

TOWN COUNCIL MEETING
February 3, 2014

I. ROLL CALL

Town Council members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Thomas P. Tighe
Eugene B. Mihaly
Blake A. Dickinson

Also in attendance:

Kevin E. Paicos, Town Administrator
Peter D. Ruggiero, Town Solicitor
David R. Petrarca, Jr., Assistant Town Solicitor
Christina Collins, Finance Director
Michael Gray, Public Works Director
Edward A. Mello, Police Chief
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

President Trocki called the regular meeting to order at 6:08 p.m.in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue and led the Pledge of Allegiance.

**III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS,
PRESENTATIONS AND RESOLUTIONS**

A) Presentations:

- 1) Fire Department Strategic Plan: Fire Chief James Bryer

Fire Chief Bryer, Deputy Chief Howard Tighe, Deputy Chief Steven Tiexiera, and Deputy Chief Michael Pinksaw were in attendance to address the Council (as well as 20+ Fire Department members). Chief Bryer reported the Fire Department proposed changes are: addition to the station, additions to the apparatus, and a storage facility at the north end. A copy of the presentation was distributed, followed by review. The merger of JFD and EMS under one agency was reviewed.

JFD Current Conditions – Space. Equipment. Chief Bryer noted present equipment at the Fire Station: 3 pumpers, 1 ladder truck, 2 tankers, 1 ambulance and 1 special service pick-up truck. At the Ambulance Barn: 2 ambulances and 1 officers' vehicle. Other: 5 pieces of equipment stored outside year-round due to a lack of storage facilities (8-10

years); estimated replacement value: Rescue Boat \$175,000-\$200,000, 2 Haz Mat Trailers \$5,000, Bucket Truck \$40,000-\$50,000, Squad Truck \$100,000. Discussion ensued of cramped conditions, lack of storage space, and outdoor storage for JFD and EMS.

Personnel. EMS staffers (3-4 per shift) are housed 24/7/365 in co-ed sleeping quarters; no separate bath or shower facilities; no storage; minimal kitchen and training facilities. Dispatch located at JFD offices; main training room is of adequate size (2nd floor) but is not ADA compliant.

JFD Current Conditions: Service. Service. JFD composed of 130 members, 96 serve as EMS volunteers, serving 12 hour shifts of 3 to 4 members on call; weekly trainings for JFD and EMS, including EMT and CPR classes; average 800 calls per year, 300 fire and 500 EMS, 50% to the north end.

Emergencies. For storm events ambulance and pumper located at a JFD member's house at the north end and Beavertail, outdoors.

What we Need. Immediate Need. New Engine #2, current truck built in 1984, at end of life (20-30 years), does not comply with current safe standards.

Soon. Engine #3 built in 1992, has 8 more years (maximum). Standard, off-the-line trucks (longer and higher) do not physically fit in Fire Station (built in 1926); reduced truck size reduces water storage and firefighting capabilities (no hydrants at north end); standard truck costs approximately \$300,000, modified truck to fit our Fire Station costs approximately \$540,000; fire trucks cannot be stored outside in winter due to water storage tanks.

Also. Appropriate facilities for overnight EMS personnel; ADA compliant training facility.

What to do. Create a facility to: house equipment currently stored outside; house standard trucks; house 24/7 EMS personnel more appropriately; bring EMS and JFD under one roof; address need for remote location of personnel (temporary shelter) and equipment during emergencies (Mackerel Cove and Beavertail referenced).

How. Add on to existing station (3 bays at 4 Grinnell Street) to house standard size trucks; provide handicapped accessibility to second floor; provide space to house EMS personnel 24/7/365. Purchase of one standard size truck results in cost savings of approximately 25% of the cost for such an addition/renovation to Fire Station. Ambulances could move into existing space in Fire Station, freeing up ambulance barn/lot for alternate use or sale by Town (to help cover costs for new facilities and equipment). Inexpensive storage facility north of Route 138 could house items currently

stored outside; or move the equipment into renovated JFD building and leave EMS facility as it exists (though inadequate). Paramount to get equipment out of the elements.

Comments and Discussion. Councilors commented on problems created by equipment/truck modifications. Chief Bryer, Deputy Chief Pinksaw, and Deputy Chief Tighe note it was recommended JFD not purchase a modified truck by the manufacturer's engineer. Numerous problems and repairs resulted from the special order modifications to the trucks. For the current fiscal year, the entire maintenance budget was expended to repair the ladder truck. Standard trucks have lower maintenance and repair costs. Deputy Chief Tighe doesn't agree that Engine #3 has 8 more years of life; the piping is not in good shape; new trucks have stainless steel piping. JFD takes good care of its vehicles.

Councilors comment on options. Chief Bryer opines that the options should be combined and accomplished at once. If a storage facility is built at the north end equipment could get out of the weather, but a new Engine #2 is still needed, and the best option is to add on to the station at the same time. Council suggested if the Fire Station addition is accomplished, and the ambulance barn kept, outside equipment could be moved into the station. Chief Bryer agreed this is possible and the equipment would fit. Renovating the Fire Station is the most costly portion. Discussion ensued of selling the EMS building (built in 1970 as 3-stall garage). Shower facilities, decontamination requirements, adding windows, and lack of secondary egress were referenced and discussed. This is one organization, and having facilities under one roof is preferable.

Discussion ensued of preliminary drawings and cost analyses. For the north end facility, a metal building with 3 bays was suggested, with an estimated price of \$400,000 to \$430,000, which includes a foundation, heat, rest room facilities, site work (DPW help anticipated), and septic system. Components were submitted as part of the capital budget (under review by Finance Director and Town Administrator). Value of the EMS barn is unknown, no market analysis has been done; Chief Bryer estimates its value at \$775,000. Discussion ensued of equipment at the north end for response. The north end facility would only be used for storage and storm activities, with no response from that facility, and JFD is not asking for that at this time. Discussion continued.

Council members asked for cost estimates for the renovated JFD facilities, north end facility, additions and renovations to Grinnell Street, and pumper truck. Chief Bryer noted the estimated total cost is \$1,700,000 to \$2,000,000. Lengthy discussion ensued. Storage at the north end gives flexibility for the future; the rescue boat needs to be inside, and no current facility can accommodate its storage. Parking and driving/steering ability for the trucks reviewed. Discussion ensued of available drawings and sketches that are available for Council review. Chief Bryer noted he has drawings and cost breakdowns that can be provided to Council for further information by the next meeting (probably later this week). Discussion ensued of next steps and priorities. Council members asked for JFD's short and long-term priorities in order to determine what to do first, if some of

the options have to be eliminated due to funding. There will be a larger discussion at the next meeting, and knowledge of other capital items would be helpful.

The Council thanked JFD members for their attendance. JFD members thanked the Council. A five minute recess was called. The Council meeting resumed at 7:03 p.m.

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.

- A) **Request for a motion** that the application listed below will be in order for hearing at a meeting of the Town Council sitting as the Alcoholic Beverage Licensing Board on Monday, March 3, 2014 at 7:00 p.m. and advertised in the *Jamestown Press*, as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, for a **NEW LICENSE** under said Act, for the period December 1, 2013 to November 30, 2014:

CLASS B – VICTUALER - LIMITED

Lucky Ridge Co., LLC
Db: Spinnaker's Café
3 Ferry Wharf
Jamestown, RI 02835

A motion was made by Blake Dickinson with second by Eugene Mihaly to proceed to advertise for public hearing for the liquor license. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

Vice President Meagher referenced the liquor license cap. It was confirmed the liquor license cap for Class B Limited would have to be increased, and this will appear on the agenda with the public hearing.

- B) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 82 Zoning Ordinance, Sec. 82-318 HISTORICAL AREA ZONING, Sec. 82-318.100 through Sec. 82-318.308 (add new) and amendment of the Jamestown Zoning Map to depict the Shoreby Hill Historic Overlay District; duly advertised in the *Jamestown Press* (August 29, September 5 and September 12 editions) and properly noticed, pursuant to RIGL §45-23-53, continued from November 18, 2013

Solicitor Ruggeiro commented on the extended period of time since the original advertising with continuations and the Planning Commission's review of the proposed amendment and existing ordinances for their opinion whether the amendment should proceed or an alternative recommended for the HDC, which has not been completed. The Council has jurisdiction over the ordinance through the advertising, and since it has been

continued for so long, there is a danger the Council is not retaining that legal justification for jurisdiction, and public could file a complaint. It is therefore his recommendation to withdraw the ordinance, wait to see what Planning proposes, and go through the process for public hearing again. This is the best course based on the legalities of the advertising.

Council member comments. Councilor Dickinson commented on the September discussion and the Council as a public body giving up Town resources for a private organization. He believes the Council acted in good faith and gave the Shoreby Hill group action on this. It is his position that those given action have not done their due diligence, there have been postponements, he is in favor of taking this off the table, and he encourages Council to remove this from the agenda.

A motion was made by Mary Meagher with second by Eugene Mihaly to withdraw the proposed ordinance from the agenda.

Discussion. The proponents of the Historic District were given an action item to come back to us with alternatives to give access to the private area. No such alternatives have been introduced. One participant referenced Tuxedo Park, NY, which is not a good model for Jamestown. Another referenced Ocean Road in Narragansett (there are four historic districts in Narragansett), which has over 40 properties, with 3 private roads, and 4 homes with addresses on the private roads, with a view from the water, not public roads, which is very different from Jamestown. If this is withdrawn, the Town can participate in the discussion and create alternatives that are more acceptable. She appreciates the work the Planning Commission is doing and praised their workshop. She is a supporter of historic districts, and if Shoreby did not have private roads, she would be supporting this, as Shoreby is an ideal historic district. But she is unable to support what may become private roads, and we have not have assurances that wouldn't happen or received any alternatives. President Trocki expressed appreciation for the Solicitor's comments. Planning has dedicated time to this effort and public discussion is ongoing. Until Planning comes back to Council, it is not appropriate to continue the HDC on a Council agenda. She is in favor of withdrawing the ordinance and discontinuing any discussion. Councilor Mihaly agrees with what has been stated already.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

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. None

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

- A) Town Administrator's Report
 - 1) FY 2015 Budget (July 1, 2014 to June 30, 2015)

Town Administrator Paicos noted progress with preparation of the operating and capital budgets. Hearings were scheduled with each department head, with a couple to go, and follow-up sessions will follow. Finance Director Collins is preparing spread sheets. He would like to have budgets submitted to Council prior to the first meeting in March.

Mr. Paicos commented on his attendance at the annual RI League of Cities and Towns Conference. The seminar on the Moody's and Standard and Poors credit ratings for municipalities was informative and there are definite implications for Jamestown.

The long-range planning calendar was distributed to Council. There is a larger printer that will be utilized to create more legible copies.

The League of Cities and Towns annual legislative calendar was referenced.

President Trocki asked for the format for the budgets that will be presented to Council. Mr. Paicos noted proposed budgets will reflect the department head requested and Town Administrator's recommended budget, with the Town Administrator's cover memo. Spreadsheets and cover memo for the capital budget are more complex than the operating budget.

VII. UNFINISHED BUSINESS

- A) Handicapped parking issues at Narragansett Avenue/Clinton Avenue. Vice President Meagher recused on this issue and filed the appropriate form.

The petitioner in this case was advised to attend, and he may have been under the impression no action was required on his behalf. We need to have a presentation, as this is much more complicated than originally thought. Mr. Paicos requests to postpone this to another meeting, with the petitioner in attendance, and a written recommendation and presentation in order to have proper discussion on this very complex issue continued since late summer. The previous Council vote was referenced. Plans, maps, staff recommendations, and the petitioner's attendance (if he is available) will be continued to the February 18th meeting.

VIII. NEW BUSINESS

- A) Awarding of Bid: Emergency Generator Replacement Project for the Jamestown Police Station to Carlson Construction Corporation for an amount not to exceed \$56,380, as recommended by Public Works Director Michael Gray.

There was \$35,000 in the capital budget for the generator, and the Town received a RIEMA \$17,500 grant, plus other available capital funding.

A motion was made by Mary Meagher with second by Blake Dickinson to award the bid for the emergency generator replacement at the Police Station to Carlson Construction Corporation for an amount not to exceed \$56,380 as recommended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

IX. ORDINANCES AND APPOINTMENTS

- A) Ordinances:

- 1) Amendment of the Jamestown Code of Ordinances, Chapter 78 Waterways Article II. Harbor Management Ordinance Sec. 78-21 through Sec. 78-22 through Sec. 78-27; discussion and possible vote to proceed to advertise in the *Jamestown Press* for public hearing on March 3, 2014

A motion was made by Mary Meagher with second by Blake Dickinson to proceed to advertise for public hearing for amendment of the Jamestown Code of Ordinances, Chapter 78 Waterways Article II. Harbor Management Ordinance at the March 3, 2014 Town Council Meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- 2) Amendment of the Jamestown Comprehensive Harbor Management Plan Chapter I Introduction, Chapter II Jamestown (Conanicut Island) Description, and Chapter III Issues and Implementation, for CRMC compliance; discussion and possible vote to proceed to advertise in the *Jamestown Press* for public hearing on March 3, 2014

A motion was made by Mary Meagher with second by Blake Dickinson to proceed to advertise for public hearing for amendment of the Jamestown Comprehensive Management Plan at the March 3, 2014 Town Council Meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

Vice President Meagher hopes the assets that Harbor will help support will be discussed seriously and would be considered at that time. Chief Mello met with the Chair last week and suggested he bring the document back to Harbor prior to submitting it to Council for approval and ratification. The memorandum from Harbor Chair deAngeli regarding their

vote to approve the amendment to the Harbor Ordinance and Harbor Management Plan was noted. Chief Mello, Solicitor Ruggiero, and Solicitor Petrarca were thanked for their hard work.

- B) Appointments/Resignations/Vacancies
 - 1) Harbor Commission – Commercial Mooring Operator – One (1) Unexpired three-year term to December 31, 2015
 - i) Resignation of Lawrence Eichler

A motion was made by Mary Meagher with second by Blake Dickinson to accept the letter of resignation from Lawrence Eichler and send letter of thanks. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The appointment to the Newport and Bristol County Conventions and Visitors' Bureau will appear on the next agenda.

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.

Item A) 4) Minutes of January 6, 2014 regular meeting is removed from the Consent Agenda. Page 3 should read the "Director will not take leave at peak times."

A motion was made by Mary Meagher with second by Thomas Tighe to approve the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

A motion was made by Mary Meagher with second by Blake Dickinson to accept the Minutes of the January 6, 2014 regular meeting as amended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
 - 1) December 23, 2014 (interview session)
 - 2) January 6, 2014 (work session)
 - 3) January 6, 2014 (interview session)
 - 4) January 14, 2014 (special meeting)
 - 5) January 27, 2014 (work session)
 - 6) January 27, 2014 (regular meeting)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Conservation Commission (09/10/2013)
 - 2) Jamestown Conservation Commission (12/10/2013)

- 3) Jamestown Harbor Commission (11/13/2013)
 - 4) Jamestown Harbor Commission (12/11/2013)
 - 5) Jamestown Zoning Board of Review (11/19/2013)
- C) CRMC Notices
- 1) Notice for public hearing on February 4, 2014 (Deep Water Wind Block Island, LLC at 4:00 p.m. prior to Ocean SAMP Sub-Committee at Corliss Auditorium, URI Bay Campus; and second hearing on Ocean SAMP Sub-Committee (Deep Water Wind Block Island, LLC) on February 24, 2014 at 2:00 p.m., Town of New Shoreham Town Hall
- D) RIDEM Notices
- 1) **Notice of request for Water Quality Certification to restore tidal hydrology to the eastern section of Round Marsh Salt Marsh for marsh habitat restoration, mosquito abatement and improved tidal flushing at Round Marsh Salt marsh, described as Assessor's Plat 7 Lot 4, Great Creek/Dutch Island Harbor/Narragansett Bay West Passage, with submission of comments/objections by 4:00 p.m. on February 17, 2014 to the Office of Water Resources**
- E) Resolutions and Proclamations from other Rhode Island cities and towns
- 1) Barrington Town Council Resolution re: installation of center median barrier on Newport Pell Bridge and enforce laws prohibiting speeding and distracted driving
 - 2) Exeter Town Council Resolution re: installation of center median barrier on Newport Pell Bridge and enforce laws prohibiting speeding and distracted driving
 - 3) Westerly Town Council Resolution re: installation of center median barrier on Newport Pell Bridge and enforce laws prohibiting speeding and distracted driving
- F) Abatements/Addenda of Taxes

XI. COMMUNICATIONS AND PETITIONS

A motion was made by Thomas Tighe with second by Mary Meagher to pull Communication #9 and forward it to the Traffic Committee.

Discussion. The letter with a petition requests a stop sign at Helm and Bow Streets. A traffic study is usually done to determine if there is a need. Councilor Tighe noted the Traffic Committee reviews requests and makes a determination if this should be forwarded to the Police Chief for a recommendation or action.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

A motion was made by Thomas Tighe with second by Mary Meagher to accept the Communications. President Trocki, Aye; Vice President Meagher, Aye; Councilor

Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Communications approved consists of the following:

- A) Communications
- 1) Letter of Sav Rebecchi re: Recreation Department consolidation
 - 2) Letter of Chris Powell re: Environmental Scientist/GIS Coordinator position
 - 3) Letter of Cranston GIS Manager Maria Giarrusso re: Environmental Scientist/Gis Coordinator position
 - 4) Letter of Joan McCauley re: Environmental Scientist/GIS Coordinator position
 - 5) Letter of Ginny Pritchett re: Environ**Letter of Ginny Pritchett re: Environmental Scientist/GIS Coordinator position**
 - 6) Letter of Arlene D. Petit re: Environmental Scientist/GIS Coordinator position
 - 7) Letter of Dianne Grippi re: Environmental Scientist/GIS Coordinator position
 - 8) Letter of Gloria J. Kurz re: Adoption of Resolution establishing a temporary moratorium on building and demolition permit applications for properties on the National Register of Historic Places
 - 9) Letter of Thomas Ginnerty with petition signed by Helm Street and Bow Street residents re: installation of Stop Sign at corner of Helm and Bow Streets
 - 10) Email of Shelley Widoff and Elle Burges re: historic houses, architects, and appointments to the Planning Commission
 - 11) Letter of Dianne Rugh re: Environmental Scientist/GIS Coordinator
 - 12) Memorandum of Conservation Commission Chair Maureen Coleman re: Conservation Commission GIS support
 - 13) Memorandum of Conservation Commission Chair Maureen Coleman re: Golf Course Development
 - 14) Memorandum of Conservation Commission Chair Maureen Coleman re: Suggestion to construct a boardwalk at Great Creek

Discussion ensued of proceeding to Executive Session or continuing it. Council consensus is to hold the Executive Session to discuss Collective Bargaining. Discussion ensued of when to schedule a meeting with Executive Session to discuss Personnel. Council consensus is to schedule it on February 18, the date of the next regular meeting, beginning at 6:00 p.m. It is unclear when the Recreation Study will be on the Council agenda. The report from the Collins Center will not be back until sometime later in February. The Website Design discussion will be on the February 18 agenda.

XII. EXECUTIVE SESSION

The Town Council may seek to go into Executive Session to discuss the following items:

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (IBPO Contract); discussion and or potential vote in executive session and/or open session
- B) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Performance goals and objectives for the Town Administrator); discussion and or potential vote in executive session and/or open session

A motion was made by Eugene Mihaly with second by Blake Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining.

Pursuant to RIGL §42-46-5(a) Subsection (2) the following vote was taken by the Jamestown Town Council to enter into Executive Session: President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, 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 Mary Meagher with second by Eugene Mihaly to seal the Minutes of the Executive Session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

XIII. ADJOURNMENT

A motion was made by Blake Dickinson with second by Mary Meagher to adjourn the meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.

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

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council (5)
 Town Administrator
 Finance Director
 Town Solicitor