. Their recommendation is to install an additional stop sign at the intersection of Seaside Drive and Beach Avenue at the triangle to control traffic.

Town Council comments. None.

Public comments. None.

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

A motion was made by Councilor Dickinson with second by Councilor White to close the public hearing at 7:03 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

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.

Ryan Geib of Columbia Avenue addressed the Council regarding his proposed Eagle Scout Project to improve the Jamestown Battery. Ryan displayed pictures and a narrative of the project. His plans would alleviate the rain water that collects at the bottom of the hill creating a muddy area that makes it difficult for the numerous walkers who visit the area regularly. The solution is to build French drains, which entails digging a ditch along one side of the trail so that water flows into the ditch, follows gravity to the low point, and is funneled through under the trail and away. The job requires require cutting away some of the brush, with proper signage during work time, and digging a ditch along the side, install the pipe, cover with filter fabric, cover with the crushed rock, and stone dust so it has a natural finish.

President Trocki referenced her walks with her dog along the muddy trail and that she will appreciate the completion of the project.

Solicitor Petrarca commented on the Open Forum format and that no votes can be taken at this time; this will be placed on the next agenda for approval (on the Consent Agenda).

Vice President Meagher commented on the difficulty walking her dog on the muddy trail as well. She noted Mr. Webster is the steward for the Historical Society for the Battery, former member of the Army Corps of Engineers, and Ryan's advisor for the project. There are no wetlands issues regarding this project.

Councilor Dickinson asked if heavy equipment would be brought in. Ryan stated a trailer and wheelbarrow would be used. Vice President Meagher commented on the fine job done by a Scout who cleared the Observation areas along the Battery.

Council members continue discussion, inform Ryan this is a good project, thank him for his presentation, and state this will appear on the next agenda for approval.

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

A) Administrator's Report: Town Administrator Andrew E. Nota.

1) Legislative Update from the RI League of Cities and Towns

Town Administrator Nota reviewed the League of Cities and Towns legislative summary, which provides links to the legislation. Some of the legislation was reviewed previously; though not yet approved, it may still have an impact on the Town.

Revaluation Schedule Bills H 5406 and S 238 provide cost savings by instituting a 5-5-15 year revaluation. It is expected to be brought back in the next session and has strong support for approval.

Motor Vehicle Excise Tax Bills S 846 and H 6138 would allow local Assessors to use a combination of retail and trade-in values for determining the value of automobiles instead of the Vehicle Value Commission. It passed the Senate but remains in House Finance and is expected to come back in the next session.

Wastewater Management District. This legislation would not have an impact on Jamestown, but is a stripping of local authority. It is brought to the Council's attention in case it comes back and Council wishes to weigh in.

Levy and Assessment of Taxes. This legislation was passed by the Senate and the House over the last three sessions and vetoed by the Governor. It provides no taxation on subdivision homes and condominiums until the property sells. The Council may wish to provide an opinion to the Governor.

A flurry of legislation was submitted at the end of the session. It appears the Senate President is not in favor of a special session, and most items will be placed on the second session that begins in September. Town Administrator Nota will keep the Council informed. The Right to Farm Act may come back in the second session, which could impact agricultural properties in Jamestown and would strip local authority.

2) Jamestown Storm Drain Project

Mr. Nota reported the Conservation Commission has been working on the Jamestown Storm Drain Project for 1 ½ years in conjunction with the Jamestown Arts Center. Mr. Nota met with Conservation Member Mike Brown and JAC Member Lisa Randall to review the educational outreach program. It is comprehensive and well intended, with a

goal to communicate with members of the community regarding infiltration of contaminants into the stormwater drainage system that ultimately end up in the Bay using artwork appealing to all ages. The pilot octopus artwork painted on the Pemberton Avenue drainpipe was done to test paint durability and scope and scale of size. Council members expressed interest in the project and concern for potential freelance artwork. Part of the project is a six-week educational program at the middle school focusing on environmental impact. Conservation Chair Maureen Coleman and Member Mike Brown are in attendance to further explain the project. Discussion ensued of the Council's role to provide guidance prior to implementation of project. President Trocki welcomed Maureen and Mike to review the process.

Maureen Coleman of East Shore Road Conservation Commission Chair, reviewed the program that began approximately two years ago to bring awareness to the problems associated with contaminants that find their way to the Bay through runoff. The goal is to establish a creative and fun way to bring awareness to the community. Conservation has worked with Town staff to determine the drains that would be involved. The runoff areas around the schools and how the runoff, including contaminants, enter the Bay were referenced. Conservation is working with the Jamestown Arts Center to present the project as a combination of art and science.

Councilor Dickinson commented this is a good message. What is surprising was the process. From a procedural issue he was not aware of it, which may be a communication issue. Ms. Coleman referenced the Conservation Commission Annual Report and Minutes that mentioned the project and commented on communication and how it could be improved in the future.

Conservation Member Mike Brown commented the project began with review with Town staff last September, which he thought percolated through the Town and Administration was aware of it. Discussion ensued of how the project came about, publicity, grant funding, proposed curriculum for various levels of school children, and the cooperation with the JAC. The focus will be on the drains that empty directly into the Bay.

Chamber of Commerce Director Aileen Flath of Melrose Avenue inquired about the approval process for art work on public property. Councilor Tighe suggested that whenever a grant is sought it should be coordinated with the Town Administrator for his determination the project is appropriate and should proceed. Town Administrator Nota stated no one questions the merits of the program but rather implementation and exact location, liability, environment, safety, scale, and appropriateness of it. Town Administration will work with Conservation to communicate with members of the community. The project can be refined over the next few months to a level of accessibility by the Council. Discussion ensued of financing and the grant, which went through the JAC. The Council will consider action regarding liaisons later in agenda.

Councilor Dickinson commented it is important to note this type of project should be presented to the Council for their recommendation. Discussion ensued of the filming of

meetings and expanding that to the Conference Room. All town officials should be copied on important communications so that they are informed.

VII. UNFINISHED BUSINESS

A) Jamestown Conservation Commission memorandum re: Reservoir Trail Public Access.

B) Board/Commission/Committee Liaisons.

Councilor Dickinson commented on the letter that appeared in the *Jamestown Press* written by Commissioner Smayda regarding public access to the Reservoir. Conservation being an advisory board, his recommendation should have been communicated to the Water and Sewer Commissioners or Council to determine its feasibility. Conservation Commission Chair Maureen Coleman stated this goes back to the communication issue. What may be stated in the newspaper may not be the consensus of the entire Conservation Commission. The subject of the article was part of a broad discussion of the Reservoir property and protection of the area, which are reflected in their Minutes.

Vice President Meagher commented on how to handle provocative statements and keep the collegiality of a volunteer committee. The appointment of liaisons to facilitate dialogue would help and it is her recommendation to make such appointments. Previously Council did not appoint liaisons in an effort to include Committees in Council sessions and result in fewer Town Council meetings. Conservation and other Committees could have staff assigned to assist them as well, and representation should be appointed this evening. Councilor White suggested Council members be assigned to read specific Committee Minutes to determine what should be reviewed further. Councilor Dickinson stated he would be happy to attend meetings. Town Administrator Nota will solve staff contact issues.

A motion was made by Vice President Meagher with second by President Trocki to appoint Councilor Dickinson as liaison to the Conservation Commission. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Vice President Meagher with second by Councilor Dickinson to appoint President Trocki as liaison to the Library Board of Trustees. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Harbor Commission and Planning Commission have Town staff involvement. The Council will hold on other appointments at this time.

VIII. NEW BUSINESS

A) Reallocation of Operating Budget Funds to Capital Budget Funds
1) Road Paving

- 2) PAC Purchase
- 3) Town Hall Generator

Town Administrator Nota commented on discussions since the budget process. Defeat of the PAC Referendum left \$43,500 (\$28,500 Debt Service and \$15,000 Operational) available. The Town was awarded a grant for reimbursement of 50% of the cost for a generator for \$20,750 (\$40,000 budgeted), for a total of \$64,250 in available funding. There are three additional roads of significance that could be added to the approved Capital Program of \$350,000 - Racquet Road, Summit Avenue, and Starboard in addition to Bayberry Drive, Bridgeview Drive, Clarke Street, Court Street, Nun Avenue, Ship Street, Pemberton Avenue, Buoy Street, Norman Road and Dumpling Drive. If council is comfortable, the transfer of funding could address the additional roads suggested.

A motion was made by Vice President Meagher with second by Councilor White to move \$20,750 from the Capital Improvement Fund for the Generator to the Road Improvement Project, move \$28,500 from the PAC Debt Service, and move \$15,000 from the PAC Operational under Parks and Recreation, for a total of \$64,250 to be put towards Road Improvement. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- B) Police Department Rules and Regulations; discussion, and/or potential action and/or vote to adopt

President Trocki noted the revised rules for 2015 and the 2004 version. Police Chief Mello commented on the comprehensive package. The changes in rules and regulations and policies and procedures were explained. Most of the content remains constant and is revised to meet the criteria for accreditation. Explanation of the evaluation process and policies and procedures development continued. Chief Mello requests this item be continued to the August 3rd Town Council Meeting.

A motion was made by Councilor Dickinson with second by Vice President Meagher to continue this item to the August 3rd meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- C) Award of Bid:

- 1) Used, reconditioned forklift to NITCO for an amount not to exceed \$13,300 as recommended by Public Works Director Michael Gray

Public Works Director Gray commented on the need for a forklift, as it is a very useful piece of equipment.

A motion was made by Vice President Meagher with second by Councilor White to award the bid for the reconditioned forklift to NITCO as recommended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

A) Appointments

- 1) Fire Department Compensation Committee Fire Department Representative (Two vacancies with a three-year term ending date of May 31, 2018); duly advertised
 - a) Request for reappointment
 - i) Ron Barber
 - b) Recommendation from JFD to reappointment:
 - i) Ron Barber
 - c) Recommendation from JFD to appoint:
 - i) Patricia Perry

A motion was made by Vice President Meagher with second by Councilor White to reappoint Ron Barber and appoint Patricia Perry to the Fire Department Compensation Committee as Fire Department Representatives. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- 2) Fire Department Compensation Committee Citizen At Large (One vacancy with a three-year term ending date of May 31, 2018); duly advertised
 - a) Request for Reappointment
 - i) Jerome Scott
 - b) Request for Appointment; interview conducted
 - i) Susan Hoagland

President Trocki recused on this appointment due to a conflict, filed the appropriate form, and left the dais. Vice President Meagher presides over the meeting.

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

A letter of thanks will be sent to Susan Hoagland and she will be encouraged to stay interested in serving the Town.

President Trocki returns to preside over the meeting.

- 3) Tax Assessment Board of Review Member (One vacancy with a three-year term ending date of May 31, 2018); duly advertised
 - a) Request for Appointment:
 - i) William Dawson (current Alternate Member)

A motion was made by Vice President Meagher with second by Councilor White to appoint Bill Dawson to the as a full Member. President Trocki, Aye; Vice President

Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

- 4) Tax Assessment Board of Review Alternate Member (One vacancy with a one-year term ending date of May 31, 2016); duly advertised
 - a) Request for Appointment
 - i) Joan McCauley (current Member)

Discussion of the frequency of meetings ensued.

A motion was made by Vice President Meagher with second by Councilor White to appoint Joan McCauley as the Alternate Member. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

B) Vacancies

- 1) Jamestown Harbor Commission - Coastal Waters (One vacancy with an unexpired three-year term ending date of December 31, 2017)
 - a) Letter of resignation
 - i) Patrick Bolger

A letter of thanks will be sent to Pat Bolger for his services to the Town.

- 1) Affordable Housing Committee (One vacancy with a three-year term ending date of May 31, 2018); duly advertised; no applicant

Two applicants just came forward today, and this will be placed on the next agenda.

- 2) Coastal Resources Management Council (One vacancy with a two-year term ending date of May 31, 2017); duly advertised; no applicant

This item will be continued to the next agenda.

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 Vice President Meagher with second by Councilor Dickinson to pull D) One Day Event License Applications 5) Jamestown Chamber of Commerce from the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

President Trocki recused on this issue as she has a conflict, filed the appropriate form, and left the dais. Vice President Meagher presides over the meeting.

- D) One Day Event/Entertainment License Applications
 - 5) Applicant: Jamestown Chamber of Commerce
 - Event: "Night at Fort Getty 2015"
 - Date: August 15, 2015
 - Location: Fort Getty Pavilion

Aileen Flath of Melrose Avenue, Chamber of Commerce Executive Director, stated this is the Chamber's annual fundraiser and will take place at the Fort Getty Pavilion with a luau theme. This year The Friends of the Jamestown Seniors will be the recipient of part of the proceeds from the event. They request the Council waive the fee for the Pavilion.

A motion was made by Councilor Tighe with second by Councilor Dickinson to approve the One Day Event License and waive the rental fee. President Trocki, Recuses; 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.

A motion was made by Vice President Meagher 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) Approval of Council Minutes
 - 1) June 22, 2015 (regular meeting)
 - 2) June 22, 2015 (executive session)
- B) Minutes of Boards, Commissions and Committees
 - 1) Jamestown Philomenian Library Board of Trustees (05/12/2015)
 - 2) Jamestown Zoning Board of Review (05/26/2015)
- C) Abatements/Addenda of Taxes
 - 1) Motor Vehicles
 - a) \$57.32
- D) One Day Event/Entertainment License Applications
 - 1) Applicant: Amy Kempe
 - Event: Party
 - Date: July 9, 2015
 - Location: Fort Getty Pavilion
 - 2) Applicant: Karl Seelig
 - Event: AIM Company Picnic
 - Date: July 16, 2015
 - Location: Fort Getty Pavilion
 - 3) Applicant: Paul Dube/Anvil EPS
 - Event: Clambake

- Date: July 21, 2015
- Location: Fort Getty Pavilion
- 4) Applicant: Virginia Murray
- Event: Family Reception
- Date: July 26, 2015
- Location: Fort Getty Pavilion
- 6) Applicant: Nicole Landry
- Event: Landry Wedding
- Date: August 21, 2015
- Location: Fort Getty Pavilion

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

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

The Communications received consists of the following:

- A) Communications
 - 1) Invitation to Ribbon Cutting Ceremony and tour of first Offshore Wind Farm Support Vessel on Monday, July 13, 2015 at 10:30 a.m., Blount Shipyard in Warren, RI

XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

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

The regular meeting was adjourned at 8:13 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Solicitor