

TOWN COUNCIL MEETING  
June 23, 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  
Peter D. Ruggiero Town Solicitor  
Arlene D. Petit, Town Clerk  
Lisa W. Bryer, Town Planner (arrived at 7:20 p.m.)  
Michael de Angeli, Harbor Commission Chair  
Richard Anderson, Harbor Commission Member  
Christopher Powell, Conservation Commission Chair

**Please note: items stricken were addressed at a meeting on June 16, 2008.**

**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.*

It was requested that items # 1(a), (b) and (g) and 3(b) be removed from the Consent Agenda. It was moved by Councilor Szepatowski, seconded by Councilor White to accept the Consent Agenda as amended. It was moved by Councilor Szepatowski, seconded by Councilor White to amend the motion to remove item 3(c) rather than 3(b) So unanimously voted. The main motion was so unanimously voted as amended. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
  - a)
  - b) May 27, 2008 work session
  - c) (incorrectly addressed as [b] in motion)
  - d) May 27, 2008 executive session Phase I

- e) May 27, 2008 executive session Phase II
- f) May 30, 2008 special session
- g)
- h) June 11, 2008 special session
- 2) Bills and Payroll
  - a) ~~Dated 6/9/2008~~
  - b) Dated 6/23/2008
- 3) Minutes from Boards, Commissions and Committees:
  - a) Library Board of Trustees (05/06/2008)
  - b) Conservation Commission (05/20/2008)
  - c) Planning Commission (05/07/2008, 05/21/2008)
- 4) CRMC Notices:
  - a) June 2008 Calendar
  - b) ~~Notice of Violation re: William Munger, 1 Ferry Wharf, installation of an unauthorized float at Conanicut Marina, Conanicus Avenue, Plat 8/9, Lots 355, 356, 171, 183, 287 and 291 without benefit of a CRMC assent or in violation of a Council Order~~
  - c) Application for a State of Rhode Island Assent from M. 4 Enterprises LLC c/o Edward Miccolis, 370 Love Lane, Warwick to construct and maintain a residential boating facility at 245 Seaside Drive, Plat 15, Lot 202
  - d) Proposed amendments to the management plans, policies, procedures and regulations of the agency (written comments due by July 2, 2008)
- 5) RIDEM Notice:
  - a) Insignificant Alteration Permit to Claudia Villamizar, P O Box 7352, Kensington, CT for property located at approximately 30 feet south of Dory Street, and approximately 70 feet west of the intersection of Dory Street and Beacon Avenue, Utility Pole No. 4, Assessor's Plat 3, Lot 153
- 6) STATE PLANNING COUNCIL Notice:
  - a) Public Hearings on the Draft Transportation Improvement Program (TIP) Federal Fiscal Years 2009-2012 AND Draft Long Range Transportation Plan for the State of Rhode Island
- 7) Zoning Board of Review abutter notification
  - a) 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 to construct a 3 bedroom single-family residential home located 39 ft. from the northern property line and 36.8 ft. from the southern property line. The side setback for this zoning district is 40 ft. The 1 ft. northern variance is due to the proposed chimney and the 3.2 ft. southern variance is due to the proposed stairway. The house structure is completely within the building setback lines. The existing house will be demolished upon completion of the proposed home. Said property is located in a RR200 zone and contains 24,050 sq. ft.

- 8) STATE DEPARTMENT OF EDUCATION:
  - a) Information Works!: State Report Card 2008 (full report on [www.ridoe.net](http://www.ridoe.net))
- 9) DEPARTMENT OF ATTORNEY GENERAL:
  - a) 2008 Open Government Summit to be held Friday, August 1, 2008 at 9:00 at the Roger Williams University Law School, Bristol
- 10) DEPARTMENT OF HEALTH:
  - a) Proposed rules and regulations pertaining to cigarette fire safety standards; public hearing on Thursday, July 24, 2008 at 10:00 a.m.
- 11) Resolutions from other cities and towns:
  - a) Town of Charlestown re: resolution supporting the USS Saratoga Museum at Quonset Business Park

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1) Adoption of Council minutes:

- a) May 13, 2008 work session

Councilor Sutton asked that a Hazardous Waste Day be planned in Jamestown as noted in the May 13, 2008 Council work session minutes. The Town Administrator stated that he would coordinate the arrangements with the Rhode Island Resource Recovery Corp.

- c) May 27, 2008 regular session

(Clerk's note: the regular session minutes were the minutes addressed when pulled from the consent agenda and inadvertently identified as 1[b])

Councilor Sutton stated that although the minutes have been corrected, he asked that it be noted that Representative Long was opposed to House Bill H8199 and asked the Council to support his opposition to the passage of this Bill.

- g) June 2, 2008 financial town meeting (FTM)

Councilor Kelly asked how many voters attended the Financial Town Meeting and how many voters were registered at that time. The Clerk answered that the final count was 115 voters out of the 4,256 (approximate number) registered voters.

3) Minutes from Boards, Commissions and Committees:

- c) Planning Commission (05/07/2008, 05/21/2008)

Council President DiGiando addressed page 2 of the May 21, 2008 Planning Commission minutes. Council President DiGiando restated the procedural information provided to the Commission by the Town Planner and Town Solicitor; that being, if any commission or committee member would like to request action from another commission or committee, the request must be made to the Council. Council President DiGiando wanted it to be clear that such a request would be reviewed by the Council and if found to be warranted, instructions would then come directly from the Council.

It was moved by Council President DiGiando, seconded by Councilor Kelly to approve the items removed from the Consent Agenda. 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 Report
  - a) Special Events Rate Policy

Comments were held for discussion under unfinished business relating to a review of events and impact on community.

- b) ~~North Road Bike Path~~
- c) ~~Harbor Boat~~
- d) Bond Issuance – Farmland Preservation, Highway Barn, Police Station

The Town Administrator reported that the bond sale was completed and because of the Town's Aa3 credit rating, the bonds sold at an attractive rate of 4.11%. This rate was 0.64% lower than the amount budgeted. When asked how much of a savings this was to the Town, the Town Administrator answered that it would save the Town approximately \$25,000.00 per year.

The Town Administrator and Finance Director were commended for their excellent financial management and assistance in maintaining the Town's Aa3 rating.

- e) ~~Dutch Harbor Boat Yard / West Ferry update~~
- f) ~~101 Gondola Avenue~~
- g) Dutch Harbor Boat Yard

The Town Administrator informed the Council that he met with Lawrence Eichler, the new managing partner of Dutch Harbor Boat Yard, his attorney Mark Liberati, and Council President DiGiando for a general discussion regarding lease terms. The Town Administrator stated that Mr. Eichler indicated he was committed to managing the boat yard efficiently and would work with the Town on improvements at West Ferry. The Town Administrator reported that Mr. Eichler has asked that the Council assign the lease to the new partnership, Dutch Harbor Partners, LLC. In addition, Mr. Eichler has asked that as the majority shareholder and given the strength of the partnership, the lease be extended to ten years, with an additional ten-year option.

In answer to the Council's questions regarding Mr. Eichler's experience in managing a marina, the Town Administrator reported that Mr. Eichler does not have marina management experience; however, he is a lawyer and a real estate developer and has invested substantial funds in the success of the Dutch Harbor Boat Yard.

It was the consensus of the Council that Dutch Harbor Boat Yard be put on the agenda in July for continued discussion.

- h) 44 Southwest Avenue

The Town Administrator reported that there were significant Native American artifacts uncovered at the 44 Southwest Avenue site. Based on that discovery, Church

Community Housing has determined that due to the cost of continued archaeological investigation and the substantial limitations on development, the project is no longer cost-effective. The Town Administrator noted that the Town subsidy for each unit would increase significantly due to the limited number of units allowed and the resulting reduction in federal and state assistance. The Town Administrator stated that the purchase and sale agreement has a null and void by mutual agreement clause.

Council members questioned the Town Administrator on other uses for the property and the sale valuation. The Town Administrator answered that 44 Southwest Avenue is in a CL (commercial limited) zoning district, and reviewed what types of uses are allowed.

It was the consensus of the Council to continue discussion on the disposition of the 44 Southwest Avenue property to the special meeting of the Water and Sewer Commission on June 26, 2008.

#### 101 Gondola Avenue

The Town Administrator informed the Council that the owners have taken out a demolition permit for the building at 101 Gondola Avenue.

#### 2) Finance Director's Report

No action taken.

#### 3) Jamestown Conservation Commission report re: proposed trail, parking and observation platform for the area north of the present water treatment plant

Christopher Powell, Conservation Commission Chair, reported that the Conservation Commission believes that the wetland impacts for the proposed plan for a parking area, trail head, and osprey observation platform are unacceptable and asked that the Council consider an alternative plan.

Following a discussion, it was the consensus of the Council that the Town Administrator, the Public Works Director, Councilor Sutton, and the Conservation Commission Chair would meet to review the plan and make any necessary recommendations to the Council.

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the report from the Conservation Commission. So unanimously voted.

#### 4) Planning Commission re: list of officers

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the list of officers as submitted by the Planning Commission. So unanimously voted.

#### 5) Harbor Commission re: request for Council consideration and action

The Council discussed the following recommendations as submitted by the Harbor Commission:

1. *East Ferry Touch and Go: The Commission voted to recommend to the Town Council to add 80 (eighty) feet of Touch and Go floating dock to the north side of the wood pile pier, to clear 40 (forty) feet of space on the east end of the wood*

*pile pier, and to add a ramp on the west end of the wood pile pier leading down to the touch and go dock. Further, the Commission recommends that the Town Council determine whether to permit fishing on this new touch and go dock.*

Council President DiGiando noted that the Council had asked for a recommendation from the Harbor Commission on how to open up some additional space on the wood pile pier. Their recommendation is listed above for Council consideration.

The Council discussed the recommendation and how it would affect the usage of the wood pile pier. In addition, an inquiry was made as to whether Mr. Munger was informed of this recommendation.

Harbor Commission Chair de Angeli informed the Council that Mr. Munger was informed and although not in complete agreement was certainly willing to follow the Council's direction and try this recommendation.

It was moved by Councilor Szepatowski, seconded by Councilor White to adopt the recommendation of the Harbor Commission dated June 18, 2008 as it relates to the East Ferry Touch and Go. So unanimously voted.

- 2. RI House Bill 8199: The Commission voted to recommend that the Town Council request the state representative for Jamestown oppose House Bill 8199, so as to encourage the development of a fishing pier on the remaining section of the old Jamestown bridge.*

Councilor DiGiando explained that this action had already been taken by the Town Council at a previous Council meeting.

- 3. The Commission voted to accept the recommend(ation) that the Town Council approve the bid package for the Curbs and Rails project at East Ferry.*

It was moved by Councilor Szepatowski, seconded by Councilor White to approve item #3 in the June 18, 2008 letter from the Harbor Commission concerning the bid package for the curbs and rail project at the East Ferry.

Upon questioning by the Council, it was determined that the Town Engineer has been involved with the Harbor Commission's efforts.

Michael de Angeli, stated that the project is expected to have an approximate cost of \$200,000.00.

So unanimously voted.

- 4. The Commission voted to ask for the Town Council's approval to spend \$1,200.00 on having a detailed estimate prepared of the cost to repair the Wood Pile Pier per the recent survey of its condition.*

The Town Administrator reported that the Town Engineer does not believe that the survey contains sufficient detail to be used in the preparation of bid specifications and has recommended that the additional work be awarded in order to evaluate the project fairly.

The Town Administrator and Harbor Commission Chair assured the Council that the requested \$1,200.00 would provide a document that could be used for bid specifications.

The Council discussed the expense of the projects and the need to address project individually and ensure that there are enough Harbor Commission funds to accomplish the necessary repairs.

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the expenditure of \$1,200.00 as presented in the June 18, 2008 letter from the Harbor Commission concerning the detailed estimate for costs to repair the wood pile pier. So unanimously voted.

The Council discussed the need for the safety patrol boats to remain accessible. There was some concern raised at the cost of dockage for these boats.

6) Jamestown School Committee Chair re: summer retreat August 14, 2008 Addressing any qualms the Council might have about holding a retreat off-island, Catherine Kaiser, School Committee Chair, stated that the retreat would be held in Jamestown if that would encourage participation by all Council members.

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from the Jamestown School Committee Chair to attend a summer retreat in Jamestown on August 14, 2008. So unanimously voted.

Councilor Sutton offered to make arrangements to use the Grange Hall for the retreat.

It was moved by Councilor Kelly, seconded by Councilor White to move item #1 under new business up on the agenda. So unanimously voted.

#### New Business

1) Land Use Plan for Jamestown Schools and Neighborhood, request for plan endorsement

Council President DiGiando stated that it is most important to note that the Town will comply with all applicable state laws and local ordinances in regard to historic preservation.

It was moved by Council President DiGiando, seconded by Councilor Szepatowski to approve the Land Use Plan for Jamestown Schools and Neighborhood.

The Town Planner stated that the not only will we adhere to all required regulations, but the Town has gone above and beyond that by making the Narragansett Indian Tribe a stakeholder in the process.

In answer to questions regarding the use of the \$170,000.00 from the undesignated fund balance to implement elements of the Safe Routes to Schools program, the Town Administrator stated that those funds would be used as listed on the resolution passed at the Financial Town Meeting on June 2, 2008 to construct walking paths between the

Lawn and Melrose Schools and sidewalks along portions of Lawn and Arnold Avenues and to install crosswalks at locations in the vicinity of the schools.

There was some discussion relating to the materials to be used in the crosswalks and the width of the walking path between the schools. The Town Planner indicated that as the project moves forward, specific aspects of the plan will be brought to the Council.

Council President DiGiando clarified that at this time the Council is approving the general plan and not the specifics.

Councilor Sutton mentioned that he was concerned that Doug Harris, Narragansett Indian Tribal Historic Preservation Office, indicated that he was directed by his superiors not to attend any more meetings.

The Town Administrator stated that he communicated with Doug Harris in the past; whereby Mr. Harris expressed his desire to develop a "land use regulation" that would provide greater tribal control over land development in Jamestown.

Again, there was mention of the Town's intent to follow all laws and Town ordinances in implementing the Land Use Plan for Jamestown Schools and Neighborhood. The Town Planner noted that every effort has been made to invite Mr. Harris to the table to be involved in the planning process.

Councilor Kelly suggested that all communication should be in writing so that there is a record of all communications.

Town Council President DiGiando stated that Mr. Harris' letter is on the agenda under communication and suggested that further action could be put on another Council agenda.

The motion was unanimously voted.

## **PUBLIC HEARING**

None

## **ORDINANCES AND RESOLUTIONS**

- 1) Resolution No. 08-007 authorizing issuance of \$400,000 Bonds for improvements and expansion of the police station and \$1,500,000 bonds for the construction of the new highway garage

The Town Administrator noted that Resolution No. 08-007 was adopted at a special Town Council meeting held on June 11, 2008.

- 2) ~~Resolution No. 08-008 requesting that the Quonset Development Corporation endorse the recommendation of Governor Carcieri to set aside appropriate mooring space at Davisville for the USS Saratoga and~~



~~supporting legislation that would allow the USS Saratoga to move to Davisville~~

- 3) ~~Resolution No. 08-009 supporting legislative amendments to protect Rhode Island's cities and towns and their public officials/employees~~

### COMMUNICATIONS AND PETITIONS

- 1) Letter from the State Traffic Commission answering the Jamestown Town Council's requests to: relocate the crosswalk at the intersection of Narragansett Avenue and Conanicus Avenue; restripe Walcott Street to switch parking from the east side to the west side between High Street and Brook Street; evaluate the crosswalk on Conanicus Avenue in front of the Recreation Center

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter from the State Traffic Commission. So unanimously voted.

- 2) Letter from Joseph R. Palumbo, Jr. re: Dutton Hill Farm Estates

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter from Joseph R. Palumbo, Jr. So unanimously voted.

- 3) Correspondence from Town Solicitor regarding Dutton v. Jamestown Planning Commission Open Meetings Act complaint

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter from the Town Solicitor. So unanimously voted.

- 4) Letter from Patti Young and Paul Hamilton re: correction to November 13, 2007 Council minutes reference made to Beaver Neck Farm LLC

Councilor Sutton stated that he would be recuse from any discussion or vote pertaining to Beaver Neck Farm LLC.

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Patti Young and Paul Hamilton. It was voted Councilor White, aye; Councilor Kelly, aye; Councilor Szepatowski, aye; Council President DiGiando, aye; with Councilor Sutton recusing. The motion passed with four in favor and one recusal.

- 5) Letter from Tania G. Biddle re: trees planted on the north side of Narragansett Avenue

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Tania G. Biddle. So unanimously voted.

- 6) Letter from Stephen J. Elmasian, Armenian National Committee Co-Chairman re: flying the Armenian flag

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Stephen J. Elmasian.

The Council discussed the possibility of having a special flag pole in the Town Hall on which to fly flags for specific events.

It was the consensus of the Council to put the idea of a special flag pole in the Town Hall on the Agenda for the July 14, 2008 Council meeting. So unanimously voted.

- 7) Abutter notification from John P. Caito Corporation re: ISDS Application #0615-0014 for variance request from RIDEM regulations to install and operate a proposed individual sewage disposal system for Claudia Villamizar at property located on Dory Street, Assessor's Plat 3, Lot 153

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the abutter notification from John P. Caito Corporation. So unanimously voted.

The Council discussed their concerns regarding cumulative impact in the Shores area. It was the consensus of the Council to instruct the Town Administrator to forward a letter to RIDEM expressing their concerns about cumulative impact. The Town Administrator noted that he has a standard letter he would forward to RIDEM expressing the Town's concerns with cumulative impact.

- 8) Letter from several residents re: West Ferry Dock

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the communication from several residents regarding the West Ferry dock and to refer the letter to the Harbor Commission. So unanimously voted.

- 9) Letter from the Narragansett Indian Tribal Historic Preservation Office (NITHPO)

- a) Jamestown Code of Ordinance, Chapter 30, Historic and Archaeological Preservation (per Town Clerk, for Council information)

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Doug Harris of the Narragansett Indian Tribal Historic Preservation Office. 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) One Day Entertainment Licenses – Fort Getty Pavilion

- a) The Chemical Company  
Band  
August 17, 2008  
1:00 p.m. to 8:00 p.m.

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the One Day Entertainment License – Fort Getty Pavilion for the Chemical Company to have a band on August 17, 2008 from 1:00 p.m. to 8:00 p.m. So unanimously voted.

- b) Magdalena Andres  
DJ  
August 23, 2008  
11:00 a.m. to 10:00 p.m.

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the One Day Entertainment License – Fort Getty Pavilion for Magdalena Andres to have a DJ on August 23, 2008 from 11:00 a.m. to 10:00 p.m. So unanimously voted.

- 2) One Day Peddler License
  - a) Jamestown Lions Club  
Matthew Clarke, Treasurer  
to sell plastic lite sticks  
Mackerel Cove  
July 5, 2008  
6:30 p.m. to 9:00 p.m.

Councilor Kelly announced that he would be recusing from any vote or discussion on the license application for the Jamestown Lions Club.

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the One Day Peddler License for the Jamestown Lions Club to sell plastic lite sticks at Mackerel Cove on July 5, 2008 from 6:30 p.m. to 9:00 p.m. It was voted, Council Vice President White, aye; Councilor Sutton, aye; Councilor Szepatowski, aye; Council President DiGiando, aye; and Councilor Kelly, recusing. The motion passed with four in favor and one recusal.

- 3) Exhibition License
  - a) Jamestown Striper Club's Annual Kid's Fishing Derby  
Fred Brown, President  
North Reservoir  
July 26, 2008  
8:30 a.m. to 11:00 a.m.

Councilor Szepatowski expressed her concern that holding a fishing derby at the reservoir is against Town and State regulations. In addition, Councilor Szepatowski asked if there was a permit required from the Department of Health. In stating that although she was in favor of a fishing derby, Councilor Szepatowski was concerned that the reservoir location might present a health hazard.

In answer to Council President DiGiando's question on the legality of holding the fishing derby at the North Reservoir, the Town Solicitor stated that the Council, sitting as the Board of Water and Sewer Commission, set the land use regulations and as such, would have the authority to waive them.

It was moved by Councilor Kelly, and seconded by Councilor White to approve the exhibition license for the Jamestown Striper Club's Annual Kid's Fishing Derby at the North Reservoir on July 26, 2008 from 8:30 a.m. to 11:00 a.m.

It was the consensus of the Council that the issuing of the license was contingent on the waiving of specific restrictions by the Board of Water and Sewer Commission.

## **OPEN FORUM**

1) Scheduled request to address  
a) Representative Bruce J. Long re: legislative update  
Representative Long gave a verbal update on recently passed legislation, as well as an update on information pertaining to Weaver's Cove.

2) Non-scheduled request to address  
Jill Anderson, West Reach Drive, informed the Council that the legislation pertaining to deed restrictions on property at West Reach and East Passage is waiting to be signed by the Governor. Ms. Anderson thanked the Council and Representative Long for their assistance.

Varoujan Karentz, Clarke Village Lane, as a first generation survivor of the Armenian Genocide, asked the Council to consider some form of recognition of the one and one-half million men, women, and children of Armenian descent that were victims of this genocide.

Sav Rebecchi, Sail Street, asked when the Charter Commission would be appointed.

### **APPOINTMENTS AND RESIGNATIONS**

- 1) Personnel Board  
a) Resignation of Betty R. Kinder (term ending 5/31/2008)  
It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the resignation of Betty R. Kinder from the Personnel Board. So unanimously voted.
- 2) Town Buildings & Facilities Committee (Two (2) vacancies with a three-year term ending May 31, 2011); duly advertised and interviews complete; if favorable appoint  
a) Letter of Request for Reappointment  
i) Nick Robertson  
b) Letter of interest  
i) Michael Testa  
ii) Nicholas Pereira  
c) Term Expiration  
i) Leif Lamoray  
It was moved by Councilor Kelly, seconded by Councilor White to reappoint Nick Robertson to the Town Buildings & Facilities Committee for a term ending May 31, 2011 and to appoint Michael Testa for a term ending May 31, 2011. So unanimously voted.
- 3) Fire Department Compensation Comm. (One (1) member vacancy with a three-year term ending May 31,2011); (One (1) citizen-at-large vacancy with a term ending May 31, 2010); duly advertised and interviews complete; if favorable appoint  
a) Letter of Request for Reappointment  
i) James Ingari  
b) Letter of Interest  
i) Jill Anderson

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to reappoint

James Ingari to the Fire Department Compensation Committee as a member representative for a term ending May 31, 2011 and to appoint Jill Anderson as a citizen-at-large for a term ending May 31, 2010. So unanimously voted.

- 4) Tax Assessment Board of Review (One (1) vacancy with a three-year term ending May 31, 2011); duly advertised and interviews complete; if favorable appoint
  - d) Letter Requesting Reappointment
    - i) Anne Livingston
  - e) Letter of Recommendation
    - i) from Barbara Hamilton Porter

It was moved by Councilor Kelly, seconded by Councilor White to reappoint Anne Livingston to the Tax Assessment Board of Review for a term ending May 31, 2011. So unanimously voted.

### **UNFINISHED BUSINESS**

- 1) Event/Exhibition Licenses
  - a) Review of events and impact on community

The Council discussed the level of benefit to the community from the events held in Jamestown. Many of the events provide funding for local non-profit community organizations. Other events such as the Penguin Plunge and Fools Rules benefit the business community as well.

The Council reviewed the costs to the community for hosting these events and the liability to the Town should an accident occur. As a review of costs, the Town Administrator provided a list of annual special events and related expenses. The nine events listed totaled a net cost of in-kind services from the Town in the amount of \$5,302. The liability to the Town was discussed as it relates to non-local events. The Council expressed concern with not only the liability for participants but also for spectators.

The Town Solicitor was asked to provide the Council with direction from the Interlocal Trust regarding the amount of insurance required from each event-holder as well as the type of insurance required.

The Town Solicitor reminded the Council that Jamestown is the host location and does not and should not be involved in the management of the individual events. In discussing the impact on the community, it was that residents and businesses should be informed of scheduled events.

It was moved by Councilor White, seconded by Councilor Szepatowski to accept the communication from the Town Administrator and not take any action on charging for these events. So unanimously voted.

- 2) Town Council Goals; if favorable, for adoption

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to adopt the goals as presented by the Town Administrator. So unanimously voted.

It was noted that Council goals would be adjusted as necessary. The Town Administrator stated that he would submit a time-line for the goals as well as a space for the Council to sign on to any of the goals that they would like to take the lead on.

In directly addressing the goal relating to the appointment of a Charter Review Commission, Councilor Kelly noted that some thought should be given to members of the Council serving on that commission or even the possibility of the Council reviewing the charter themselves.

- 3) Animal Shelter location at the Water Treatment Plant (per Councilor Kelly)

Councilor Szepatowski stated that there have been some changes for the planned use of the old water treatment building. Originally the building was to be used for storage. The Public Works Director has indicated that some processing will be done in the building; therefore, Councilor Szepatowski stated that she would like to hold this item until all the decisions have been made regarding the water treatment plant.

- 4) Salt Storage Building (per Town Administrator)

The Town Administrator noted that the salt storage building will be on the agenda for the June 26 special meeting of the Board of Water and Sewer Commission.

### NEW BUSINESS

- 1) Land Use Plan for Jamestown Schools and Neighborhood, request for plan endorsement

Previously addressed.

- 2) ~~House Bill 2008—H 8199 “An Act Relating to Highways—The Jamestown Bridge Fishing Park”; if favorable, motion to forward resolution to the General Assembly supporting Representative Long’s opposition to House Bill 2008 H 8199~~

- 3) Quononoquott Garden Club re: announcement of grant and request for proclamation (per Councilor Kelly)

Councilor Kelly noted that there is additional information being sent to the Council and asked that this be off the agenda for the present time.

- 4) 2008 / 2009 Marine Development Fund Budget and Long Range Infrastructure Plan

Following a review of the budget and long range infrastructure plan for the Harbor Commission, it was moved by Councilor Szepatowski, seconded by Councilor White to approve the 2008 / 2009 Marine Development Fund Budget and Long Range Infrastructure Plan. So unanimously voted.

- 5) ~~Concrete Pier—Conanicut Marina request to submit CRMC permit for floating dock on north side of concrete pier~~
- 6) ~~Highway Facility and Salt Storage Building Design~~

- 7) Annual Transfer Station Fee; increase from \$65.00 per year to \$100.00 per year

Council President DiGiando stated that the Town Administrator has submitted a proposal to increase the annual transfer station fee in an attempt to make the drop-off trash disposal service self-supporting.

The Town Administrator provided the following information:

Costs of operations in the amount of \$100,919.00, less the \$9,876.00 amount realized from recyclables revenues, leaves a net operating cost of \$91,043.00. The Town Administrator noted that with the proposed fee increase and the projected sticker sales of 900, the majority of the costs at the transfer station would be covered.

It was moved by Councilor Sutton, seconded by Councilor Szepatowski to approve the increase in the annual fee for the transfer station from \$65.00 to \$100.00 as recommended by the Town Administrator.

Councilor Sutton asked if the Council would consider a residential user fee rather than a transportation fee. This would avoid one vehicle with a sticker being used to transport more than one resident's trash.

The Town Administrator stated that the Council may want to consider other options such as pay as you throw in the future.

Councilor Kelly suggested that the \$100.00 annual transfer station fee also allow for access to Mackerel Cove.

It was moved by Councilor Kelly that the user fee will allow access to Mackerel Cove. There being no second, the Council voted on the main motion.

The main motion was so unanimously voted.

- 8) GZA GeoEnvironmental, Inc. re: First Quarter 2008 Environmental Monitoring Report of the Former Jamestown Landfill

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the GZA GeoEnvironmental, Inc. First Quarter 2008 Environmental Monitoring Report of the Former Jamestown Landfill.

Councilor Sutton noted that once again the report says that the well tests meet all the standards of the State and Federal drinking water quality requirements.

So unanimously vote.

- 9) Proposed Amendment to Appendix C, Schedule of Fees, Sec 14 Buildings and Building Regulations Fees

The Town Administrator reported that in a review of building permit fees conducted by the Building Inspector and himself it was found that Jamestown's fees are significantly lower than other communities. In addition, other communities are using a formula that, if approved for Jamestown, would eliminate Jamestown's fixed cost per square foot basis and establish a fee based on value of construction.

The Town Administrator recommended approval of a resolution amending the Town of Jamestown's "Schedule of Fees" to change the fee schedule for Section 14-21 as follows:

14-21. New Construction. All new construction, renovations, repairs, alterations, etc., including all accessory structures, garages, sheds, decks, docks, etc.

<u>Estimated Value of Completed Work</u>	<u>Fee</u>
<u>\$1 - \$500</u>	<u>\$25</u>
<u>\$501 - \$1,000</u>	<u>\$35</u>
<u>\$1,001 - \$10,000</u>	<u>\$35 plus \$10 per thousand or fraction thereof over \$1,001</u>
<u>\$10,001 - \$100,000</u>	<u>\$125 plus \$7 per thousand or fraction thereof over \$10,001</u>
<u>\$100,001 – No limit</u>	<u>\$755 plus \$6 per thousand or fraction thereof over \$100,001</u>

It was moved by Councilor Sutton, seconded by Councilor White to approve the amended fee structure to Appendix C., Schedule of Fees, Sec. 14 Buildings and Building Regulation Fees as presented. So unanimously voted.

### **ADJOURNMENT**

There being no further business before the Council, it was moved by Councilor White, seconded by Councilor Szepatowski to adjourn the meeting at 9:45 p.m. So unanimously voted.

Attest:

Arlene D. Petit  
Town Clerk

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