



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 3, 2014
7:00 PM

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS AND RESOLUTIONS

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

COUNCIL SITTING AS ALCOHOLIC BEVERAGE LICENSING BOARD

All approvals for liquor licenses renewals are subject to the resolution of debts, taxes, and appropriate signatures, as well as all applicable state approvals and requirements, and where applicable proof of insurance.

- A) **NOTICE** is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **RENEWAL** applications have been received by the Town Council under said Act, for the period December 1, 2014 to November 30, 2015 (duly advertised in the *Jamestown Press* October 9th and October 16th editions)

RENEWALS: Approval of Licenses by Class

1) CLASS A (PACKAGE STORE) – RETAIL

Tunstall, LLC
dba: Grapes & Gourmet
9 Ferry Wharf

Varsha, Inc.
dba: Jamestown Wine & Spirits
30 Southwest Avenue

- a) Request a motion to approve the liquor license renewal applications for CLASS A (PACKAGE STORE) – RETAIL, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2014 to November 30, 2015.
- b) Request a motion to set the CLASS A (PACKAGE STORE) – RETAIL Liquor License Cap at TWO (2)

2) **CLASS B – VICTUALER**

Islandish, Ltd.
dba: Chopmist Charlies
40 Narragansett Avenue

Jamestown Culinary Partners, LLC
dba: Jamestown Fish
14 Narragansett Avenue

Jamestown Oyster Bar, Inc.
dba: Jamestown Oyster Bar
22 Narragansett Avenue

Jamestown Restaurant Group, LLC
dba: Narragansett Café
25 Narragansett Avenue

New England Golf Course Management, Inc.
dba: Jamestown Golf and Country Club
aka: the Caddy Shack
245 Conanicus Avenue (lower level rear)

Portuguese American Citizens Club
dba: Jamestown Bar and Grille
11 Pemberton Avenue

Slice of Heaven, Inc.
dba: Slice of Heaven
32 Narragansett Avenue

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue

- a) Request a motion to approve the liquor license renewal applications for CLASS B – VICTUALER, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2014 to November 30, 2015.
- b) Request a motion to set the CLASS B – VICTUALER Liquor Licenses Cap at EIGHT (8)

3) **CLASS B – LIMITED**

Lucky Ridge Co. LLC
 dba: Spinnaker’s Café
 3 Ferry Wharf

- a) Request a motion to approve the liquor license renewal application for CLASS B – LIMITED, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2014 to November 30, 2015.
- b) Request a motion to set the CLASS B – LIMITED Liquor License Cap at ONE (1)

4) **CLASS D –FULL (CLUB)**

Conanicut Yacht Club
 dba: Conanicut Yacht Club
 40 Bay View Drive

- a) Request a motion to approve the liquor license renewal application for CLASS D - FULL (CLUB), upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2014 to November 30, 2015.
- b) Request a motion to set the CLASS D - FULL (CLUB) Liquor License Cap at ONE (1)

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.

- B) RIGL §5-24-1 (a) & (b) & §5-24-2: Title 5 Businesses & Professions (Taverns, Cookshops and Oyster Houses)
 - 1) Request a motion to approve Victualing License with extended hours **RENEWAL** application, upon the resolution of debts, taxes, State Approval and appropriate signatures for the year December 1, 2014 to November 30, 2015:

Cumberland Farms, Inc.
 dba: Cumberland Farms Store #1108

41 North Main Road
Plat 8 Lot 626

APPLICATION OF CUMBERLAND FARMS, INC., dba: Cumberland Farms Store #1108, for renewal of additional operational hours to open at 5:00 AM for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow the 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 from 6:00 AM until 2:00 AM without additional operating hours).

V. OPEN FORUM

Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue

- A) Scheduled to address
- B) Non-scheduled to address

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

- A) Administrator's Report: Town Administrator Andrew E. Nota

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

- A) Set meeting date for:
 - 1) Pre-budget work session and pension suit discussion with School Committee
 - 2) Seating of new Town Council and Installation of Officers
 - 3) Water and Sewer Commissioners Meeting and agenda setting work session
- B) Awarding of Bids for Public Works Department
 - 1) New 2015 Four Wheel Drive Pick-up Truck and Plow to Flood Ford of East Greenwich for an amount not to exceed \$34,711 as bid as recommended by Public Works Director Michael Gray
 - 2) New 2015 Four Wheel Drive Dump Truck and Plow to Flood Ford of East Greenwich for an amount not to exceed \$65,417 as bid as recommended by Public Works Director Michael Gray
 - 3) New 2015 Four Wheel Drive Platform Dump Truck and Plow, including add alternate for Dump Through Lift Gate to Flood Ford of East Greenwich for an amount not to exceed \$72,242 as bid as recommended by Public Works Director Michael Gray

IX. ORDINANCES AND APPOINTMENTS

- A) Appointments
 - 1) Tick Task Force
 - a) Non-Resident Notice (Per Jamestown Town Charter Sec.

1001 Qualifications and Duties – All members of Boards, Commissions and Committees shall be qualified electors and residents of the Town)

i) Jemma Craig

X. 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) Adoption of Council Minutes
 - 1) October 6, 2014 (regular meeting)
 - 2) October 6, 2014 (executive session)
 - 3) October 20, 2014 (special meeting)
 - 4) October 20, 2014 (executive session)
 - 5) October 20, 2014 (work session)
 - 6) October 29, 2014 (work session)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Conservation Commission (07/10/2014)
 - 2) Jamestown Conservation Commission (09/18/2014)
 - 3) Jamestown Harbor Commission (09/10/2014)
 - 4) Jamestown Philomenian Library Board of Trustees (05/13/2014)
 - 5) Jamestown Philomenian Library Board of Trustees (07/08/2014)
 - 6) Jamestown Philomenian Library Board of Trustees (07/22/2014)
 - 7) Jamestown Philomenian Library Board of Trustees (09/09/2014)
 - 8) Jamestown Planning Commission (09/17/2014)
 - 9) Jamestown Planning Commission (10/01/2014)
 - 10) Jamestown Tax Assessment Board of Review (01/24/2013)
 - 11) Jamestown Tax Assessment Board of Review (11/08/2013)
 - 12) Jamestown Tax Assessment Board of Review (12/02/2013)
 - 13) Jamestown Tax Assessment Board of Review (12/16/2013)
 - 14) Jamestown Tax Assessment Board of Review (01/06/2014)
 - 15) Jamestown Tax Assessment Board of Review (01/13/2014)
 - 16) Jamestown Tax Assessment Board of Review (01/22/2014)
 - 17) Jamestown Tax Assessment Board of Review (01/27/2014)
 - 18) Jamestown Tax Assessment Board of Review (02/04/2014)
 - 19) Jamestown Tax Assessment Board of Review (02/10/2014)
 - 20) Jamestown Tax Assessment Board of Review (02/12/2014)
 - 21) Jamestown Tree Preservation & Protection Committee (09/14/2014)
 - 22) Jamestown Zoning Board of Review (06/24/2014)
- C) CRMC Notices
 - 1) Public Notice: Assent of Town of Jamestown to construct and maintain a shoreline protection facility (approximately 400' of rip rap revetment) at Bay View Drive, described as Plat 8 Lot 338
 - 2) Public Notice: Assent of Thomas and Diann Uustal to repair (approximately 115') existing stone revetment and add (approximately

- 95') new stone revetment to provide shoreline protection at Orient Avenue, described as Plat 1 Lot 297
- 3) Public Notice: Proposed Amendments to CRMC Program Table 1 - Water Type 6 Matrix and Sections 110 & 210.3; public hearing November 25, 2014, with written comments due November 10, 2014
 - 4) November 2014 Calendar
- D) Zoning Board of Review abutter notifications:
- 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing October 28, 2014 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Mark Smith (Lewis Vigers, owner) whose property is located at Starboard Ave., and further identified as Assessor's Plat 15 Lot 108 for a special use permit from Article 3 Section 82-314C (High groundwater table & impervious layer overlay district) to allow construction of a single family dwelling and a 2 bedroom Onsite Wastewater Treatment System. Said property is located in a R-40 zone and contains 8,899 sq. ft.
 - 2) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing October 28, 2014 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Eric Bottaro whose property is located at Seaside Drive, and further identified as Assessor's Plat 15 Lot 215 for a special use permit from Article 3 Section 82-314C (High groundwater table & impervious layer overlay district) to allow construction of a single family dwelling and a 4 bedroom Onsite Wastewater Treatment System. Applicant also seeks a dimensional variance from Article 3 Table 3-2 (District Dimensional Regulations) to allow construction of said house 30.5 ft. from the westerly lot line (Seaside Dr.) instead of the required 40 ft. and 23.2 ft from the easterly lot line (Beach Ave.) instead of the required 30 ft. Said property is located in a R-40 zone and contains 25,668 sq. ft.
 - 3) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing October 28, 2014 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Robert Nelson & Thomas Uustal whose property is located at the corner of Garboard St. & Dolphin Ave., and further identified as Assessor's Plat 15 Lot 319 for a special use permit from Article 3 Section 82-314C (High groundwater table & impervious layer overlay district) to allow construction of a single family dwelling and a 4 bedroom Onsite Wastewater Treatment System. Said property is located in a R-40 zone and contains 21,600 sq. ft.
- E) Resolutions and Proclamations of other RI cities and towns

- 1) Resolution the Gloucester Town Council re: In opposition to RIGL §44-3-3 (9) Taxation – exemption from taxation for Brown University and its professors
 - 2) Resolution of the Newport City Council re: In support of Question #5 on the November ballot and encourages voters of Newport and RI to approve it
- F) Abatements/Addenda of Taxes
- G) Multi-License renewal applications (December 1, 2014-November 30, 2015):
- 1) BADA Bing, Inc. dba: **House of Pizza**
 - a) Victualing License
 - b) Pinball/Video Game (1)
 - 2) Conanicut Yacht Club dba: **Conanicut Yacht Club**
 - a) Victualing License
 - b) Entertainment License
 - 3) ESJ, Inc. dba: **Simpatico Jamestown**
 - a) Victualing License
 - b) Entertainment License
 - 4) Islandish, Ltd. dba: **Chopmist Charlie's**
 - a) Victualing License
 - b) Entertainment License
 - 5) Jamestown Culinary Partners, LLC dba: **Jamestown Fish**
 - a) Victualing License
 - b) Entertainment License
 - 6) Jamestown Restaurant Group dba: **Narragansett Café**
 - a) Victualing License
 - b) Entertainment License
 - 8) Portuguese American Citizen's Club dba: **Jamestown Bar and Grille**
 - a) Victualing License
 - b) Entertainment License
- H) Victualing License renewal applications:
- 1) Ace's Pizza, Inc. dba: **Ace's Pizza**
 - 2) BADA Bing, Inc. dba: **Freddie Bing's Hotdog Thing** (Cart)
 - 3) Del's Lemonade & Refreshments, Inc. dba: **Del's of Jamestown** (Mobile Unit)
 - 4) Doriana Carella/The Village Hearth dba: **The Village Hearth**
 - 5) East Ferry Market, Ltd. dba: **East Ferry Deli & Market**
 - 6) Island Scoop dba: **Island Scoop**
 - 7) Jamestown Oyster Bar, Inc. dba: **Jamestown Oyster Bar**
 - 8) Lucky Ridge Co., Inc. dba: **Spinnakers Café**
 - 9) Lucky Ridge Co., Inc. dba: **Spinnakers Café** (Mobile Unit)
 - 10) New England Golf Course Management, Inc. dba: **Jamestown Golf & Country Club aka: Caddy Shack**
 - 11) Slice of Heaven, Inc. dba: **Slice of Heaven**
 - 12) Tallulah, LLC dba: **Tallulah's Tacos**
 - 13) Tallulah LLC dba: **Tallulah's Tacos (Mobile Unit)**

- 14) T-M-T Enterprises, Inc. dba: **McQuade's Supermarket**
- 15) Tunstall LLC. dba: **Grapes & Gourmet**
- 16) Varsha, Inc. dba: **Jamestown Wine & Spirits**
- 17) Yun Chen dba: **Peking Garden**
- 18) MJ, Inc. dba: **Jamestown Mercantile,*** 16 Narragansett Avenue
Proprietor: Michael Jacquard **(*New)**
- D) Holiday License:
 - 1) MJ, Inc. dba: **Jamestown Mercantile,*** 16 Narragansett Avenue
Proprietor, Michael Jacquard **(*New)**
- J) Entertainment License:
 - 1) Jamestown Recreation Department, 41 Conanicus Avenue
- K) One Day Event/Entertainment License Application
 - 1) Applicant: Conanicut Island Art Association
Event: Annual Holiday Craft Show
Date: December 6, 2014
Location: Lawn Avenue School

XI. COMMUNICATIONS AND PETITIONS

- A) Communications
 - 1) Memorandum of Jamestown Conservation Commission Chair Maureen Coleman congratulating Justin Jobin for completion of the installation of signage and GIS work to map and identify more than 80 protected properties in the Jamestown Shores area
 - 2) Memorandum of Jamestown Conservation Commission Chair Maureen Coleman recognizing accomplishments of the 2014 Jamestown Youth Litter and Conservation Corps and their efforts to control litter at community parks, rights-of-way, shorelines and open spaces
 - 3) Letter with signed petition of Bayberry Road residents requesting the resurfacing and repaving of Bayberry Road
- B) Petitions
 - 1) Pole Petition: Verizon New England and the Narragansett Electric Company
 - a) High Street and Green Lane: to place new push brace 10PB against existing Pole P.10X located on the northerly side of High Street and the Easterly side of Green Lane (as shown on attached plan)
 - i) Recommendation for approval by Public Works Director Michael Gray

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library.

In addition to the two above-mentioned locations, notice also may be posted, from time to time, at the following location: Jamestown Police Station; and on the Internet at www.jamestownri.net/council/council.html

ALL NOTE: This meeting location is accessible to the physically challenged. If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to cfernstrom@jamestownri.net not less than three (3) business days prior to the meeting.