

TOWN COUNCIL SPECIAL MEETING
November 16, 2009

A special meeting of the Jamestown Town Council was called to order at the Jamestown Town Hall, 93 Narragansett Avenue, in the Rosamond A. Tefft Council Chambers at 6:30 PM by Town Clerk, Arlene D. Petit. The following newly elected members were present:

Robert Bowen
William H. Murphy
Michael Schnack
Michael G. White
Ellen Winsor

Also present were:

Bruce R. Keiser, Town Administrator
Arlene D. Petit, Town Clerk
Peter D. Ruggiero, Town Solicitor
Fred Pease, Town Sergeant
The Honorable Justice Francis J. Darigan

Other newly elected officials present were:

James A. Donnelly, Town Moderator
Catherine L. Kaiser, School Committee member
Julia Held, School Committee member

absent: Dana K. Long, School Committee member

ANNOUNCEMENT OF ELECTION CERTIFICATION; INTRODUCTION OF HONORABLE JUSTICE FRANCIS J. DARIGAN

The Town Clerk announced the certification of the results for the election held on November 3, 2009:

<u>Name</u>	<u>Position</u>	<u>Term Ending</u>
Robert Bowen	Town Council	November 6, 2012
William H. Murphy	Town Council	November 6, 2012
Michael Schnack	Town Council	November 6, 2012
Ellen Winsor	Town Council	November 6, 2012
Michael G. White	Town Council	November 6, 2012
Catherine L. Kaiser	School Committee	November 6, 2012
Julia Held	School Committee	November 6, 2012
Dana K. Long	School Committee	November 6, 2012
James A. Donnelly	Town Moderator	November 6, 2012

ADMINISTRATION OF OATHS AND PRESENTATION OF CERTIFICATES

The Honorable Justice Francis J. Darigan administered the oaths of office to the Council, School Committee members and Town Moderator. The Town Clerk assisted in the distribution of the Certificates of Election to the newly elected Town Council and other officials.

SELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT

SELECTION OF TOWN COUNCIL PRESIDENT

The Town Clerk called for nominations for Council President. Two nominations were received for Council President; those being, Michael White and Michael Schnack. The Town Clerk explained that the names would be taken in the order that they were nominated, each Council member would be allowed one yes vote for the nominee of their choice. It was voted, two votes in favor of Michael White and three votes opposed; and three votes in favor of Michael Schnack and two opposed. Michael Schnack, receiving the majority of the yes votes, was elected President of the Jamestown Town Council.

The Town Clerk handed the gavel over to Council President Schnack.

SELECTION OF TOWN COUNCIL VICE PRESIDENT

Council President Schnack called for nominations for Council Vice President. One nomination was received for Council Vice President; that being, Robert Bowen. It was voted, five votes in favor of Robert Bowen as Council Vice President of the Jamestown Town Council.

PROCEDURAL VOTES

1) Meeting date and time (regular session)

It was moved by Councilor Bowen, seconded by Councilor Murphy to hold the regular Town Council meetings at the Jamestown Town Hall on the first and third Monday of each month at 7:00 PM, except when there is a Monday holiday when it will be on the Tuesday following. So unanimously voted.

2) Meeting date and time (Board of Water and Sewer Commission)

It was moved by Council President Schnack, seconded by Councilor Bowen to hold the Board of Water and Sewer meetings at the Jamestown Town Hall on the third Monday of each month preceding the Council meeting, except when there is a Monday holiday when it will be on the Tuesday following. So unanimously voted.

3) Appointments:

- a) Town Solicitor (presently Peter D. Ruggiero, Esq., Town Solicitor, and Carolyn Mannis, Esq., Criminal Prosecution)

It was moved by Councilor Bowen, seconded by Councilor Murphy to appoint Peter D. Ruggiero as Town Solicitor and to appoint Carolyn Mannis as Criminal Prosecutor. Councilor Winsor asked for contract information prior to the vote being taken.

Councilor Bowen withdrew the motion in order to give the Town Administrator time to provide contract information.

The Clerk was instructed to put the appointments for Town Solicitor and Criminal Prosecutor on the next Council agenda.

- b) Probate Judge (presently J. Peter McGuirl, Esq.)

It was moved by Councilor White, seconded by Councilor Murphy to reappoint J. Peter McGuirl, Esq. as Probate Judge for the Town of Jamestown. So unanimously voted.

- c) Town Sergeant (presently Fred Pease)

It was moved by Councilor White, seconded by Council President Schnack to reappoint Fred Pease as Town Sergeant for the Town of Jamestown. So unanimously voted.

4) Select Council representatives to Jamestown committees:

- a) Harbor Management Commission

It was moved by Councilor Murphy, seconded by Council President Schnack to appoint Councilor Bowen as liaison to the Harbor Commission. So unanimously voted.

- b) School Committee

It was moved by Councilor Bowen, seconded by Councilor Winsor to reappoint Councilor White as liaison to the School Committee. So unanimously voted.

- c) Town Buildings and Facilities Committee

It was moved by Councilor Bowen, seconded by Councilor White to appoint Councilor Murphy as liaison to the Town Buildings and Facilities Committee. So unanimously voted.

- d) Conservation Commission

It was moved by Councilor Murphy, seconded by Councilor White to appoint Council President Schnack as liaison to the Conservation Commission. So unanimously voted.

**PRESENTATION FROM RHODE ISLAND
STATE SENATOR M. TERESA PAIVA-WEED AND HOUSE
REPRESENTATIVE DEBORAH L. RUGGIERO**

- a) Presentation of certificates to the former Town Council

Senator M. Teresa Paiva-Weed and Representative Deborah I. Ruggiero presented Certificates of Recognition to the following out-going Town officials:

Julio J. DiGiando
William Kelly
Robert W. Sutton, Jr.
Barbara Szepatowski
William (Bucky) Brennan

CONSENT AGENDA

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

- 1) Town Council minutes:
 - a) 10/28/2009 work session
 - b) 11/02/2009 regular meeting
- 2) Bills and Payroll
- 3) Zoning Board of Review Abutter Notification:
 - a) Application of MetroPCS Massachusetts, LLC (Town of Jamestown, property owner), regarding property located at 96 Howland Ave., Jamestown, RI, and further identified as Tax Assessor's Plat 9, Lot 152 for a special use permit to install a wireless communications facility on said property pursuant to Article III, Section 82-301 and Article VI, and to the extent necessary, a dimensional variance to exceed the height limitation, pursuant to Article III, Section 82-302 and Article VI. Said property is in a Public zone and contains .52 acres.

EXECUTIVE SESSION ANNOUNCEMENT:

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

None

REPORTS

- a) Town Administrator Report, as follows:

To: *Honorable Town Council*
From: *Bruce R. Keiser, Town Administrator*
Date: *November 16, 2009*
Subject: *Town Administrator's Report*

Meetings

The next regular Council meeting is scheduled for the first Monday of the month which falls on December 7th. The three-week interval is due to the fifth Monday occurring in November. I would suggest that the Council consider scheduling a special meeting in the interim to begin discussion on Council goal setting for your three-year term of office.

I would also note that there are two current or upcoming issues that warrant discussion either through special meetings or on a regular agenda. The first pertains to the potential re-use of the Ft. Wetherill property. As you may know, the Town has received proposals from DEM, Conanicut Marine Services, and the Jamestown Aquaculture Movement. As directed by the previous Town Council, we have had initial discussions with the DEM for conversion of the Barn to marine research which might also include an aquaculture component and a separate free-standing boat ramp. I would like to meet with the Council to reaffirm this direction and review next steps or to establish a new vision for the future use of this property.

With three labor contracts expiring on June 30, 2010, I expect that negotiations for new agreements will begin in January. Collectively, the contracts will have significant financial implications on the development of the FY2010/11 Town Budget. As a result, an executive session will be necessary to establish contract goals and outcomes that the Council would like to achieve through the negotiations. This session can be held after a regular meeting or on a separate date.

Background Documents and Reports

A packet of adopted Town policies and plans has been assembled for each Council member. The packets are available for pick-up at the Town Administrator's Office.

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.

- 1) One-Day Peddler's License Application:
 - a) Application of Lisa Kasabian dba: Nordic Design Inc. to sell clothing at the Portuguese American Citizen's Club on Saturday, November 21, 2009 from 10:00 am to 3:00 pm

It was moved by Councilor White, seconded by Council President Schnack to approve the license from Lisa Kasabian dba: Nordic Design Inc. to sell clothing at the Portuguese American Citizen's Club on Saturday, November 21, 2009 from 10:00 am to 3:00 pm, subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. So unanimously voted.

- 2) One-Day Event with Vendor's License Application:
 - a) Application of Conanicut Island Art Association dba: CIAA Holiday Craft Fair to hold its annual craft fair at the Melrose School on Saturday, December 5, 2009 from 9:00 am to 4:00 pm

It was moved by Councilor Murphy, seconded by Councilor Winsor to approve the license from Conanicut Island Art Association dba: CIAA Holiday Craft Fair to hold its annual craft fair at the Melrose School on Saturday, December 5, 2009 from 9:00 am to 4:00 pm, subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. So unanimously voted.

UNFINISHED BUSINESS

- 1) Victualing License with Extended Hours: (*Amend motion from 11/2/2009*)
Hina Enterprises, Inc.
dba: Jamestown Mobil
35 Narragansett Avenue
Plat 9 Lot 246

APPLICATION OF HINA ENTERPRISES, INC., dba: **Jamestown Mobil**, *for additional operational hours between 5:00 AM and 6:00 AM* for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow this establishment to continue to be open from 5:00 AM to 2:00 AM daily (RIGL 5-24-1 allows this establishment to be open until 2:00 AM).

The Town Solicitor explained that this victualing license request is for extended hours. The Victualing license was previously approved; however, the extended hours was listed on the agenda incorrectly and should be considered separately at this time.

It was moved by Councilor White, seconded by Council President Schnack to approve the request for extended hours from HINA ENTERPRISES, INC., dba: Jamestown Mobil, beginning at 5:00 a.m., subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. So unanimously voted.

NEW BUSINESS

- 1) Council Appointed Committees
 - a) Memorandum from Town Clerk re: interview schedule

The Council discussed the scheduling of interviews for committee terms ending December 31, 2009. The Clerk was instructed to schedule two interview dates.

- 2) Council Goal-Setting Work Session (*per Town Administrator*)
 - a) Selection of date

It was the consensus of the Council to schedule the goal-setting work session in the first week of December from 5 p.m. to 7 p.m.

- 3) Facilities Tour:
 - a) Schedule a date and time of Municipal Facilities

It was the consensus of the Council to schedule the municipal facilities tour on December 4, 2009 from 12 p.m. to 4 p.m.

- 4) Award of bid for Engineering and Archaeological Services in an amount not to exceed \$44,755 for Implementation of School Land Use Plan through Safe Routes to School Funding

It was moved by Councilor White, seconded by Councilor Murphy to award the bid for Engineering and Archaeological Services in an amount not to exceed \$44,755 for Implementation of School Land Use Plan through Safe Routes to School Funding. So unanimously voted.

- 5) Bike Path Design Committee re: amendment to committee charge (*per Town Administrator*)

The Town Administrator informed the Council that the Bike Path Design Committee has been meeting since July 2008 under the leadership of Robert Sutton. The members of this committee have expressed strong support to continue working with Mr. Sutton and have asked to have the membership portion of the committee charge to be amended to eliminate the voting Council representative and add Mr. Sutton as the fourth public member. The Town Administrator noted that the Council could appoint a Council person as a non-voting liaison.

It was moved by Councilor Murphy, seconded by Councilor White to amend the membership on the Bike Path Design Committee to remove the voting Council member and replace it with a fourth citizen-at-large, voting member. So unanimously voted.

It was moved by Councilor White, seconded by Council Murphy to appoint Robert Sutton to the Bike Path Design Committee. So unanimously voted.

ADJOURNMENT

There being no further Council business, it was moved by Councilor White, seconded by Councilor Murphy to adjourn the meeting at 7:30 p.m. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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