

TOWN COUNCIL MEETING
August 25, 2008

A regular meeting of the Jamestown Town Council was preceded by committee interviews and was called to order at the Jamestown Town Hall, 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
Arlene D. Petit, Town Clerk
Wyatt A. Brochu, Assistant Town Solicitor
Lisa W. Bryer, Town Planner
Justin Jobin, Environmental Scientist

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

- 1) Recognition of John C. Chase and Charles Andrew Matley for obtaining the rank of Eagle Scout

Council President DiGiando mentioned that Council Vice President White delivered the Town Proclamations honoring Eagle Scout John C. Chase and Eagle Scout Charles Andrew Matley at a ceremony held on August 23, 2008.

It was moved by Councilor Kelly, seconded by Councilor White to adopt Proclamation No. 08-12 honoring John C. Chase and Proclamation No. 08-013 honoring Charles Andrew Matley for their hard work and dedication in becoming Eagle Scouts. So unanimously voted.

- 2) Presentation from Michael Mancuso re: Cartridge World Recycling of Electronic Waste

Michael Mancuso gave a slide presentation on ways in which the Town can divert electronic waste away from the transfer station while still counting the recycling of this waste towards the Town's mandated rate for recycling.

Mr. Mancuso informed the Council that his company, Cartridge World, would hold conveniently located e-waste days to encourage residents to drop off recyclable electronic equipment at no charge, such as:

- ink
- cartridges
- electronic equipment

Other equipment that can be collected for recycling at a charge are as follows:

- TV's (plastic) \$10.00
- TV's (rear projection) \$22.00

The recycling of these materials in this manner would help reduce the cost of tipping fees to the Town, as well as increase the percentage rate of recycling in Jamestown.

It was the consensus of the Council to further consider this process for implementation at the September 8, 2008 Town Council meeting.

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.

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.

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

- 1) Adoption of Council minutes:
 - a) July 28, 2008 regular meeting
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
 - a) Planning Commission (07/02/2008, 07/16/2008)
 - b) Jamestown Housing Authority (06/06/2007, 07/02/2008)
 - c) Library Board of Trustees (06/03/2008)
 - d) Conservation Commission (07/08/2008)
- 4) CRMC Notices:
 - a) August 2008 Calendar
 - b) Agenda Tuesday, August 26, 2008
 - c) Cease & Desist Order to Garrett & Casey Roberts for mowing of a CRMC designated buffer zone on plat 12 lot 51; 223 Hull Cove Farm Road
 - d) Application of Coulter-Jamestown, LLC to construct and maintain a residential boating facility at plat 7 lot 122; 8 Coulter Street
 - e) Change in Management Plans, Policies, Procedures and Regulations re: Greenwich Bay SAMP
- 5) DEM Notices:
 - a) Draft RIPDES General Permit for Non-Contact Cooling Water Discharges
 - b) Draft RIPDES General Permit for Storm Water Discharge Associated with Construction Activity
- 6) Zoning Board of Review abutter notification Application of Patricia Ouimette, whose property is located at 783 North Main Rd., and further identified as Tax Assessor's Plat 15, Lot 352, for a variance from Article 3, Section 82-302, District Dimensional Regulations
- 7) Proclamations & Resolutions from other Rhode Island cities and towns
 - a) Town of Charlestown re: Resolution in support of Silver Star Banner Day

- 8) National Association for the Advancement of Colored People invitation to attend the Annual Observance of the Battle of Rhode Island
- 9) 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) (5) (real estate) acquisition of property
- 2) Pursuant to RIGL 42-46-5 (a) (5) (real estate) lease negotiations
 - a) Dutch Harbor Boat Yard lease

Council President DiGiando announced that the Council would enter into executive session later in the meeting pursuant to RIGL 42-46-5 (a) (5) (real estate) acquisition of property, and pursuant to RIGL 42-46-5 (a) (5) (real estate) lease negotiations to discuss the Dutch Harbor Boat Yard lease.

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

- 1) Town Administrator Report follows as submitted:
 - a) Sole Source Aquifer

I have attached copies of the notification from the EPA regarding the designation of Conanicut Island as a Sole Source Aquifer. Please note that the notice stipulates that the landfill remediation is not subject to EPA review under the SSA program.

- b) Amendment to Deed for Gould Island

We have received notice that the National Park Service has changed the use conditions for Gould Island from “Public Park” to “Wildlife Conservation.” DEM has concurred with this amendment.

- c) Landfill Closure

GZA has provided preliminary closure plans and cost estimates (see enclosed). The approach proposed in the closure plan is consistent with the 50% Design Plan approved by the last Town Council with the two exceptions: 1) elimination of the proposed Highway Barn and 2) consideration of three alternative compost area locations. The estimated costs provided by GZA assume that all work will be performed by a contractor. Mike Gray is preparing alternative cost projections with grading and earthwork undertaken by the Town.

We will schedule a presentation by GZA for the September 8th Council meeting.

- d) Highway Barn

The contractor will begin site work for the Salt Storage facility next week. The contractor has scheduled delivery of the prefabricated metal Highway Garage for the first week of October.

- e) Rhode Island Resources Recovery Corporation Grant Award

Steve Goslee and I attended a presentation ceremony at the Rhode Island Resources Recovery Corporation on Thursday, August 21st and accepted a \$25,000 recycling profit-sharing award. Since the Town has discretion in the use of the funds, we will develop proposals for the Council's consideration at the September 8th meeting.

Council comments and questions regarding the Town Administrator's report:

Councilor Sutton expressed his concern regarding the unexpected requirement and additional cost of surfacing the area where the compost will be stored. Councilor Sutton asked that RIDEM be contacted to determine if the additional surfacing is a requirement or just something that they would like to see done.

Councilor Kelly asked if the Council should consider composting in another area that would not require additional surfacing.

Councilor Kelly commended the Town in receiving a \$24,800 award for their improved recycling efforts. Councilor Kelly mentioned that if the waste tonnage had not been recycled it would have cost the Town \$54,000.00 in additional tipping fees.

The Town Administrator noted that the State recycling goals for municipalities will be increasing annually, until the year 2012 with a final recycling rate of 50%. Along with the increase in mandated recycling rate will be scheduled increases in the cost of over the cap tipping fees. The present over-cap rate is \$56.00 per ton. Within the next three years the over-cap rate is scheduled to increase to \$70.00 per ton.

PUBLIC HEARING

None

ORDINANCES AND RESOLUTIONS

None

COMMUNICATIONS AND PETITIONS

- 1) Letter to the Town Council from the Conanicut Island Land Trust re:
David Clancy v Zoning Board of Review & Jamestown Historical Society

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the communication from Conanicut Island Land Trust. So unanimously voted.

- 2) Copy of press release from the Jamestown Historical Society re:
Dedication of Jamestown Land Agreement Display

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the communication from the Jamestown Historical Society. So unanimously voted.

- 3) Copy of letter from the Jamestown Historical Society re: Shoreby Hill

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from the Jamestown Historical Society. So unanimously voted.

4) Letter to the Town Council from Isabel Coyle re: property water drainage
It was moved by Councilor Szeptowski, seconded by Councilor White to accept the letter from Isabel Coyle. So unanimously voted.

The Town Administrator informed the Council that the building Official is aware of the problem and is reviewing the approved elevations for the property. There was Council discussion on whether the water drainage problem was a civil issue between two property owners, and as such, requires no Council action.

It was the consensus of the Council to discuss town-wide stormwater management at the September 8, 2008 Town Council meeting.

5) Letter from Nancy Cloud re: insecticides used for deer tick control
(permethrin)
It was moved by Councilor Szeptowski, seconded by Councilor White to accept the information from Nancy Cloud.

It was the consensus of the Council to address the use of toxic insecticides at a Council meeting in October 2008.

6) Letter from the State Traffic Commission re: approval to move crosswalk
on Conanicus Avenue in front of the Recreation Center
It was moved by Councilor Szeptowski, seconded by Councilor White to accept the communication from the State Traffic Commission. So unanimously voted.

7) Notification from the Honorable Governor Donald L. Carcieri re:
Community Development Block Grant Program for Jamestown in the
amount of \$41,063.00
It was moved by Councilor Szeptowski, seconded by Councilor White to accept the notification regarding the receipt of a Community Development Block Grant award of \$41,063.00. So unanimously voted.

Councilor Kelly commended the Town Planner for her work on the grant application for Community Development Block funding. Councilor Kelly asked that the Council President forward a letter to Governor Carcieri thanking him for the grant and requesting that he consider an additional investment in Jamestown to assist the community in making affordable housing available in Jamestown.

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 Application
 - a) Application of Michael Schnack for the Jamestown Rotary Club to hold the 33rd Annual Jamestown Classic Bike Race on Monday, October 13, 2008 (Columbus Day) around the island from 7:00 am to 3:00 pm.

It was moved by Councilor Kelly, seconded by Councilor White to approve the Exhibition License for the Jamestown Rotary Club to hold the 33rd Annual Jamestown Classic Bike Race on Monday, October 13, 2008 (Columbus Day) around the island from 7:00 am to 3:00 pm. So unanimously voted.

OPEN FORUM

1) Scheduled request to address

a) Rep. Bruce Long re: Legislative update

Representative Bruce Long gave a verbal update on legislation and answered several questions posed by Councilor Kelly.

b) Catherine Norton re: 47 Clarke's Village Road water saturation

Ms. Norton was not present.

2) Non-scheduled request to address

Isabel Coyle, Clarke Street, stated that her property is being inundated with water run-off from a neighboring property because of a berm that the Town allowed the owner to build.

The Council discussed whether this water run-off was the responsibility of the Town. The Town Administrator noted that the elevation of the building plan is being compared with the actual elevation of the construction site to determine if there was a deviation to what was approved by the Building Official.

The Council discussed the need for a town-wide stormwater management plan.

Patrick Bolger, Fore Royal Court, noted that GZA has offered three options for a drainage plane at the former landfill. Because all options use a portion of Summit Avenue and Lot 47, Mr. Bolger inquired if the Town was planning to rezone lot 47 and Summit Avenue and incorporate it into the footprint of the landfill.

Councilor DiGiando stated that he would expect that those issues would be addressed when GZA makes their presentation on the closure of the landfill.

Gary Girard, Seaside Drive, noted that although there is an overlay district in the Shores area, there is a great need for considering a stormwater management plan for the entire island.

APPOINTMENTS AND RESIGNATIONS

1) Police Pension Plan Committee (One (1) vacancy) duly advertised and interviews complete; if favorable, appoint

a) Anthony J. Antine

It was moved by Councilor Szepatowski, seconded by Councilor White to appoint Anthony J. Antine to the Police Pension Plan Committee. So unanimously voted.

UNFINISHED BUSINESS

- 1) Conanicut Island Art Association re: Town Hall Art Gallery (*cont. from July 28, 2008*)

Following a discussion regarding the requests submitted by the Conanicut Island Art Association, it was the consensus of the Council that there was no interest in expanding the gallery nights at the Town Hall. In addition, the “sandwich board” would only be allowed on the gallery opening nights.

The Council discussed a previous request by the Council to remove price tags from the artwork.

The Town Administrator was directed to discuss the Council’s concerns with the Art Association.

NEW BUSINESS

None

EXECUTIVE SESSION

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to enter into executive session at 8:35 p.m. pursuant to RIGL 42-46-5 (a) (5) (real estate) acquisition of property, and pursuant to RIGL 42-46-5 (a) (5) (real estate) lease negotiations to discuss the Dutch Harbor Boat Yard lease.

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

The Council returned from the executive session at 9:00 p.m.

Council President DiGiando announced that there were no votes taken in the executive session.

The Clerk called for a roll call vote to the sealing of the minutes from the public. It was voted, Councilor Kelly, aye; Councilor Sutton, aye; Councilor Szepatowski, aye; Councilor White, aye; Council President DiGiando; aye.

It was moved by Council President DiGiando, seconded by Councilor Szepatowski to approve the expending of \$2,900.00 for a survey for the consideration of land acquisition.

There being no further business before the Council, it was moved by Councilor Szepatowski, seconded by Councilor White to adjourn the regular meeting at 9:05 p.m. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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