

TOWN COUNCIL MEETING
September 21, 2015

I. ROLL CALL

Town Council members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Blake A. Dickinson
Michael G. White
Thomas P. Tighe

Also in attendance:

Andrew E. Nota, Town Administrator
Peter D. Ruggiero, Town Solicitor
Michael C. Gray, Public Works Director
Edward A. Mello, Police Chief
Karen Montoya, Deputy Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, RESOLUTIONS

- A) Resolution
- 1) No. 2015-17 “Dedication of Park Dock Beach in Memory of Ferdinando Notarantonio and Grandson Fred Notarantonio”

The Resolution was read by President Trocki. She thanked the family for their generosity to help the town acquire this waterfront property for the whole community.

A motion was made by Vice President Meagher with second by Councilor White to adopt the Resolution. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IV. PUBLIC HEARINGS, LICENSES AND 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.

None.

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. None.
- B) Non-scheduled to address.

James Rugh of America Way addressed the council. Jim reported that he was on the Quonset Development Corporation Board and the resolutions supporting the Quonset Air Museum were sent to the Board in error. They have no relationship with the Quonset Air Museum and the future resolution should be sent to the Rhode Island Airport Corporation.

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

None.

VII. UNFINISHED BUSINESS

A) Public Rights of way update: Mr. Nota and the council received an email from Sav Rebecchi concerning a ROW on Seaside Dr. Mr. Nota met with Carol Nelson-Lee and thought it would be more appropriate if they reported back to the council with a broader discussion later in October. Mike Gray is working with an engineering firm on preliminary plans concerning Hull Cove ROW project. CRMC valued the project in excess of \$300,000. It is in the "V" zone forcing the footings to be much more invasive in the watershed area. The town will be seeking direction from the council on how to proceed. If the project is too expensive would the council like to investigate the possibility of CRMC reallocating some funds to other ROWs in the community with smaller access points? Mr. Nota will reconvene with CRMC to see if there are alternatives they would be willing to consider in terms of the overall design. Right now Mr. Nota finds it difficult to believe that our overall maximum contribution would stay at \$20,000 as previously calculated. Blake Dickinson noted that the cost would be \$550-\$600 per square foot if the project stands at \$300,000.

Chris Powell of Mount Hope Avenue, former chair of the Conservation Commission. The town should propose a ground level boardwalk and go for a variance for a special exception. He would be willing to help move this forward. This would be much less expensive.

No other discussion on the ROWs. Mr. Nota will get back to them in October for a further discussion with Carol Nelson-Lee and include Sav Rebecchi's e-mail information.

B) Chris Powell asked the Town Council to consider waiving the fee for the police detail for the Fools' Rules Regatta and to reconsider their policy for community based events. Not much money is generated from T-shirt sales. The goal is to keep it free and not drive people away with the cost. The profit margin is very low and the money is given away to local charities. It is a wonderful community event. Mr. Nota suggested that the non-profit events come to the Town Council and ask for money at budget time, then the Council could make the decision to appropriate the taxpayers money to a charity

event. Mr. Nota stated that there are multiple costs to a police detail. For a local non-profit group, the Town does waive all the administration fees and the vehicle fees—they just pay direct detail labor. For a big for-profit event all fees and labor are included in their cost. Councilor Tighe would like to see two council members work with the town administrator on this but tonight the vote is on waiving the fee. Councilor Dickinson is open to meeting half way but in the future maybe an entry fee may be an alternative. President Trocki suggested maybe a joint effort with the Chamber might be an alternative. Councilor White is of the same opinion as Councilor Dickinson to reduce it to \$450.00.

A motion was made by Councilor White, with a second by Councilor Tighe to reduce the fee for the police detail from \$900.00 to \$450.00. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

VIII. NEW BUSINESS

A) Community Development Block Grant Program 2015: Councilor Dickinson asked what the town requirements are to accept this money. Lisa Bryer responded that the money is only allocated for these specific programs on the priority list. Councilor Dickinson also questioned item #7 for funding for East Bay Community Action Program to support the operation of its health and dental services through dental supplies. He stated that the Town Council already allocated money to them in our budget and was wondering why that wasn't disclosed. Vice President Meagher said this was another source of funding and the money we gave was not necessarily for dental supplies. Mr. Nota interjected that although we ask for this amount we might not receive it and that the priority list can be changed. In the next budget cycle we can request a financial report from the agencies as to how much they are funded and adjust our budget accordingly.

A motion was made by Councilor Tighe with second by Councilor Dickinson to approve the Community Development Block Grant in the amount of \$150,000. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

B) Ciampa Easement Maintenance Agreement of September 15, 2015. Vice President Meagher has recused.

Christian Infantolino from Morneau & Murphy Law Office explained the easement. The easement crosses town property. All parties involved have vetted the easement and are in agreement. Councilor Dickinson asked what recourse the town had if they don't fulfill this agreement. Mr. Infantolino responded there could be an injunction to make them live up to their responsibilities. It would be a breach of contract. Their main responsibility would be to maintain the vegetation.

A motion was made by Councilor Dickinson with second by Councilor Tighe to approve the Ciampa Easement Maintenance Agreement dated September 15, 2015. President Trocki, Aye; Vice President Meagher, Recused; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

A motion was made by Councilor Tighe with second by Councilor Dickinson to approve the signing of the Ciampa Easement Maintenance Agreement dated September 15, 2015. President Trocki, Aye; Vice President Meagher, Recused; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

C) Parks and Recreation Department work session: Mr. Nota covered the topics in a broad sense for the council. Vice President Meagher won't be available during October so November 9th at 6:00 pm was set for the work session. Mr. Nota outlined possible topics: 1) Update on the search for a new Parks & Recreation Director; 2) Full review of the Collins Center Study; 3) Comprehensive review of Fort Getty's restrooms, gate house, campground, pavilion and beach as well as the programs along the waterfront; 4) Mackerel Cove Beach parking and staffing. Mr. Nota is seeking a full review of the department's future vision in regards to what its services will be with recreational programming, senior services, parks, facilities, performing arts and partnering with a number of cultural arts organizations in town. Chris Powell suggested using the Eagle Scout Projects to help with right-of-way maintenance.

D) Rental Properties: Mr. Nota stated that there are 3 discussions. 1) The nuisance issues and what residents can do; whether we have the tools in place for our zoning officials and police to react. 2) Those properties that are being openly marketed for event locations which is a zoning violation. 3) Those individuals who are asking about the sales tax—how can the town benefit, how they are reported to the tax division and a lot of other tax questions. An ordinance revision might be in order. This should be placed on a town council meeting sometime in October. It was decided to put a place holder on the agenda for the second session in October.

E) Special permit signs and signs on Town property: Chris Costa has received numerous complaints about signs and the sandwich boards downtown. There are two issues Community signs and sandwich boards in the commercial district by local businesses. There is a process in place but seldom used for these signs. Groups wanting to place community signs need to come to the zoning office for a permit. There is no fee and no restriction on how many times a sign can be placed, but the zoning office needs to be aware of the areas, set back, ADA requirements, visibility, size of sign and limit the number of signs that would fit in the area. They can't be put up until 14 days before an event and must come down 48 hours after the event has happened. Based on the existing ordinance that is in place all sandwich board signs are prohibited. The exception being the Town Council has sole discretion as to the suitability of all signs erected on Town property. In this case having the signs in the right of way would fall under this section. So to legitimize the signs, pending a full review of the sign ordinance, would the council like all businesses to come in individually to request permission or is the council

comfortable delegating that authority Chris Costa, the building and zoning official for him to manage the permit and use of the signs. The Town reached out to businesses and gave them copies of the ordinances. Mr. Nota reached out to Aileen Flath of the chamber of commerce notifying her that the Town was putting a stay on this matter until the council addressed it. President Trocki called for a motion to delegate Chris Costa with controlling the sign issue. Councilor Dickinson asked about community signs on private property. Solicitor Ruggiero answered that they would have to go to zoning for approval except political signs which are allowed. Aileen Flath asked how community organizations were going to be notified. Mr. Costa will notify them through a letter and the Press. President Trocki suggested Mr. Costa connect with Aileen to put it on the chamber website.

A motion was made by Councilor Tighe with second by Councilor Dickinson to allow the zoning enforcement officer Chris Costa to administratively regulate the signs on town property in the commercial district Sec. 82-1305 of the zoning ordinance. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

Town Clerk Cheryl Fernstrom wrote a memo updating the council concerning vacancies on different committees. Paula Shevlin has resigned the Tree Preservation and Protection Committee. Ms. Fernstrom is requesting permission to contact Mark Girard who had applied earlier to see if he is still interested. The council gives their permission.

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.

The following item was removed from the Consent Agenda for discussion: E) One Day Event License application for ColinsLaw.Org Benefit Road Rally

A motion was made by Vice President Mary Meagher with second by Councilor White to accept the Consent Agenda except for ColinsLaw.Org Benefit Road Rally. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
 - 1) September 8, 2015 (regular meeting)
 - 2) September 8, 2015 (executive session)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Charter Review Committee (08/11/2015)

- 2) Jamestown Charter Review Committee (08/26/2015)
- 3) Jamestown Housing Authority (01/15/2014)
- 4) Jamestown Housing Authority (02/12/2014)
- 5) Jamestown Housing Authority (03/05/2014)
- 6) Jamestown Housing Authority (04/09/2014)
- 7) Jamestown Housing Authority (05/14/2014)
- 8) Jamestown Housing Authority (06/18/2014)
- 9) Jamestown Housing Authority (08/13/2014)
- 10) Jamestown Housing Authority (09/24/2014)
- 11) Jamestown Housing Authority (10/08/2014)
- 12) Jamestown Housing Authority (11/19/2014)
- 13) Jamestown Housing Authority (12/10/2014)
- 14) Jamestown Housing Authority (01/20/2015)
- 15) Jamestown Housing Authority (02/18/2015)
- 16) Jamestown Housing Authority (03/11/2015)
- 17) Jamestown Housing Authority (04/09/2015)
- 18) Jamestown Housing Authority (05/20/2015)
- 19) Jamestown Housing Authority (06/09/2015)
- 20) Jamestown Housing Authority (07/15/2015)
- 21) Jamestown Traffic Committee (08/18/2015)
- 22) Jamestown Tree Preservation & Protection Committee (06/16/2015)
- 23) Jamestown Tree Preservation & Protection Committee (07/21/2015)

C) CRMC Notices

- 1) Public Notice for proposed Amendments to CRMC Procedures Section 4.3 Schedule of Fees, October 27, 2015 at 6:00 p.m., Department of Administration, One Capitol Hill, Providence, RI
- 2) Semi-Monthly Meeting Agenda for September 22, 2015

D) Abatements/Addenda of Taxes

Total Abatements: \$1,566.74

Total Addenda: \$ 249.95

- 1) Abatement to 2014 Tax Roll: Motor Vehicle

Account/Abatement Amount

a) #21-0065-01M \$ 69.03

- 2) Abatements to 2015 Tax Roll: Motor Vehicles

Account/Abatement Amount

a) #08-0339-77M \$ 229.07

b) #09-0037-10M \$ 96.82

c) #19-1565-00M \$ 249.95

d) #21-0065-01M \$ 99.30

- 3) Abatements to 2015 Tax Roll: Tangible Property

Account/Abatement Amount

a) #06-0031-81 \$ 253.66

b) #08-0415-50 \$ 61.46

c) #10-0044-00 \$ 65.85

d) #16-0308-00 \$ 441.60

- 4) Addenda to 2015 Tax Roll: Motor Vehicle
 - Account/Addenda Amount
 - a) #19-1565-01M \$ 249.95
- E) One Day Event/Entertainment License Applications
 - 1) Applicant: ColinsLaw.Org, Inc.
Event: ColinsLaw.Org Benefit Road Rally
Date: October 3, 2015
Location: Fort Getty Pavilion
 - 2) Applicant: Kate McDonell
Event: Hoffman/McDonell
Date: October 9, 2015
Location: Fort Getty Pavilion
 - 3) Applicant: Jamestown Fitness Center
Event: Jamestown Fitness Halloween Parade
Date: October 31, 2015
Location: Narragansett Avenue

Mr. Foote is requesting a waiver of the pavilion fees for his event. Mr. Foote is representing ColinsLaw.org which advocates for safer roads at intersections specifically running red lights.

A motion was made by Vice President Mary Meagher with second by Councilor Tighe to waive the fee for the Pavilion for ColinsLaw.Org Benefit Road Rally. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

XI. COMMUNICATIONS, PETITIONS AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RI CITIES AND TOWNS

President Trocki asked for a motion to accept the Resolutions for the Quonset Air Museum because these were addressed earlier by Mr. Rugh. Councilor Tighe questioned an email he received from Mr. Nota regarding false alarms. Mr. Nota responded it was just information for the council. Councilor Tighe requested that it be put on the next agenda and request Chief Mello and Chief Bryer to attend. He would also like a cost analysis if available and time factor for the false alarms.

A motion was made by Vice President Meagher with second by Councilor Dickinson to receive the Communications. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Communications received consist of the following:

- A) Resolutions and Proclamations of other Rhode Island cities and towns
 - 1) Resolution of the Cranston City Council In Support of the Quonset Air Museum

- 2) Resolution of the Burrillville Town Council In Support of the Quonset Air Museum
- 3) Resolution of the Charlestown Town Council In Support of the Quonset Air Museum
- 4) Resolution of the West Greenwich Town Council In Support of the Quonset Air Museum

Mr. Nota didn't have a formal report but a few things have come up and he wanted to address the council with these concerns: 1) Reminder that tomorrow evening will be the zoning board meeting about the Fire Station expansion. 2) Follow up to Richard Koster and questions he had about the ad from the Tick Task Force, specifically about owners offering their property for hunting. He raised concerns but they weren't prepared that evening to give him the response that he needed. There are specific laws in RIGL §32-6-3 for property owners offering up their property for hunting. The rights and liabilities of a landowner are protected to encourage landowners to participate in the hunting program. Roadway paving is underway. Mr. Nota gave a status update. Because of perfect weather the paving should be complete in the next couple of weeks. Vice President Meagher interjected that in the future she wanted to use this part of the meeting to put different items on the agenda. Councilor Tighe wanted to know if the Town Council has completed the task of appointing a liaison to the different boards or committees who get money from the town. He asked if anyone was a liaison on the Senior Center Board. It was suggested that it should go on the next agenda.

XII. EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel; discussion and/or potential action and/or vote in executive session and/or open session

A motion was made by Vice President Meagher with second by Councilor White to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (1) to discuss Personnel.

President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Jamestown Town Council reconvened the regular meeting at 9:08 p.m. President Trocki announced that no votes were taken in the Executive Session.

A motion was made by Councilor Dickinson with second by Councilor Tighe to seal the Minutes of the Executive Session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

XIII. ADJOURNMENT

A motion was made by Vice President Meagher with a second by Councilor White to adjourn. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The regular meeting was adjourned at 9:09 p.m.

Attest:



Karen Montoya, Deputy Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Solicitor