

TOWN COUNCIL MEETING
November 7, 2008

A special 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 2:45 p.m. by Council President Julio J. DiGiando for the consideration of the passage of Resolution No. 08-014. The following members were present:

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

absent: William A. Kelly

also present: Bruce R. Keiser, Town Administrator
Arlene D. Petit, Town Clerk
Michael Gray, Town Engineer
Wyatt A. Brochu, Assistant Town Solicitor

representing the Rhode Island Turnpike and Bridge Authority:
David A. Darlington, Chairman
Buddy Croft, Executive Director
Robert Knychalski, Counselor

NEW BUSINESS

- 1) Resolution No. 08-014 authorizing Town Council President Julio J. DiGiando to execute any and all documents and take any and all actions in order to consummate and perfect the purchase of the site from the Rhode Island Turnpike and Bridge Authority.

No. 08-014

HIGHWAY BARN SITE PURCHASE RESOLUTION

WHEREAS, the Town of Jamestown (the "Town") Financial Town Meeting approved the acquisition of a site from the Rhode Island Turnpike and Bridge Authority (the "Authority") for the construction of a new highway garage for the Department of Public Works (the Highway Barn") at their meeting held on August 28, 2007; and

WHEREAS, a Purchase and Sales Agreement (the "Agreement") was entered into between the Town and the Authority on November 28, 2007 for the Town to acquire from the Authority, subject to a maintenance easement, for the Purchase Price of \$97,500.00, a parcel of land of approximately six thousand (6,000) square feet of area located along the north side of the Newport Bridge and contiguous to Town-owned property, which property is more specifically delineated as Parcel A, 6,298 S.F., on that certain Subdivision Plan entitled: "Administrative Subdivision Plan for The Town of Jamestown Freebody Drive, Bay View Drive, Route 138 Plat 7, Lots 1 & 171 Jamestown, Rhode Island Darveau and Associates, Inc. Scale: 1"=80' Date: Aug. 27, 2008 (the "Site"); and

WHEREAS, all the conditions of the sale of the Site from the Authority to the Town have been satisfied and met;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Jamestown, Rhode Island does hereby Resolve that the Site should be acquired from the Authority to locate the Highway Barn; and

FURTHERMORE, that the Town Council President, Julio DiGiando, is hereby authorized to execute any and all documents and take any and all actions in order to consummate and perfect the purchase of the Site from the Authority pursuant to the Agreement and in further implementation of this Resolution. The Town Administrator and Finance Director also each are hereby authorized to execute any and all documents and take any and all actions in order to consummate and perfect the purchase of the Site from the Authority pursuant to the Agreement and in further implementation of this Resolution.

By Order of the Jamestown Town Council

The Town Administrator reviewed the costs for the purchase of the 6,298 sq. ft. parcel from the Rhode Island Turnpike and Bridge Authority (Authority). The total due to the Authority at the time of closing is \$80,758.30. Solicitor Brochu noted that the cost of title insurance and Town legal bills will be billed separately.

The Council reviewed the terms of the maintenance easement, and asked for clarification that the Town of Jamestown is indemnified against damages resulting from third party contractors performing work on the bridge.

Mr. Darlington stated that the Purchase and Sale Agreement spells out the requirements for the maintenance easement. Mr. Darlington stated that all contracts entered into by the Authority for bridge maintenance would include the indemnification language protecting the Town against damages.

Solicitor Brochu informed the Council that he and Mr. Knychalski will work out the contract language.

There being no further discussion, it was moved by Councilor Szepatowski, seconded by Councilor White to adopt Resolution No. 08-014 as presented. So unanimously voted.

There being no further business before the Council, it was moved by Councilor White, seconded by Councilor Szepatowski to adjourn the meeting at 3:06 p.m.

Attest:

Arlene D. Petit
Town Clerk

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