

TOWN COUNCIL MEETING

January 5, 2009

A regular meeting of the Jamestown Town Council was preceded by Committee interviews and called to order at the Jamestown Town Hall in the Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue at 7:00 p.m. by Council President Julio J. DiGiando. The following members were present:

Michael G. White, Vice President
William A. Kelly
Robert W. Sutton, Jr.
Barbara A. Szepatowski

also present:

Bruce R. Keiser, Town Administrator
Peter D. Ruggiero Town Solicitor
Arlene D. Petit, Town Clerk

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

None

COUNCIL SITTING AS ALCOHOLIC BEVERAGE LICENSING BOARD

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.

None

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 Clerk was instructed to correct the December 15 Council minutes to reflect the correct time in the motion on page 6 adopting the ordinance. The correction was as follows: ...changing the Monday through Friday work hours from 7:00 a.m. to 9:00 p.m. **to** Monday through Friday work hours from 7:00 a.m. to 8:00 p.m.

It was moved by Councilor White seconded by Councilor Szepatowski to accept the Consent Agenda as presented. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
 - a) December 15, 2008 (regular session)
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
 - a) Planning Commission (12/3/2008)
 - b) Affordable Housing Committee (10/8/2008)
 - c) Zoning Board of Review (11/25/2008)
 - d) Harbor Commission (11/12/2008)
 - e) Fort Getty Master Plan Committee (10/29/2008)

- f) Conservation Commission (9/16/2008, 10/14/2008, 11/3/2008)
- g) Tax Assessment Board of Review (11/20/2008)
- 4) Notices:
 - a) The Trust re: Seminar for local government officials, Saturday, January 31, 2009
- 5) Abatements/Addenda of Taxes

EXECUTIVE SESSION ANNOUNCEMENT

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

- 1) Pursuant to RIGL 42-46-5 (a) (1) personnel
 - a) Performance review of Town Administrator (duly notified)
 Council President DiGiando announced that the Council would hold an executive session, pursuant to RIGL 42-46-5 (a) (1) personnel to discuss the performance review of the Town Administrator.

**COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE
COMMENTS & REPORTS**

- 1) Town Administrator Report (verbal)
Rhode Island Department of Transportation (RIDOT) – Transportation Economic Stimulus Package

The Town Administrator informed the Council that the Town just received a letter from Michael P. Lewis, Director of RIDOT anticipating the passage of a substantial Federal economic stimulus package releasing up to \$100 million dollars for infrastructure projects in Rhode Island. Mr. Lewis is requesting that the Council review a list of projects presently in the program relating to the Town of Jamestown; those being, Jamestown Storm Water Pump Station; Phase III Improvement to the Jamestown-Varazzano Bridge #800 (Bridge only); Conanicus Seawall Repairs; and Jamestown-Verazzano Bridge #800 (Phase IV Improvements). In addition, Mr. Lewis asked for comments on any upcoming project in Jamestown that may be impacted by this stimulus package.

It was the consensus of the Council that the letter from RIDOT be discussed at a special meeting on January 12, 2009 at 6:00 p.m.

The Town Administrator was instructed to review this letter with the Town Engineer, Public Works Director and the Town Planner.

Rhode Island Resource Recovery Corporation

Councilor Kelly noted that the recycling calendar put together by the Town staff was funded through a grant by Rhode Island Resource Recovery Corporation. Councilor Kelly stated that with the drop in the price being paid for commodities, the Town may experience an increase to the \$32.00 per ton tipping fee being paid to Rhode Island Resource Recovery Corporation.

- 2) Finance Director’s Report

No action taken.

- 3) Town Clerk
 - a) Town Council Annual Meeting Schedule 2009
 - b) 2008 Legislative Enactments

No action taken.

PUBLIC HEARING

None

ORDINANCES AND RESOLUTIONS

- 1) Resolution in support of General Assembly legislation regarding the Jamestown Volunteer Fire Department Members property tax relief
It was moved by Councilor Szepatowski, seconded by Councilor White to adopt the following resolution and to forward it to the General Assembly for to enact enabling legislation:

The Town Council hereby requests that the General Assembly amend State enabling legislation relating to property tax exemptions for qualifying Jamestown fire and emergency medical services volunteers. The amendment will permit the Town to provide fixed property tax abatement in the amount of \$700.00 per year and will eliminate provisions that allow the Town to grant a \$75,000 property tax exemption. The council further directs the Town Administrator to work with Senator Teresa Paiva Weed and Representative Deborah Ruggiero to prepare and file enabling legislation to achieve this purpose.

So unanimously voted.

COMMUNICATIONS AND PETITIONS

- 1) Letter from Anna Bernath, Quononoquott Garden Club supporting underground wiring for Narragansett Avenue
It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Anna Bernath of the Quononoquott Garden Club. So unanimously voted.
- 2) Letter from Matthew F. Clarke re: Noise ordinance exemption for emergency situations
It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter from Matthew F. Clarke. So unanimously voted.
- 3) Report from Marcia MacClary, Director of Public Affairs, Weaver's Cove Energy
It was moved by Councilor Szepatowski, seconded by Councilor White to accept the report from Marcia MacClary, Director of Public Affairs, Weaver's Cove Energy.

It was noted that Ron Gagnon, Rhode Island Department of Environmental Protection has been attending the project meetings held by Weaver's Cove Energy. It was the consensus of the Council that Mr. Gagnon should be contacted for an update on how the State is responding to this project.

LICENSES & 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.

None

OPEN FORUM

1) Scheduled request to address
a) Representative Bruce J. Long re: legislative update
Representative Long was not in attendance.

2) Non-scheduled request to address
Sav Rebecchi, Sail Street, suggested that the sewer system I & I be added to the list presented to RIDOT for inclusion in the transportation stimulus project list.

APPOINTMENTS AND RESIGNATIONS

- 1) **Harbor Management Commission** (Three (3) vacancies [Non-Riparian Recreation Boating Community, Commercial Fishing Industry, Commercial Mooring Operators] with a three-year term ending December 31, 2011) and One (1) vacancy [Riparian Property Resident] ending December 31, 2009; duly advertised and interviews complete; if favorable appoint
 - a) Letters of recommendation and support from Chair
 - i) Andrew Kallfelz
 - ii) Susan Little
 - b) Letters requesting reappointment
 - i) Andrew Kallfelz, Commercial Mooring Operators Representative
 - ii) Michael de Angeli, Non-Riparian Recreation Boating Community Representative
 - iii) Susan Little, Commercial Fishing Industry Representative
 - c) Letter of interest
 - i) Mary Brennan
 - ii) Jake Farrell
 - iii) Jonathan Hawkins
 - iv) Wendy Waller

It was moved by Councilor Kelly, seconded by Council President DiGiando to reappoint Andrew Kallfelz, Michael de Angeli, and Susan Little to the Harbor Management Commission with term endings December 31, 2011. So unanimously voted.

It was moved by Councilor Szepatowski, seconded by Councilor White to appoint Wendy Waller as the Riparian Property Resident Representative with a term ending December 31, 2009. So unanimously voted.

- 2) **Zoning Board of Review** (Two (2) vacancies with a five-year term ending December 31, 2013) and Three (3) alternate vacancies with a one-year term ending December 31, 2009) duly advertised and interviews complete; if favorable appoint
 - a) Letter of recommendation and support from Chair
 - i) Richard Boren
 - ii) Richard G. Cribb, alternate
 - iii) Dean J. Wagner, alternate
 - iv) Richard Allphin, alternate
 - b) Letters requesting reappointment
 - i) Thomas Ginnerty
 - ii) Richard Boren
 - iii) Dean Wagner, 1st alternate
 - iv) Richard G. Cribb, 2nd alternate
 - v) Richard Allphin, 3rd alternate

It was moved by Councilor Szepatowski, seconded by Councilor White to reappoint Thomas Ginnerty and Richard Boren to the Zoning Board of Review with terms ending December 31, 2013; and to appoint Dean Wagner, 1st alternate, Richard G. Cribb, 2nd alternate and Richard Allphin, 3rd alternate, terms ending December 31, 2009. So unanimously voted.

It was the consensus of the Council to encourage better cooperation between the Planning Commission and the Zoning Board of Review.

- 3) **Town Charter Review Committee (new committee)** Not more than seven (7) members, with one (1) being a council member, with an unspecified term ending; duly advertised and interviews complete; if favorable appoint
 - a) Letters of interest
 - i) Susan R. Little
 - ii) David Long
 - iii) Jerry McIntyre
 - iv) Sav Rebecchi
 - v) Michael Schnack
 - vi) Robert A. Ullrich
 - vi) Daniel H. Wright

It was moved by Councilor Szepatowski, seconded by Councilor White to appoint Susan R. Little, David Long, Jerry McIntyre, Sav Rebecchi, Michael Schnack , Robert A. Ullrich, and Daniel H. Wright to the Town Charter Review Committee as voting members and to appoint Council President Julio DiGiando as the non-voting Council liaison.

It was moved by Councilor Kelly, seconded by Councilor Sutton to amend the motion

and to appoint Jerry McIntyre as Chair of the Town Charter Review Committee. It was voted Council President DiGiando, nay, Councilor White, nay; Councilor Szepatowski, nay; Councilor Sutton, aye; Councilor Kelly, aye. The motion to amend failed with three opposing and two in favor.

It was moved by Councilor Szepatowski, seconded by Councilor White to instruct Council President DiGiando to Chair the first meeting sometime before the end of January. So unanimously voted.

The main motion as amended was unanimously voted.

- 4) **Affordable Housing** (One (1) vacancy with a term ending May 31, 2011 and One (1) vacancy with a term ending May 31, 2010); duly advertised and interviews complete; if favorable appoint
 - a) Letter of interest
 - i) Christine Tanner

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to appoint Christine Tanner to the Affordable Housing Committee with a term ending date of May 31, 2011. So unanimously voted.

- 5) **Jamestown Housing Authority** (One (1) vacancy with a ~~three~~-five-year term ending December 31, 2013); duly advertised and interviews complete; if favorable appoint
 - a) Letter requesting Reappointment
 - i) Russell C. Benjamin

It was moved by Councilor Kelly, seconded by Councilor White to appoint Russell C. Benjamin to the Jamestown Housing Authority with a term ending date of December 31, 2013. So unanimously voted.

- 6) **Tree Preservation and Protection Committee** (One (1) vacancy with a three-year term ending December 31, 2011); duly advertised and interviews complete; if favorable appoint
 - a) Letter of recommendation and support from Chair
 - i) Emmet Turley
 - b) Requesting reappointment (verbal)
 - i) Emmet Turley

It was noted that Mr. Turley had not yet been interviewed. The Tree Preservation and Protection Committee appointment was removed from the agenda until interviews were completed.

- 7) **Water Resource Protection Committee** (Two (2) vacancies with a three-year term ending December 31, 2011); duly advertised and interviews complete; if favorable appoint
 - a) Letter of recommendation and support
 - i) Jim Turenne
 - b) Letter of resignation
 - i) Mary Brennan

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter of resignation from Mary Brennan. So unanimously voted.

c) Letter requesting reappointment

i) Jim Turenne

It was moved by Councilor Szepatowski, seconded by Councilor White to reappoint Jim Turenne to the Water Resource Protection Committee with a term ending December 31, 2011. So unanimously voted.

UNFINISHED BUSINESS

None

NEW BUSINESS

1) Review of Boards, Commissions and Committees

The following committees were reviewed by the Town Council:

Committee	Findings
• Affordable Housing Committee	Need additional information for continued review.
• Sealer of Weights and Measures	It was moved by Councilor Kelly, seconded by Councilor Sutton to use the State Certified Inspector as the Town's Sealer of Weights and Measures. So unanimously voted.
• Town Building and Facilities Committee	Need additional information for continued review.
• Traffic Commission	Check with Chief of Police for recommendations.
• Water Resource Protection Committee	Need additional information for continued review.
• Neighborhood Advisory Committee	It was moved by Councilor Kelly, seconded by Councilor Sutton to discharge the duties and responsibilities of the Water Study Committee, Neighborhood Advisory Committee and the Wildlife Committee with appreciation for committee member's service. So unanimously voted.
• Water Study Committee	
• Wildlife Committee	
• Personnel Board	Need additional information for continued review.

It was the consensus of the Council to continue the review of Boards, Commissions, and Committees on the agenda until this task is completed.

EXECUTIVE SESSION

It was moved by Council President DiGiando, seconded by Councilor White to enter into executive session at 8:30 p.m. pursuant to IGL 42-46-5 (a) (1) personnel to discuss the performance review of the Town Administrator, the Town Administrator being duly notified.

It was voted, Councilor Kelly, aye; Councilor Sutton, aye; Councilor Szepatowski, aye; Councilor White, aye; Council President DiGiando; aye.

The Council returned to the regular meeting at 9:00 p.m. Council President DiGiando stated that there were no votes taken in the executive session.

It was moved by Councilor Szepatowski, seconded by Councilor White to seal the executive session minutes from the public. It was voted, Councilor Kelly, aye; Councilor Sutton, aye; Councilor Szepatowski, aye; Councilor White, aye; Council President DiGiando; aye.

ADJOURNMENT

There being no further business before the Council, it was moved by Councilor White, seconded by Councilor Sutton to adjourn the meeting at 9:03 p.m. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

c: Town Council Members (5)
Town Administrator
Town Solicitor
Administrative Circulation