

## **TOWN COUNCIL MEETING**

July 6, 2009

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Town Hall in the Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue at 6:47 pm for the administration of the oath of office by Council President Julio J. DiGiando. The following members were present:

Michael White, Vice-President

William Kelly

Robert W. Sutton, Jr.

Barbara Szepatowski

Also present:

Bruce R. Keiser, Town Administrator

Peter Ruggiero, Town Solicitor

Kimberly A. Turcone, Deputy Town Clerk

Lisa Bryer, Town Planner

Thomas P. Tighe, Chief of Police

Representative Deborah Ruggiero

### ***Jamestown Police Department Swearing-In Ceremony***

1) Administration of Oath:

a) Probationary Officer Ronald B. Jacobson

Chief Tighe introduced Probationary Officer Ronald B. Jacobson and acknowledged Officer Jacobson's accomplishments while attending Police Officer Cadet School.

Council President DiGiando administered the oath of office to Officer Jacobson.

The swearing-in ceremony was followed by the regular meeting at 7:00 pm.

### **AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS**

1) Proclamation No. 09-012 recognizing the Quononoquott Garden Club, Town Planner, Tree Preservation and Protection Committee members, Jamestown Department of Public Works Employees, Tree Warden, and the volunteers that were involved in creating the beautiful landscaping at the town hall

Council President DiGiando read the Proclamation regarding the Quononoquott Garden Club. A motion was made by Councilor Kelly and seconded by Councilor Szepatowski to accept Proclamation No. 09-012 recognizing the Quononoquott Garden Club, Town Planner, Tree Preservation and Protection Committee members, Jamestown Department of Public Works Employees, Tree Warden, and the volunteers that were involved in creating the beautiful landscaping at the Town Hall. So unanimously voted.

## 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.*

A motion was made by Councilor Kelly and seconded by Councilor Szepatowski to accept the Consent Agenda except for items #2, #3(g) and #7 (c). So unanimously voted.

- 1) Adoption of Council minutes:
  - a) June 15, 2009 (regular session)
  - b) June 22, 2009 (special session)
- 3) Minutes from Boards, Commissions and Committees:
  - a) Conservation Commission (2/10/2009)
  - b) Conservation Commission (5/12/2009)
  - c) Zoning Board of Review (5/19/2009)
  - d) Conservation Commission (4/14/2009)
  - e) Tree Preservation and Protection Committee (4/21/2009)
  - f) Planning Commission (5/20/2009, 6/3/2009)
- 4) CRMC Notices:
  - a) Coastal Features
  - b) June Calendar
- 5) DEM Notices: (None received)
- 6) Zoning Board of Review abutter notification (None received)
- 7) Proclamations & Resolutions from other Rhode Island cities and towns
  - a) Town of Charlestown re: opposition to increase in health care rates
  - b) Town of Charlestown re: opposition to increase in electric rates

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2) Bills and Payroll  
Councilor Szepatowski commented on a line item regarding the flu epidemic training that was conducted recently. She stated that the drill was a success.

Councilor Kelly stated the he noticed a drop in health insurance coverage due.

- 3) Minutes from Boards, Commissions and Committees:
  - g) Board of Canvassers (5/11/2009)Councilor Kelly questioned if the Council had submitted something in writing in regards to extending the term limits of the Town Council to the Town Charter Review

Committee. The Town Administrator stated that the Town Clerk is in the process of working on the issue.

- 7) Proclamations & Resolutions from other Rhode Island cities and towns
  - c) City of Pawtucket re: requesting that Governor Carcieri hold a summit to determine the future course of education in the state

Councilor Kelly stated that he would like Jamestown to support the resolution regarding the future course of action of education in Rhode Island. Council President DiGiando stated that time is of the essence with this legislation and requested that it be placed on the agenda for the next meeting.

A motion was made by Councilor Kelly and seconded by Councilor Szepatowski to accept Consent Agenda items #2, #3(g) and 7(c). So unanimously voted.

### **EXECUTIVE SESSION ANNOUNCEMENT**

*The Town Council may seek to go in Executive Session to discuss the following items:*  
None

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

- 1) Town Administrator's Report  
The Town Administrator reported that the new Highway Barn at Taylor Point is almost complete and ready to be moved into. The building is still waiting for skylight installation and due to the recent weather conditions, the grass may need to be reseeded.

A recent survey was sent to ninety homeowners in the Jamestown Shores area regarding private wells that were involved in the 1997 Veeger Study. Justin Jobin, Environmental Scientist for the town received twenty-nine responses back and is now working on the remaining property owners in the area. Councilor Kelly questioned if the Jamestown Shores Association was involved. The Town Administrator stated that he would contact Nancy Kolman Ventrone.

Discussion has begun regarding the Downtown Improvement Project and placing the utility poles in the rear of the property from Coronado Street down Narragansett Avenue to the East Ferry area. The Town Administrator reported that he has discussed this with Verizon and will meet with National Grid this week.

Councilor Sutton requested that the Neale Farm be placed on the next agenda to revisit the walking trails that the Town proposed to develop when it acquired the farmland on North Road. The Town Planner stated that she would contact RI Department of Environmental Management (DEM) to request permission to reallocate the grant money that originally was supposed to go to the Route 138 trails, so that the town can use the money for the walking trails along the Neale Farm.

- 2) Finance Director's Report

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A motion was made by Councilor Kelly and seconded by Councilor Szeptowski to accept the Finance Director report. So unanimously voted.

3) Deputy Public Works Director memorandum re: Summer Street

4) Jamestown Planning Commission re: Summer Street

A motion was made by Councilor Szeptowski and seconded by Councilor White to move Unfinished Business up on the agenda to discuss the two pieces of correspondence by the Deputy Public Works Director and the Planning Commission in regards to Summer Street. So unanimously voted.

The Town Administrator reviewed the Town Engineer's report with the Council. The costs associated with constructing Summer Street, if the town formally accepts Summer Street as a Town road, would be approximately \$38.50 per linear foot with an additional cost of \$30 per foot for pavement. The costs do not include drainage and utilities.

Melissa Hicks – 951 East Shore Road; stated that her property abuts Summer Street and has had a recent survey of the property done. The road is very difficult for vehicles to maneuver especially for Jamestown EMS and Fire Department vehicles. She also stated that Summer Street used to be High Street (north) but because of the confusion with the existing High Street located in town, the name was changed.

Tom Alexander – 959 East Shore Road: Stated that his property also abuts Summer Street and that he is also worried about the condition of the road.

The Town Administrator added that the cost of the road, should the Council agree that Summer Street is a public road, would be the burden of the property owners that abut the street.

The Council questioned whether or not the property owners had language in their deeds regarding the street's designation. It was the consensus of the Council to direct the Town Administrator to meet with the abutting property owners to discuss the circumstances of bringing the road up to proper standards.

#### **UNFINISHED BUSINESS** *(moved)*

1) Petition from residents of Summer Street re: acceptance of Summer Street as a town road and to provide maintenance of same (continued from 6/15/2009)

#### **PUBLIC HEARING**

1) Proposed amendment to the Jamestown Code of Ordinance  
a) Chapter 70 – Traffic and Vehicles, Article III Specified Street Regulations, Section 55 Truck routes, and Section 87 Prohibited or restricted parking

- i) Traffic Committee recommendations
- ii) Aerial view of sites
- iii) Memorandum from Town Administrator re: Watson Avenue Parking

Council President DiGiando opened the Public Hearing at 7:50 pm for public comment.

Frank Meyer – 141 Southwest Avenue: Voiced his concerns regarding Avenue “B” because boaters seem to be clogging up the overgrown road. He stated that he is also concerned that the road, due to the brush that has built up around it, cannot be accessed by Jamestown EMS or Fire Department vehicles.

Paul Balzer – 108 Watson Avenue; stated that he is concerned with the parking along Watson Avenue near the Village Hearth Bakery. He requested that the Council not allow parking from 40 feet of the intersection of North Road and Watson Avenue instead of the recommended 20 feet.

Alena Calderone – 473 East Shore Road; voiced her concern over the width of Carr Lane. She stated that it is extremely difficult for her to drive down Carr Lane especially when large trucks take up the width of the road. She requested that the Council limit large trucks from using the road.

Steven Tiexiera – 91 Howland Avenue: Stated that he has concerns about parking along Watson Avenue especially around Island Rubbish.

Douglas Ouellette – 29 Pemberton Avenue: Stated that he agreed that people should be allowed to park along the north side of Watson Avenue and not the south side. He also stated his concern regarding no parking along Pemberton Avenue since the area has very limited parking as it stands now.

Doriana Corella – Village Hearth Owner: Stated that her business has been open for eight (8) years with out any incident of vehicular accidents. The busiest time for the bakery is on the weekends, which at that time the school buses are not in service. She stated that she would like to see no parking along the south side of Watson Avenue. She also requested that the School buses use Arnold Avenue to drop school children off since Arnold Avenue is wider and more accessible to traffic.

Andrea Colognese – Village Hearth Owner: Shared photographs with the Council showing the parking scheme of the bakery.

Ashley Schipritt – 36 Ocean Avenue: Stated that cars are parking on the sidewalk now and stated that she is concerned that when the curbing is put in that Jamestown EMS, Fire Department vehicles and school buses will not have enough room to clear the intersection of North Road and Watson Avenue. She requested the there be no parking 40 feet from the intersection of Watson Avenue and North Road.

Lorraine Clark – 40 Watson Avenue: Stated that with the proposed ordinance amendments, there would be no parking on the corner of Lawn and Watson Avenues, and therefore requests that the town cut the curb at her property.

Clayton Carlisle – 25 West Passage Drive: Requested that there be absolutely no parking along the south side of Watson Avenue, that signage needs to be clear and enforced and lines be painted in the road. He added that parking on Pemberton and Lawn Avenues be allowed during the day.

With no further public input, Council President DiGiando closed the Public Hearing at 8:05 pm. The Council discussed the recommended changes proposed by the Traffic Commission. Councilor Szepatowski questioned if the recommendations came from the Traffic Commission before it was restructured. The Town Administrator stated that it did.

The Town Administrator conducted a site visit with the new Traffic Committee to assess traffic and parking conditions. All agreed that parking should be limited to the north side of the street and that the set back from the intersection with North Road should be 30 feet to provide proper site distance and turning movements.

Councilor White asked if the Jamestown EMS and Fire Department were consulted. The Town Administrator stated that they were not on this particular intersection and that there are tighter intersections throughout the island.

Councilor Szepatowski requested that Westwood Drive be revisited by the newly restructured Traffic Commission. She recommended that the residents along Westwood Drive be contacted about the proposed changes. Councilor Sutton agreed and it was the consensus of the Council to return the change to the ordinance for further review.

Councilor Sutton questioned how the town could place a limit on trucks that use Carr Lane to cross from the west side of the island to the east side. After a brief discussion regarding vehicle weight verses axels on a truck, it was the consensus of the Council to request that proposed ordinance change to Carr Lane be returned to the Traffic Commission for their input and recommendation in regards to weight limitations.

A motion was made by Councilor Sutton and seconded by Council President DiGiando to approve the following Code of Ordinance change:

Section 2. The Jamestown Code of Ordinances, Chapter 70, Traffic and Vehicles , Article IV. Stopping, Standing and Parking, Section 87 Prohibited or Restricted Parking on Specified Streets is hereby amended by changing the text of the Chapter as follows:

*Watson Avenue*, no parking on the north side of Watson Avenue from the intersection of ~~North Main Road~~ Pemberton Avenue to the intersection of Washington Street,

between 6:00 am to 6:00 pm Such prohibition shall apply to all vehicles except school buses serving the Jamestown Elementary School.

Watson Avenue, no parking on the south side of Watson Avenue and no parking on the north side within 30 feet of the intersection with North Road or 40 feet from the intersection with Pemberton Avenue.

So unanimously voted.

A motion was made by Councilor Szepatowski and seconded by Councilor White to approve the Code of Ordinance change to Avenue “B” as follows:

Avenue B, no parking on either side of Avenue “B” from the intersection of Narragansett Avenue in a northerly direction for the entire length of Avenue “B”.

So unanimously voted.

## **ORDINANCES AND RESOLUTIONS**

None

## **COMMUNICATIONS AND PETITIONS**

- 1) Memorandum from the Jamestown Conservation Commission re: sale of town properties

A motion was made by Councilor Szepatowski and seconded by Councilor White to accept the memorandum from the Jamestown Conservation Commission regarding the sale of town properties. So unanimously voted.

Councilor Kelly stated for the record that he never stated that he supports selling land that the town purchased for Open Space.

- 2) Letter from Newport Convention & Visitor’s Bureau re: NCCVB board appointments

A motion was made by Councilor Szepatowski and seconded by Councilor White to accept the letter from Newport Convention & Visitor’s Bureau regarding NCCVB board appointment and requested that the Town Clerk speak to Donna Kohler since her property is on the market to be sold. So unanimously voted.

- 3) Management Plan from the Conservation Agency re: DEM approved Coyote Coexistence and Management Plan for Aquidneck and Conanicut Islands

A motion was made by Councilor Szepatowski and seconded by Councilor White to accept the communication from DEM and per Council President DiGiando request, to place this item on the next Council agenda for the July 20<sup>th</sup> meeting. So unanimously voted.

- 4) Notification from Governor's Commission on Disabilities re: public hearings allowing people with disabilities and their families to inform the state government of their needs and desires

A motion was made by Councilor Szepatowski and seconded by Councilor White to accept the notification from Governor's Commission on Disabilities. So unanimously voted.

- 5) Request from RI National Guard Retirees Association re: funding for the RI National Guard Living Memorial

A motion was made by Councilor Szepatowski and seconded by Councilor White to accept the request from RI National Guard Retirees Association regarding funding for the RI National Guard Living Memorial. So unanimously voted.

### **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) Exhibition License with Vendors Application:
  - a) Applicant: Jamestown Striper Club  
Event: Kid's Fishing Derby  
Date: July 25, 2009 at 8 a.m. to 11 a.m.  
Place: North Reservoir
  - b) Applicant: Samira Hakki, Conanicut Yacht Club  
Event: 2009 Club 420 Nationals  
Date: July 27 – July 29, 2009  
Place: Fort Getty

A motion was made by Councilor Szepatowski and seconded by Councilor White to approve both Exhibition Licenses with Vendors applications (Jamestown Striper Club and Conanicut Yacht Club) with the stipulation that the Town Administrator review each application in regards to safety concerns. So unanimously voted.

### **OPEN FORUM**

- 1) Scheduled request to address  
None
- 2) Non-scheduled request to address  
Phil and Norma Willis – 1191 North Main Road: Questioned why the town's policy for ISDS inspections is a maximum of three years and not five. The added expense to homeowners with an ISDS during these hard economic times does not make sense. Homeowners should be made responsible for taking care of their own systems with no government interference.

James Thompson – 32 Pemberton Avenue: People continue to park on Pemberton and Watson Avenues in front of his place of business.

Sav Rebecchi – 13 Sail Street: Updated the Council regarding Quonset Development Board of Directors Committee and that they have signed an agreement with Deepwater Wind to bring wind turbines into the port at Quonset. This project will create four wind turbines off the coast of Block Island and an additional 110 units off the Rhode Island coast.

### **APPOINTMENTS AND RESIGNATIONS**

- 1) Planning Commission (One (1) vacancy exists on the Planning Commission, for a term ending December 31, 2011); *if favorable appoint:*

- a) Letter of resignation from Alexandra Nickol

A motion was made by Councilor Kelly and seconded by Councilor White to accept the resignation of Alexandra Nickol from the Planning Commission. So unanimously voted.

- b) Requests for appointment
  - i) Rosemary Enright
  - ii) Duncan Pendlebury
  - iii) Richard Lynn

Councilor Kelly stated that all the applicants that applied for the vacancy on the Planning Commission were more that qualified.

A motion was made by Councilor Kelly and seconded by Councilor White to appoint Duncan Pendlebury to the Planning Commission to finish out Alexandra Nickol's term, ending December 31, 2011. So unanimously voted.

- 2) Resignations

- a) Nick Robertson re: Affordable Housing Committee
- b) Nick Robertson re: Town Building and Facilities Committee

A motion was made by Councilor Kelly and seconded by Councilor White to accept the resignation letters from Nick Robertson for the Affordable Housing Committee and Town Buildings and Facilities Committee. So unanimously voted.

### **UNFINISHED BUSINESS**

- 1) Petition from residents of Summer Street re: acceptance of Summer Street as a town road and to provide maintenance of same (*continued from 6/15/2009*)

Discussed earlier in meeting

### **NEW BUSINESS**

- 1) Fee Schedule – review of fees

A motion was made by Councilor Kelly and seconded by Councilor Szepatowski to postpone the review of fees until the Town Clerk, Town Administrator and Finance Director meet and for them to report back to the Council at the next scheduled meeting. So unanimously voted.

- 2) Marine Development Fund Budget

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- a) Long range infrastructure – Town
- b) Long range infrastructure – Harbor

After a brief discussion regarding repairs to the Fort Getty dock, a motion was made by Councilor Kelly and seconded by Councilor Szepatowski to accept the Marine Development Fund Budget, both long range infrastructure for the town and harbor. So unanimously voted.

3) Legislation 2009 H 5686 Substitute A relating to Towns and Cities  
A motion was made by Councilor Szepatowski and seconded by Councilor White to accept and support bill #5686 Substitute A. Vote: Council President DiGiando – Nay, Councilor White – Aye, Councilor Kelly – Aye, Councilor Szepatowski – Aye, Councilor Sutton – Nay. Motion passes by a vote of 3 – 2.

4) Groundwater – West side of North Road from ~~Watson~~ Narragansett to Arnold Avenue re: scheduling of engineering review to determine possible solutions (per Councilor Szepatowski)

Councilor Szepatowski stated that she is concerned about the water run-off from Narragansett to Arnold Avenue and asked that it be placed on the Town Engineer’s calendar for the fall. The Town Administrator reported that the Town Engineer is aware of the problem and will provide the Council with a report of minor solutions in the upcoming months.

5) 2009 Preservation Local Grant Application for Shoreby Hill Historic District: Inventory Update and Nomination for listing in the National Register of Historic Places – Town Council Endorsement

After a brief discussion regarding if the Council wanted to support a historical district for Shoreby Hill, a motion was made by Councilor Kelly and seconded by Councilor Szepatowski to endorse the 2009 Preservation Local Grant Application for Shoreby Hill Historic District: Inventory Update and Nomination for listing in the National Register of Historic Places. So unanimously voted.

A motion was made by Councilor Szepatowski and seconded by Councilor White to adjourn the meeting at 9:25 pm. So unanimously voted.

Attest:

Kimberly A. Turcone  
Deputy Town Clerk

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