



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, March 7, 2016
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, RESOLUTIONS AND PROCLAMATIONS

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) Town Council Sitting as the Alcoholic Beverage Licensing Board; review and discussion and/or potential action and/or vote
- 1) **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, April 4, 2016 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 April 4, 2016 to November 30, 2016:

CLASS BT (TAVERN) LICENSE

Bay Voyage, LLC
dba: Bay Voyage
150 Conanicus Avenue
Jamestown, RI 02835

- B) Licenses and Permits
- 1) One Day Event/Entertainment License Applications; review and discussion and/or potential action and/or vote; subject to future adoption of policy/procedures for expense reimbursement by non-profit entities granted Pavilion rental fee waivers

- a) Applicant: Quononoquott Garden Club
Event: Annual Plant Sale
Date: May 14, 2016
Location: Fort Getty Pavilion
Additional Request for: Waiver of Pavilion Rental Fee
- b) Applicant: Payton Elizabeth Watson Memorial Foundation
Event: Payton's Pace 5K Run/Walk
Date: May 15, 2016
Location: Fort Getty Pavilion and streets of Jamestown
Additional Request for: Waiver of Pavilion Rental Fee
- c) Applicant: Rotary Club of Jamestown
Event: Rotary Club Spring Picnic
Date: May 28, 2016
Location: Fort Getty Pavilion
Additional Request for: Waiver of Pavilion Rental Fee
- d) Applicant: Jamestown Parent/Teacher Organization
Event: PTO Drink & Dabble Benefit Event
Date: June 2, 2016
Location: Fort Getty Pavilion
Additional Request for: Waiver of Pavilion Rental Fee

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
 - 1) Meeting Schedule

VII. UNFINISHED BUSINESS

- A) Fort Getty Update; review and discussion and/or potential action and/or vote
 - 1) Pavilion
 - 2) Programming Improvements
- B) Town Policy/Procedure for Fort Getty Pavilion expense reimbursement; review and discussion and/or potential action and/or vote
- C) Policy for outside agency requests for funding; review and discussion and/or potential action and/or vote

VIII. NEW BUSINESS

- A) FY 2016-2017 Budget: submission to Town Council

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

- A) Ordinances
 - 1) Amendment of the Jamestown Code of Ordinances Chapter 38 Offenses and Miscellaneous Provisions, Article V. Weapons, Sec. 38-112. Definitions (add new), Sec. 38-113 Shooting Prohibited (add new), Sec. 38-114 Use of Weapons in Self-Defense (add new) and Sec. 38-115 Enforcement (add new); review and discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* for public hearing on April 4, 2016
- B) Appointments & Vacancies
 - 1) Jamestown Conservation Commission (One vacancy with an unexpired three-year term ending date of December 31, 2016) duly advertised; no applicants
 - 2) Jamestown Juvenile Hearing Board – Alternate (One vacancy with a two-year term ending date of December 31, 2017) duly advertised; no applicants
 - 3) Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016) duly advertised; no applicants

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 Town Council Minutes
 - 1) February 16, 2016 (special meeting)
 - 2) February 16, 2016 (executive session)
 - 3) February 16, 2016 (regular meeting)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Charter Review Committee (02/10/2016)
 - 2) Jamestown Ordinance Review Committee (07/22/2015)
 - 3) Jamestown Ordinance Review Committee (11/30/2015)
 - 4) Jamestown Philomenian Library Board of Trustees (01/12/2016)
 - 5) Jamestown Tax Assessment Board of Review (02/10/2016)
 - 6) Jamestown Zoning Board of Review (01/26/2016)
- C) Zoning Board of Review Abutter Notification
 - 1) Notice of Administrative Decision: Application of David and Kathleen Maurice whose property is located at 130 Frigate Street and further identified as Assessor’s Plat 16 Lot 28, for an Accessory Family Dwelling from Article 14, Section 1404, A.1 Notice Requirements, to allow an in-law kitchen for parents where no exterior changes are needed. Said property is located in a R-40 Zone and contains 21,759 sq. ft. An Accessory Family Dwelling will be granted unless valid written objection is received within 10 days of the mailing of such notice.
- D) CRMC Notices
 - 1) March 2016 Calendar

- 2) Semi-Monthly Meeting Agenda (03/08/2016)
- E) Abatements/Addenda of Taxes
 Total Abatements: \$44,932.29 Total Addenda: \$44,932.29
- 1) Properties – Abatements to 2015 Tax Roll
- | | <u>Account/Abatement Amount</u> | |
|----|---------------------------------|-------------|
| a) | 01-0470-50 | \$ 2,843.04 |
| b) | 01-0471-00 | \$ 2,618.00 |
| c) | 02-0227-50 | \$ 9,645.51 |
| d) | 03-0115-00 | \$ 236.18 |
| e) | 03-0115-00 | \$ 4,307.27 |
| f) | 04-0992-50 | \$ 7,690.35 |
| g) | 06-0149-90 | \$ 2,946.37 |
| h) | 07-0025-00 | \$ 2,748.86 |
| i) | 11-0534-35 | \$ 2,840.14 |
| j) | 19-0055-40 | \$ 3,501.27 |
| k) | 21-0054-00 | \$ 5,555.30 |
- 2) Properties – Addenda to 2015 Tax Roll
- | | <u>Account/Addenda Amount</u> | |
|----|-------------------------------|-------------|
| a) | 02-0621-10 | \$ 2,618.00 |
| b) | 03-1237-51 | \$ 2,946.37 |
| c) | 04-0542-20 | \$ 5,555.30 |
| d) | 06-0375-50 | \$ 3,501.27 |
| e) | 06-0375-50 | \$ 4,307.27 |
| f) | 06-0375-50 | \$ 236.18 |
| g) | 07-0689-90 | \$ 2,748.86 |
| h) | 08-0650-50 | \$ 9,645.51 |
| i) | 13-0268-00 | \$ 2,843.04 |
| j) | 21-0001-12 | \$ 2,840.14 |
| k) | 21-0054-01 | \$ 7,690.35 |
- F) Finance Director’s Report
- G) Licenses and Permits
- 1) Marine Vessel Beverage License – **Class G** (Renewal)
- a) Conanicut Marine Services
 dba: MV The Jamestown
 Location: East Ferry Wharf
- b) Conanicut Marine Services, Inc.
 dba: MV The Katherine
 Location: East Ferry Wharf
- 2) Holiday License Renewal
- a) Ace’s Pizza, Inc. dba: Ace’s Pizza
 Location: 1 Clarke Street
- b) Cumberland Farms, Inc. dba: Cumberland Farms Store #1108
 Location: 41 North Road
- c) Zeek’s Bait & Tackle, Inc. dba: Zeek’s Bait & Tackle
 Location: 194 North Road

- 3) One Day Event/Entertainment License Applications
 - a) Applicant: TRIMOM Productions, LLC
 Event: Jamestown Bridge 10K and 5K
 Date: April 3, 2016
 Location: Route 138 and streets of Jamestown
 - b) Applicant: Arnold-Zweir Post 22 American Legion
 Event: Memorial Day Parade
 Date: May 30, 2016
 Location: Lawn Avenue, Watson Avenue, North Road, Narragansett Avenue to Veterans' Square
 - c) Applicant: Jane Mead
 Event: Miller-Fossner Wedding
 Date: June 11, 2016
 Location: Fort Getty Pavilion
 - d) Applicant: James Chaves
 Event: Chaves Wedding
 Date: June 18, 2016
 Location: Fort Getty Pavilion
 - e) Applicant: William Richard
 Event: Memorial Celebration
 Date: June 25, 2016
 Location: Fort Getty Pavilion

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

- A) Communications
 - 1) Invitation of Newport Mayor Napolitano to Jamestown Town Council members to participate in the 60th Annual Saint Patrick's Day Parade and festivities on Saturday, March 12, 2016
 - 2) Letter of Armenian National Committee of RI re: Observance of April 24, 2016 as "Armenian Genocide Remembrance Day" to commemorate the Armenian Genocide of 1915 to 1923 in honor of Armenian Americans
 - 3) Letter of RI Housing announcing their application for US Department of Agriculture Section 533 Housing Preservation Grants for FY 2016 for deferred loans to conduct rehabilitation on rental properties with 5 or more units for low-income households
- B) Resolutions and Proclamations of other Rhode Island cities and towns
 - 1) Resolution of the Foster Town Council Supporting the Formation of a Coalition among Rhode Island's Regional School Districts

XII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

XIII. 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 (union negotiations with NAGE 69); discussion and/or potential action and/or vote in executive session and/or open session

XIV. 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.gov.

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.

Please run the following ad in the *Jamestown Press* editions of March 17th and March 24th:



Jamestown, Rhode Island
NOTICE

It 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 application has been received by the Town Council for the **NEW** license under said Act, for the period April 4, 2016 to November 30, 2016.

NEW LICENSE:

CLASS BT (TAVERN) LICENSE

Bay Voyage LLC
dba: Bay Voyage
150 Conanicus Avenue
Jamestown, RI 02835

The above application will be in order for hearing at a meeting of said Licensing Board on **Monday, April 4, 2016 at 7:00 p.m.** at the Jamestown Town Hall, Rosamond A Tefft Council Chambers, 93 Narragansett Avenue, in said Jamestown, at which time and place all remonstrants may make their objections against granting this license.

By Order of the Town Council
Cheryl A. Fernstrom, CMC, Town Clerk

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.

**PUBLIC HEARING NOTICE
TOWN OF JAMESTOWN**

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on **DATE** at **TIME** at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding Chapter 38 – Offenses and Miscellaneous Provisions, Article V - Weapons. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review and/or purchase at the Town Clerk’s Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and on the Town’s web site at www.jamestownri.gov.

Section 1. Be it hereby ordained by the Town Council of the Town of Jamestown that the Jamestown Code of Ordinances, Chapter 38, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~striketrough~~ are to be deleted from the ordinance; words underlined are to be added to the ordinance.

See Exhibit A, attached hereto and incorporated herein by reference.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 38 of the Town of Jamestown’s Code of Ordinances.

Section 3. This Ordinance shall take effect upon its passage.

Ad Date(s): _____

Publication Source: Jamestown Press

Hearing Date: _____

Action: _____

Certified: _____

Exhibit A

Sec. 38-111. - Use of rifled firearm while hunting.

No person shall, while hunting within the town, use a rifled firearm, other than a shotgun outfitted with a rifled barrel or a muzzleloader with a rifled barrel.

Sec. 38-112. Definitions.

"Firearm" includes any machine gun, pistol, rifle, air rifle, air pistol, "blank gun," "BB gun," or other instrument from which steel or metal projectiles are propelled, or which may readily be converted to expel a projectile, except crossbows, recurve, compound, or longbows, and except instruments propelling projectiles which are designed or normally used for a primary purpose other than as a weapon. The frame or receiver of the weapon shall be construed as a firearm under the provisions of this section.

"Discharge" shall be defined as the operation of a firearm as to cause the ignition of the powder charge with or without the expulsion of a projectile from the firearm.

"Dwelling" shall be defined as a structure to live in as a place of residence.

"Building" any structure used or intended for supporting or sheltering any use or occupancy.

"Accessory Building" any building which is customarily incidental and subordinate to the principal building and does not share a common wall and roof with the principal building.

"Principal Building" the main building on a Lot, usually located toward the frontage.

Sec. 38-113 Shooting Prohibited.

No person, not being at the time under police or military duty, shall discharge any firearm in the Town of Jamestown, except as follows:

1. Legal hunting activity as defined by state and local regulations.
2. Target shooting on private property by the property owner or guest, with written permission of the property owner. This activity is to be restricted to the period between 9:00 AM and 4:00 PM, Monday through Saturday.
 - (i) All prudent safety measures shall be exercised to protect the public health.
 - (ii) The point of discharge of any firearm shall be a minimum distance of 500' feet from any dwelling or principal or accessory building without the specific written permission of the owner and occupant.

No person shall discharge any firearm in such fashion that the shot, bullets, arrows, darts or other missiles shall in their flight carry over, along or across the land of another, any public roadway, designated public walking path, access way, sidewalk, hiking trail, park area, or bike path, into which they shall not have written permission of the owner and occupant thereof to shoot. Such written permission shall be carried on the person at all times when engaged in the activity and shall be shown and exhibited upon request by the police.

Sec 38-114. Use of weapons in self-defense.

No provision of this chapter shall be construed as prohibiting the use of licensed armed guards or of firearms by private persons in the Town for the protection or defense of person or property in accordance with Rhode Island Law.

Sec. 38-115. Enforcement.

Any person violating the provisions of this section shall be punished as provided in Section 1-15.

TOWN COUNCIL SPECIAL MEETING

February 16, 2016

I. CALL TO ORDER

Council President Trocki called the special meeting of the Jamestown Town Council to order at 6:06 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue.

II. ROLL CALL

Town Council Members Present:

Kristine S. Trocki, President
Mary E. Meagher (arriving late)
Blake A. Dickinson
Michael G. White
Thomas P. Tighe

III. NEW BUSINESS/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 (5) real estate (West Ferry lease); discussion and/or potential action and/or vote in executive session and/or open session
- B) Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation (Vieira v. Town of Jamestown); discussion and/or potential action and/or vote in executive session and/or open session
- C) Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (Union Contract Negotiations); discussion and/or potential action and/or vote in executive session and/or open session

A motion was made by Councilor White with second by Councilor Dickinson to enter into Executive Session at 6:09 p.m. pursuant to RIGL §42-46-5(a) Subsection (5) Real Estate, Subsection (2) Pending Litigation, and Subsection (2) Collective Bargaining.

Pursuant to RIGL §42-46-5(a) Subsection (5) Real Estate, Subsection (2) Pending Litigation, and Subsection (2) Collective Bargaining the following vote was taken: President Trocki, Aye; Vice President Meagher, Absent; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

The Jamestown Town Council reconvened the special meeting at 6:43 p.m. President Trocki announced that no votes were taken in the Executive Session.

A motion was made by Councilor White 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.

A motion was made by Councilor White with second by Councilor Tighe to approve the West Ferry lease and authorize the Town Administrator to sign it after any minor revisions are made. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IV. ADJOURNMENT

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

The special was adjourned at 6:45 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Solicitor

TOWN COUNCIL MEETING
February 16, 2016

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
Christina D. Collins, Finance Director
Lisa Bryer, Town Planner
Michael Gray, Public Works Director
Edward A. Mello, Police Chief
Mary Lou Sanborn, Library Board of Trustees Chair
Peter D. Ruggiero, Town Solicitor
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:04 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

None.

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.

Mary Lou Sanborn of Bay View Drive, Library Board of Trustees Chair, thanked Council members on behalf of the Library Board of Trustees for attending the joint meeting on January 12th. She is here to share a project outline for the Library Renovation Project highlighting high-level tasks and projected end date. The document is a work in progress and subject to revision and update. Once the feasibility study is completed it will be

submitted for Council review and approval. Upon completion of the design work, it will be submitted for Council review and approval as well.

Vice President Meagher asked how parameters were developed. Ms. Sanborn informed Council they were developed with the Board and approved at the January meeting to provide guidelines to be reviewed and revised as needed. The Library Renovation Committee Meeting held earlier this evening was referenced (Vice President Meagher serves on the Renovation Committee).

Vice President Meagher asked how timeframes were developed. Ms. Sanborn stated by going back from the end date of May 2017 outlined in the OLIS grant application. Discussion ensued of the building use survey approved by the Board, which will be released to the public mid March in electronic and paper format. Vice President Meagher explained the public survey, suggested by the OLIS consultant, to ensure community engagement and completion of all aspects of the grant application process. The needs assessment conducted by Library staff was noted. As more information is received, it will be forwarded to Council. The Board requested an extended end date from OLIS and is using the 2017 date until an answer is received.

Ms. Sanborn stated the survey will be advertised in the *Jamestown Press* and on the Library website with a link for electronic filing (preferred method), with paper copies available at the Library. Council members comment favorably on the two-page survey.

B) Non-scheduled to address.

John Doty of Union Street expressed his concern with recent plowing of his street, as it is not widened all the way and caters to the north side of Union Street where bed and breakfasts are located. He feels the snow distribution should be 50/50, not shifted to his side of the road. Mr. Doty expressed concern for his neighbors who have to get to work in the morning. Council members note there is a sidewalk on the north side and no sidewalk and no parking on his (south) side of the road. President Trocki noted his concerns, and Town Administrator Nota will follow-up with Mr. Doty to resolve the issues.

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

None.

VII. UNFINISHED BUSINESS

A) Town Council Meeting Schedule; review and discussion, and/or potential action and/or vote

Mr. Nota reported the only change is the March 24th workshop with the School Department prior to the scheduled School Operating and Capital Budget work session. Mr. Nota stated the two sessions will run together and asked if Council preferred to begin at 5:00 p.m., 5:30 p.m., or 6:00 p.m. Representatives of The Trust will be in attendance to review the OPEB issues. President Trocki has a Chamber annual meeting that date and

will try to resolve the conflict. She asked to have meetings, work sessions, and budget sessions color coded in the schedule for clarity. Vice President Meagher noted she has a conflict with the March 14th Capital Budget work session. Councilor White is not available for the April 4th Town Council meeting. Dates will be reviewed, coordinated, and revised through Mr. Nota.

- B) Upcoming Town Council Meeting/Work Session/Workshop Topics; review and discussion, and/or potential action and or vote
 - 1) Recreation Department and Facilities: Goals and Objectives
 - 2) Downtown Commercial District

Vice President Meagher stated the Recreation Department has been a focus and there have been changes and improvements, including new Recreation Director Wade. It is appropriate to bring the changes forward for the public, including Senior programming. People have asked what is happening at Fort Getty and it would be appropriate to have a series of workshops to show what is happening at Fort Getty, including the Pavilion, the Pier and commercial and recreational uses, and why the rates were increased.

Ms. Meagher noted the Golf Course, Recreation Center, Senior Center, rights-of-way and other initiatives that could be topics for workshops, spotlighted, and be part of a public discussion. The sessions should be publicized in the newspaper, with some appropriate during regular meetings and some at special dedicated sessions held at other locations (Senior Center, Recreation Center) to take place over the next six months. Sessions could focus on goals and objectives, what is happening, and future plans. Town Administrator Nota commented Recreation Director Wade would have an active role in these discussions. Town staff would be part of the process, and it is important to have the public involved in the discussion. Councilor Dickinson encouraged the use of social media to publicize the sessions and begin the conversations. Discussion ensued.

Vice President Meagher noted recent conversations and citizens' concerns for the downtown area, that few restaurants are open, and what is happening. Town Planner Bryer stated some of this is due to winter. Ms. Meagher suggested a session to facilitate a conversation to determine what the public would like to see downtown. Planner Bryer stated this could be discussed with Planning under sustainability or visioning – How do people convey what they are hoping for and how can the Town make it happen? Discussion ensued of a Council/Planning Commission session. Councilor Dickinson suggested Chamber of Commerce involvement. Mr. Nota commented the Regional Chamber could be a resource and part of the conversation to promote the downtown area. Discussion ensued of a special session on the topic and publicizing it through the newspaper, Town website, and social media.

- C) Jamestown Police Department Community Leadership Council - Process for Upcoming Public Workshops: CLC Representatives Jim Rugh and Ken Newman
Jim Rugh of America Way and Ken Newman of Avenue B are in attendance to represent the Community Leadership Council. The CLC is a very informal group, do not represent

any one group, but are citizens in town who represent various segments of the population that have a relationship with the Police Department. Chief Mello asked them to get involved as a sounding board. Mr. Newman explained how he got involved with the CLC through the Jamestown Arts Center. Mr. Rugh explained how he got involved with the CLC through his neighborhood association because of non-resident fishing at the neighborhood private pond. Opening a dialogue with Chief Mello resulted in resolving the issues their respective group/segment faced. Based on those favorable outcomes, Chief Mello asked them to continue the dialogue as an informal group, and both agreed. The CLC has informal meetings, does not keep minutes, does not have officers, does not represent any particular group, does not set policy, and engages in a dialogue with a broad spectrum of citizens from various aspects of the community and provides a sounding board for the Police Department.

Discussion ensued of session topics, including Police readiness in light of recent events in our society, and neighborhood young people getting to know their local police officers outside of an adversarial or official relationship. This is community policing and what the CLC and Police Department would like to see continue. Upcoming activities include Accreditation, which raises the bar on police work. The focus of their sessions is to have an open dialogue so that people are able to express what they would like to see. The CLC felt it best not to have the Police Department moderate the sessions and not produce a large report, but rather facilitate an improved dialogue on what people would like from community policing. Other issues that arose were profiling, what is the police relationship and presence in town and the schools, what does the public know about police presence, and how does the Police Department interact with the public. Some segments of the public want to see more presence and others are alarmed by a presence. The goal is to broaden the discussion to engage the community to see what they think is going on, what they would like to see happening, whether the public understands what the Council mandates of the Police Department, what is the interface between the police and public, and is there a mechanism to review concerns without a formalized body.

The CLC meets four times annually (next meeting in March) and their membership fluctuates. Discussion ensued of session topics, scheduling separate sessions of particular interest to the community, such as a police presence in the schools, and using all forms of media to publicize and promote the sessions. Discussion ensued of engaging the business community, what they think is happening, what they would like to see happening, and police engagement. Are too many people being stopped and why? What is the outcome? Do people want a presence at their place of business? Do they want to create a larger discussion where people can bring their ideas and get an accurate snapshot of what is happening?

Mr. Rugh noted the major highway going through Jamestown, Route 138, hosts over 10,000,000 vehicles that pass through annually, many of them stopping here along the way to their destination. Mr. Rugh referenced a US Department of Justice statement that Community Policing provides “opportunities for dialogue involving residents and police that has been shown to lead to better relationships, more equitable treatment by the

police, greater police responsiveness and accountability, and greater willingness of residents to work with police,” which is the goal of community policing and the CLC. President Trocki commented on the correctness of that goal, the Council shares in that goal, and wishes to facilitate it in any way they can. Vice President Meagher commented the CLC is a sounding board for the Police Department, Town, and citizens.

Mr. Newman stated the CLC would accept anyone who wants to participate and urges them to come to quarterly meetings. The informality of the CLC sessions is working well. Residents have stated it seems like everyone is being stopped by the police on North Road, and others say no one is being stopped. Some people feel there should be a permanent police presence at the schools, and others say there should be police presence at all public events. Discussion ensued that the CLC is not the platform to discuss an individual’s concern that they were stopped by the police. Any citizen with a complaint would be informed that the proper complaint forms are available for that purpose, but this is not the proper forum for the complaint. Discussion continued.

The CLC feels the forums are successful, they will try their best to open a dialogue, it is proper to come before the Council to explain what they are doing, ask the Council’s opinion, and request Council support. They feel it is important to be able to turn to the Town Administrator and Town officials for information at a public session without having to go to the Police Chief. Councilor Dickinson stated the CLC has good intentions, but there has to be a goal to help facilitate the meetings and it is his recommendation to define what they want. The CLC wants to determine what the people want out of community policing in Jamestown, how well they understand community policing, and to formulate a consensus of what community policing means to various segments of the community. Mr. Newman stated there are different notions of what community policing means, and the goal is to begin a broad discussion with the community regarding what is happening and whether it matches what the public would like or they think the mandate is for community policing. Councilor White asked if there are other community models to follow. The Town of Barrington and other communities were referenced. People are concerned for what they see happening in communities around them. Do we have a plan if something happens at the Arts Center? The 1st Day Plunge? There is opportunity to have a broader conversation with parameters. Discussion continued.

President Trocki commented on the framework for the sessions and how it can be done without violation of the Open Meetings Act and other regulations. The CLC sessions have no agenda or roll call, they are a conversation with citizens about the police. Vice President Meagher noted CLC session topics, including accreditation, and that everyone has their own notion of community policing.

Police Chief Mello stated the CLC was developed as part of the department’s strategic plan related to community policing. It is an opportunity to have one big neighborhood group with informal sessions to discuss what is on our minds and current events. Community policing is about developing relationships and having conversations before issues and situations arise. The CLC evolved with members from various segments of the

community, with CLC members suggesting who should also be included in the sessions and as members. Based on the strategic plan and the Council directive to develop good relations with the community, the CLC evolved. They were asked to facilitate the forums so that the neither the police nor the Council would be directing the conversation, and the CLC agreed. The goal is to engage the public to have an open dialogue in order to develop relationships. Community policing is developing relationships with the public, with many facets, and that is the philosophy and culture within the Jamestown Police Department, that everyone has a responsibility to build those relationships. Councilor Dickinson commented the CLC and Police Department should specify what it is they are trying to accomplish, and it should be developed with the community. Vice President Meagher stated it is her interpretation the goal is to learn and discover what the concerns are, funneled through the CLC, to develop goals. Chief Mello noted the CLC forum is not a complaint session because someone got pulled over on North Road, but rather an opportunity to explain why there are traffic stops on North Road and the result of the stops and justification. They are not trying to over complicate the process. Discussion continued.

Vice President Meagher commented this is a wonderful opportunity. Chief Mello stated this is one method of achieving the directive to build relationships within the community. The plan is to have a public forum on Accreditation so that people are informed prior to the process and survey. Everyone has their own perception of relationships and you cannot always measure the success by a number, but rather a measurable, achievable result. Council members comment relationships requires feedback, and the community needs to know how that will work. The CLC is still working through this and are not ready to schedule forums. They will keep the Town Administrator and Council informed. Discussion continued.

VIII. NEW BUSINESS

- A) Church Community Housing Corporation – Request for an additional grant amount not to exceed \$15,000 from the Town of Jamestown Housing Trust Fund to cover the additional costs of renovating 147 Beach Avenue for affordable housing; review and discussion, and/or potential action and/or vote

Christian Belden of Newport, Church Community Housing Corporation Senior Project Manager, explained the subject property purchased and under renovation for the purpose of creating a single-family affordable home. Church Community and the Town of Jamestown are partnered in the project, and the home will be sold for approximately \$150,000. During interior demolition problems arose, resulting in unforeseen expenses. In order to add siding, basement slab, new driveway, new roof, and new septic, Church Community is requesting an additional grant amount not to exceed \$15,000 from the Town of Jamestown Housing Trust Fund to cover the additional costs. Lengthy discussion ensued.

Town Planner Lisa Bryer noted the Affordable Housing Committee met to review this

project and request. They are concerned with getting costs per unit down for this as well as other projects. The Affordable Housing Authority supports the additional funding. However, several members focused on developing better, more creative ways to fund affordable housing and containing costs.

At the request of Town Administrator Nota, Mr. Belden explained why the grant vs. loan is the way to go. He further explained the difficulty in finding a buyer for the property, as it is a two-bedroom dwelling offered at the same cost as a three-bedroom property (offering less for the same amount as previous projects). There is interest from Jamestown residents, the goal is to finish the property and sell it, contingencies are maxed out, and additional funding is required to complete the project. Discussion continued.

If the septic could have been expanded for a three-bedroom property, it would have been proposed, as it is the goal of the Affordable Housing Committee. Mr. Belden noted it wasn't until renovation and demolition began that the extent of damage was realized. Discussion continued.

A motion was made by Vice President with second by Councilor White to approve the request for additional funding up to \$15,000.00

Discussion. Councilor Dickinson commented the Town should be aware of property limitations going into a project. Septic limitations were noted, based on the water level, which was not known until the property was fully investigated.

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

B) Approval of Proposal: From ESS Group for Sheffield Cove Innovative Stormwater and Pathogen Controls for an amount not to exceed \$63,920 as recommended by Public Works Director Michael C. Gray; review and discussion, and/or potential action and/or vote

Public Works Director Gray provided his memorandum with recommendation and the ESS Group proposal for the final phase of the project to be paid through grant funding. The goal is to reduce pathogens to Sheffield Hill Cove and ultimately open it again to shell fishing. Pollution was caused by wildlife and domestic animals. The proposal covers design and permitting, this will be the first project in RI using sand filters, and work will be performed in-house.

A motion was made by Vice President Meagher with second by Councilor White to approve the proposal from ESS Group for Sheffield Cove for amount not to exceed \$63,920. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.

IX. ORDINANCES AND APPOINTMENTS AND VACANCIES

- A) Appointments & Vacancies
- 1) Jamestown Planning Commission (One vacancy with an unexpired four year-term ending date of December 31, 2018); duly advertised; interview conducted; review and discussion and/or potential action and/or vote
 - a) Letter of interest
 - i) Dana Prestigiacommo
 - 2) Jamestown Tree Preservation and Protection Committee (One vacancy with a three-year term ending date of December 31, 2018); duly advertised; interviews conducted; review and discussion and/or potential action and/or vote
 - a) Letters of interest
 - i) Peter Kallman
 - ii) Dana Prestigiacommo
 - 3) Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016) duly advertised; interview conducted; discussion and/or potential action and/or vote
 - a) Letter of interest
 - i) Dana Prestigiacommo
 - 4) Juvenile Hearing Board (One vacancy with a two-year term ending date of December 31, 2017) duly advertised; review and discussion and/or potential action and/or vote

President Trocki and Councilor Dickinson noted they were not part of the interview process and asked for Council member's thoughts on the interviews and candidates. Ms. Prestigiacommo's interview and credentials were impressive, she applied for three committees, and she would be a good candidate for any committee she served. Discussion continued.

A motion was made by Councilor Tighe with second by Councilor White to appoint Dana Prestigiacommo to the Planning Commission. President Trocki, Abstained; Vice President Meagher, Aye; Councilor Dickinson, Abstained; Councilor White, Aye; Councilor Tighe, Aye.

Council members noted Tree Committee applicant Peter Kallman was well spoken and will do a fine job.

A motion was made by Councilor White with second by Councilor Tighe to appoint Peter Kallman to the Tree Preservation and Protection Committee. President Trocki, Abstained; Vice President Meagher, Aye; Councilor Dickinson, Abstained; Councilor White, Aye; Councilor Tighe, Aye.

The Zoning Board of Review 3rd Alternate, and Juvenile Hearing Board Alternate are still open and a resignation was received for the Conservation Commission. The vacancies will be advertised and continued to 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.

A motion was made by Vice President Meagher with second by Councilor Tighe to approve and accept the Consent Agenda as amended. 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) February 1, 2016 (interview session)
 - 2) February 1, 2016 (regular meeting)
- B) Minutes from Boards, Commissions and Committees
 - 1) Jamestown Charter Review Committee (01/13/2016)
 - 2) Jamestown Charter Review Committee (01/27/2016)
 - 3) Jamestown Philomenian Library Board of Trustees (12/08/2015)
- C) Attendance Records from Boards, Commissions and Committees
 - 1) Jamestown Harbor Commission
 - 2) Jamestown Tree Preservation & Protection Committee
- D) Zoning Board of Review Abutter Notifications
 - 1) Notice is Hereby Given That the Jamestown Zoning Board of Review will hold a Public Hearing February 23, 2016, at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of EPI Real Estate Holdings, LLC, whose property is located at 41 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 211 for a Variance/Special Use Permit
 - From:
 - 1. Chapter 82-Zoning-Appendix A-Minor Subdivision Regulation
 - 2. Preliminary lot checklist No 3
 - 3. Article 3 Table 3-2 Dimensional Variance
 - 4. Article 12 Section 1203 Parking Requirements
 - 5. Sec. 82-1205.Shared parking Special Use Permit
 - To:
 - 1. Divide current 10,210 lot into 2 lots. Lot A to be 4,059 sq. ft. instead of the required 5,000 sq. ft.
 - 2. Lot B to be 4 ft. 9 inches rear lot set back instead of 12 ft.
 - 3. Lot B – A variance to allow the existing configuration of parking to satisfy the requirements of Lot B.
 - 4. Lot A to use “shared parking” from Lot B for 2 overnight parking spaces
 - Note no physical alterations or changes in use are being requested

Said property is located in a CD zone and contains .23/10,200 acres/sq. ft.

- 2) Notice is Hereby Given that the Jamestown Zoning Board of Review will hold a Public Hearing February 23, 2016, at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Andrea Colognese et Doriana Carella (Village Hearth Bakery), whose property is located at 2 Watson Ave., and further identified as Assessor's Plat 8, Lot 774 for a variance from Article 3, Table 3-2 (Lot Coverage) requesting 304 sq. ft. kitchen addition. 40% lot coverage requested where 35% is allowed. Said property is located in a CL zone and contains 7,000 sq. ft.
- E) CRMC Notices
- 1) February 2016 Calendar
- F) Abatements/Addenda of Taxes
 Total Abatements: \$44,358.03 Total Addenda: \$44,083.14
- 1) Properties/Tangibles – Abatements to 2015 Tax Roll
- | | <u>Account/Abatement Amount</u> |
|----|---------------------------------|
| a) | 02-1651-00 \$ 3,801.50 |
| b) | 03-1338-79 \$ 2,465.23 |
| c) | 03-0222-20 \$ 6,681.39 |
| d) | 07-0434-60 \$ 4,263.74 |
| e) | 09-0042-00 \$ 4,669.28 |
| f) | 10-0097-20 \$ 5,466.13 |
| g) | 12-0021-10 \$ 105.36 |
| h) | 13-0409-02 \$ 1,933.36 |
| i) | 13-0595-35 \$ 2,709.44 |
| j) | 16-0116-00 \$ 8,705.18 |
| k) | 18-0246-50 \$ 3,388.89 |
- 2) Properties/Tangibles – Addenda to 2015 Tax Roll
- | | <u>Account/Addenda Amount</u> |
|----|-------------------------------|
| a) | 01-0357-25 \$ 3,388.89 |
| b) | 03-0590-60 \$ 1,933.36 |
| c) | 08-0064-50 \$ 6,681.39 |
| d) | 08-0275-45 \$ 4,669.28 |
| e) | 08-0545-01 \$ 2,708.44 |
| f) | 09-0012-98 \$ 5,466.13 |
| g) | 14-0396-00 \$ 3,801.50 |
| h) | 16-0234-75 \$ 2,465.23 |
| i) | 16-0790-00 \$ 8,705.18 |
| j) | 19-1265-75 \$ 4,263.74 |
- 3) Properties/Tangibles – Abatements to 2014 Tax Roll
- | | <u>Account/Abatement Amount</u> |
|----|---------------------------------|
| a) | 12-0021-10 \$ 105.00 |
- 4) Motor Vehicles – Abatements to 2004 Tax Roll
- | | <u>Account/Addenda Amount</u> |
|----|-------------------------------|
| a) | 18-0207-00M \$ 64.53 |
- G) Finance Director's Report

- H) Private Investigator License Renewal:
 - 1) Ronald F. Lewis dba: R.F. Lewis Private Investigators
139 Seaside Drive
- I) Trash Collector License Renewals:
 - 1) Island Rubbish Service, Inc. dba: Island Rubbish Service, Inc.
Location: Island-Wide (8 Swinburne Street)
 - 2) Republic Services, Inc. dba: Republic Services of MA
Location: Island-wide (1080 Airport Road, Fall River)
 - 3) Waste Management of RI, Inc. dba: Waste Management of RI, Inc.
Location: Island-wide (65 Halsey St., Newport)
- J) Holiday License Renewals:
 - 1) Baker's Pharmacy of Jamestown, Inc. dba: Baker's Pharmacy
Location: 53 Narragansett Avenue
 - 2) Conanicut Marine Services, Inc. dba: The Conanicut Store
Location: 20 Narragansett Avenue
 - 3) Conanicut Yacht Club dba: Conanicut Yacht Club
Location: 40 Bay View Drive
 - 4) Doriana Carella dba: The Village Hearth Bakery
Address: 2 Watson Avenue
 - 5) East Ferry Market Ltd. dba East Ferry Market & Deli
Location: 47 Conanicut Avenue, Units 1 & 2
 - 6) ESJ, Inc. dba: Simpatico Jamestown
Location: 13 Narragansett Avenue
 - 7) Gail Chase dba: Hodgkiss Farm
Location: 305 North Road
 - 8) Islandish, Ltd dba: Chopmist Charlies
Location: 40 Narragansett Avenue
 - 9) Jamestown Boat Yard, Inc. dba: Jamestown Boat Yard
Location: 60 Dumpling Drive
 - 10) Jamestown Culinary Partners, LLC dba: Jamestown Fish
Location: 14 Narragansett Avenue
 - 11) Jamestown Hardware, Inc. dba: Jamestown True Value Hardware
Location: 5 Narragansett Avenue
 - 12) Jamestown Restaurant Group, LLC dba: Narragansett Café
Location: 25 Narragansett Avenue
 - 13) KALI, LLC dba: J22 Tap & Table
Address: 22 Narragansett Avenue
 - 14) Lucky Ridge Co. LLC dba: Spinnakers Café
Location: 3 Ferry Wharf
 - 15) Ocean Essence & Therapeutic Massage, LLC
dba: Ocean Essence & Therapeutic Massage/Ocean Essence Spa
Location: 123 B Narragansett Avenue
 - 16) Slice of Heaven, Inc. dba: Slice of Heaven
Location: 32 Narragansett Avenue
 - 17) Tallulah, LLC dba: Tallulah's Tacos

- Location: 252 Narragansett Avenue
- 18) TMT Corp. dba: McQuade's Laundromat
Location: 5 Clarke Street
- 19) TMT Corp. dba: McQuade's Supermarket
Location: 6 Clarke Street
- 20) Tunstall LLC dba: Grapes & Gourmet
Location: 9 Ferry Wharf
- 21) Urban Flowers, LLC dba: The Secret Garden
Location: 12 Southwest Avenue
- 22) Varsha, Inc. dba: Jamestown Wine & Spirits
Location: 30 Southwest Avenue
- 23) Yun Chen dba: Peking Garden
Location: 34 Narragansett Avenue
- K) Holiday and Peddler License Renewals:
 - 1) A. B. Munroe Dairy, Inc. dba: A. B. Munroe Dairy
Location: Island-wide (151 Brow Street, East Providence)
 - 2) Del's Lemonade & Refreshments, Inc. dba: Del's of Jamestown
Location: Mackerel Cove Beach (East side of Parking Lot), Fort Getty, Jamestown Shores Beach
 - 3) Lucky Ridge Co. LLC dba: Spinnakers Café Mobile Unit
Location: East Ferry, Fort Getty, Mackerel Cove Beach Parking Lot
 - 4) Tallulah, LLC dba: Tallulah's Tacos Mobile Unit
Location: Mackerel Cove (East side of lot) and Head's Beach
- L) Peddler License Renewal:
 - 1) Jennifer Talancy dba: Stearns Farms Organic Produce
Location: East Ferry Beach (near seawall)

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

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

The Communications, Petitions and Proclamations and Resolutions from other RI Cities and Towns received consists of the following:

- A) Resolutions and Proclamations from other Rhode Island cities and towns
 - 1) Resolution of the Exeter Town Council Opposing Governor Raimondo's Truck Toll Gantries
 - 2) Resolution of the Richmond Town Council Opposing Governor Raimondo's Truck Toll Gantries
 - 3) Resolution of the Middletown Town Council Opposing Governor Raimondo's Truck Toll Gantries
 - 4) Resolution of the Glocester Town Council Opposing Governor

- Raimondo's Truck Toll Gantries
- 5) Resolution of the Hopkinton Town Council Opposing Governor Raimondo's Truck Toll Gantries

XII. ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Town Council Agenda Setting Policy; review and discussion, and/or potential action and/or vote

Vice President Meagher referenced the prior policy, revisions, and the change in meeting dates and times, and she felt the policy should be revised to reflect the new schedule and setting agenda items at the second meeting for first monthly meeting. Discussion ensued of what can be discussed under "Items for the Next Meeting and Future Meetings" in compliance with the Open Meetings Act. Solicitor Ruggiero stated per the Attorney General specific items must be listed so that there can be a conversation. Each Councilor could email the Clerk with suggested items for future discussion. Town Administrator Nota will draft a revised policy for Council review.

Vice President Meagher stated the ACLU is seeking support from the State to have meeting agendas posted sooner, and we may want to take that into account. The legislation to exclude weekends and holidays from the 48 hour notice posting requirement proposed last year did not pass, and we will be looking for its resubmission and action during this session.

XIII. EXECUTIVE SESSION

None.

XIV. ADJOURNMENT

A motion was made by Councilor Tighe with 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 9:06 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
Town Administrator
Finance Director
Solicitor

Approved: 2/17/16

Charter Review Committee
Town of Jamestown, Rhode Island
Minutes of the February 10, 2016 Meeting

The meeting of the Jamestown Charter Review Committee was held at the Jamestown Town Hall, in the Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI. The Committee Chairman, Arlene Petit, called the meeting to order at 4:36 PM.

I. ROLL CALL

The Chairman called the roll and noted the following members were present:

Arlene D. Petit, Chairman
James Rugh, Co-Chairman
Anthony Antine
Blake A. Dickinson
John Pagano
Mary Lou Sanborn
Edward Gromada, Secretary

Mary E. Meagher (Ex Officio Member)

II. MINUTES

A motion was made by Ed Gromada and seconded by John Pagano to accept the amended minutes from the meeting of January 27, 2016. Arlene Petit, Blake Dickinson, Ed Gromada, John Pagano and Jim Rugh voted in favor of the motion. Mary Lou Sanborn and Anthony Antine abstained. Time of motion 4:42 PM.

III. OLD BUSINESS

A) The following Sections were reviewed by the Committee:

- a. Section 422. The Editor's Note was reviewed with the Town Solicitor who indicated that the note had no standing in the town charter. The Committee agreed to remove the note. A motion was made by Jim Rugh and seconded by Mary Lou Sanborn to remove the Editor's Note from Section 422. The motion was approved by Arlene Petit, Anthony Antine, Blake Dickinson, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn at 5:02 PM.

a. SECTION 402. HAD NO REVISIONS NECESSARY

- b. Section 506. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- c. Section 704. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, no revision required.
- d. Section 705. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- e. Section 706. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- f. Section 707. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- g. Section 708. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- h. Section 709. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- i. Section 710. This Section was reviewed with the Town Solicitor and he will add State Law reference to this Section. Therefore, the Section had no revisions necessary.
- j. Section 1002. Jim Rugh proposed a change to paragraph (3) as follows: “Unless otherwise mandated by state law or regulations, all terms of board, commission and committee membership shall be limited to three years. With the exception of the zoning board of review alternate members, no person shall serve more than three consecutive terms on the same committee and that person shall not be reappointed to that body for one year thereafter, unless the person has special qualifications required by the board, or for other good reason, with a unanimous vote of the council concurring with the reappointment.” A motion was made by Ed Gromada and seconded by John Pagano to accept this change. The motion was approved by Arlene Petit, Anthony Antine, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn. Blake Dickinson voted nay. The motion passed at 5:18 PM.
- k. Section 1101. Had no revisions necessary, however, the Committee decided to prepare a resolution regarding future potential action on the Section. The Resolution states:

“For warrants exceeding a certain dollar amount the Charter Review Committee strongly recommends the installation of a paper ballot to approve the budget whether through a Financial Town Meeting or through an all-day Referendum.”

A motion was made by Blake Dickinson and seconded by Jim Rugh to forward the Resolution to the Town Council. The motion was approved by Arlene Petit, Anthony Antine, Blake Dickinson, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn at 5:35 PM.
- l. Section 1102. Had no revisions necessary
- m. Section 1103. Had no revisions necessary
- n. Section 1104. Had no revisions necessary
- o. Section 1106. Had no revisions necessary

B) Section III, Old Business concluded at 5:37PM.

IV. NEW BUSINESS

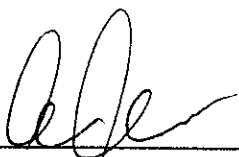
- A) The following Sections were reviewed by the Committee:
- a. Section 206. A motion was made by Jim Rugh and seconded by Mary Lou Sanborn to send the change to this Section the Town Council. The motion was approved by Arlene Petit, Anthony Antine, Blake Dickinson, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn at 5:41 PM.
 - b. Section 211. This Section was reviewed with the Town Solicitor and he determined that the Fire Department, although not a department as such, is considered an agency. Therefore, the Section had no revisions necessary.
 - c. Section 216. A motion was made by Mary Lou Sanborn and seconded by Jim Rugh to send the change to this Section the Town Council. The motion was approved by Arlene Petit, Anthony Antine, Blake Dickinson, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn at 5:44 PM.
 - d. Section 220. This Section was reviewed with the Town Solicitor and he indicated that there is no provision in the Town Charter for a "non-ordinance." Therefore, the Section had no revisions necessary.
 - e. Section 301. A motion was made by Mary Lou Sanborn and seconded by Jim Rugh to send the change to this Section the Town Council. The motion was approved by Arlene Petit, Anthony Antine, Blake Dickinson, Ed Gromada, John Pagano, Jim Rugh and Mary Lou Sanborn at 5:47 PM.
 - f. Section 401. This Section was reviewed with the Town Solicitor and he indicated that State Law allows the Town Council to add, change or delete a Town Department, whether that department is identified in the town Charter or not. Therefore, the Section had no revisions necessary.

B) The next meeting of the Committee will be held on Wednesday, February 17, 2016 at 4:30 PM.

C) Section IV, New Business concluded at 5:37PM.

V. ADJOURNMENT

A motion was made by Mary Lou Sanborn, and seconded by Jim Rugh to adjourn the meeting. Anthony Antine, Blake Dickinson, Edward Gromada, John Pagano, Jim Rugh, Arlene Petit and Mary Lou Sanborn voted in favor of the motion. The meeting adjourned at 5:50 PM.



Secretary

**ORDINANCE REVIEW COMMITTEE
INFORMATIONAL WORK SESSION
July 22, 2015**

I. ROLL CALL

Committee members present:

Andrew E. Nota, Town Administrator
Edward A. Mello, Police Chief
Kristine S. Trocki, Town Council President
Mary E. Meagher, Town Council Vice President

Also in attendance:

Blake A. Dickinson, Town Council Member
Bruce Dickinson, Tick Task Force Member
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER

The informational work session for the Jamestown Ordinance Review Committee was called to order at 6:02 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue by Committee Member Trocki.

III. NEW BUSINESS

A) Ordinances Relating to Target Shooting: Review and Discussion
Kristine Trocki explained the function of the Ordinance Review Committee, and this is the first informational work session. The Committee will review the topic of ordinances relating to target shooting. This session is for public comment and information gathering, with no decisions being made this evening. Ground rules for speaking were reviewed, it was announced the session is being taped for viewing on the website, and information packets will be available tomorrow through the Town Clerk's Office for any interested members of the public.

Town Administrator Nota commented Jamestown does not have target shooting regulations and State hunting regulations are in force. Some of the issues, including public safety and noise were referenced. Existing target shooting ranges in town are located at: 1243 North Main Road, 21 Wildflower Lane, 109 Carr Lane and the Community Farm. State hunting regulations will be posted on the town website for information. Regulations from other communities were referenced.

Audience members reference other target shooting locations in town: 750 North Main Road and 1191 North Main Road; also residence south of the Transfer Station (believed to be property of Phil Allen, 1180 North Main Road), and property north of Sandy Kane (believed to be Plat 1 Lot 234, property of Albert Trust). The locations will be verified.

No activities are being tracked to form an ordinance and there is no evidence of any danger at these locations. The varying opinions of area residents were referenced. The four additional locations will be added to the shooting range map.

The 500 ft. buffer in State hunting regulations was applied to create the buildings with 500' buffer map. Following the State regulations, the map indicates locations where this could be performed or prohibited based on the 500 ft. buffer. This map and the others maps prepared for this meeting will be posted on the Town website.

Bruce Dickinson of Arnold Avenue commented there is no back stop when hunting; a backstop is used when target shooting.

President Trocki reminded participants who wish to address the meeting to use the microphone at the podium. Town Administrator Nota asks for audience questions and comments to provide information for the Ordinance Review Committee.

IV. PUBLIC COMMENT

Bruce Dickinson of Arnold Avenue stated he is glad to discussion has begun. Shooting is an Olympic sport, started in 1898, as one of the original events. He asked the committee to realize just because you don't do something doesn't mean you should reject it. He shoots all the time with his children. We have to be careful with the message we give. People are irritated by noise, and there is a noise ordinance. Shooting is a viable and safe sport. We don't want to push kids back in the house.

Mike deAngeli of Court Street commented he lives 200 feet from where shooting takes place. When he called the Police he was informed there is no ordinance in place and nothing they could do. He isn't against shooting, but the noise is an issue. Shooting ranges should be regulated, sanctioned by the Police, inspected, with set hours. Firearms are dangerous and he is concerned as shooting near him took place at night, there was much laughing and loud noise, and he thought alcohol might be involved. Target shooting should be carefully regulated as to space, location of berm, and hours.

Bruce Dickinson of Arnold Avenue commented more people are injured riding bicycles than target shooting. Mr. deAngeli disagreed.

Jonathan Caito of 21 Wildflower Lane stated the backstop at his mother's home has been in place for 25 years when fewer houses existed in the area. He has improved the backstop with close to 65 yards of material, the backstop is 12 feet deep and 10 feet high, on top of the backfill is an oak pallet where targets are installed. Other than testing the site for a friend's new rifle, only handguns (45 caliber) are used, which do not have a lot of velocity and are stopped in the pallet. He doesn't allow anyone to drink before shooting, safety, how to shoot, and respect are most important. Anyone who shoots there must know all safety aspects of the gun and how to fire and use eye protection. The furthest they are from the target is 30 yards. There is only a wooded area behind the

backstop, they don't shoot after sundown, and he hasn't been target shooting in the last year. He always informed the Police Department of the shooting activities, and they have visited the site to check things out. It is enjoyable and fun and he would do nothing to cause his mother to lose the property. He understands some people are frightened. The activity only lasts for a couple of hours.

Phil Willis of 1191 North Road stated he has always done target shooting, was raised around firearms, has three boys who all grew up around firearms, and his grandsons are learning to shoot and how to handle firearms. He got his first firearm at 12, and always shot firearms at his mother's family's home in New Hampshire. He was taught all safety issues and precautions, and he taught his sons about gun safety. In over 40 years he has never had a police problem with shooting on his property. Other target shooting locations were referenced. Mr. Willis invited Chief Mello to visit his property for a safety determination.

Chris Cannon of East Shore Road referenced and read the letter he wrote to the Town Council last year asking for regulations for firearms activities. He stated half the towns in RI have regulations governing target shooting. Dangerous occurrences with target shooting at residential properties were noted (not in Jamestown). With rights come responsibilities. RI State Law has 40 pages of hunting regulations, and there are none here that regulate the use of firearms and shooting and we need them. He definitely heard shooting at night in December of 2013, and it was terrifying. Shooting activities should be done at a firing range. Mr. Cannon referenced the NRA 2012 Range Source Book (large book with him) and their suggestions. He loves it here in Jamestown and wants it to remain safe.

Blake Dickinson of Mt. Hope Avenue stated he is an avid shooter, hunter, gun enthusiast, and safety enthusiast. It was disappointing that a neighbor conflict could not be resolved. We self-police and are safety oriented. No one would who uses firearms would find night shooting acceptable. It is not unreasonable for the town to establish administrative guidelines of what is acceptable for shooting. He would like to see the dialogue continued. He understands the concept of a compact area, but people don't shoot in such areas or in the village, and shooting is done up north. We are fixing a problem that does not need to be fixed. The 500 feet hunting regulations were noted. When using a shotgun a bullet travels over 1800 ft. per second, and hunting will still occur 500 ft. from any housing. There is a level of absurdity comparing firearms and biking, and there has never been an incident with firearms in town.

Christian Infantolino of Reservoir Circle commented as it stands you could own a property next to the school and start shooting at 2:00 p.m. and nothing could be done. Whether or not it is done is not the issue.

Blake Dickinson of Mt. Hope Avenue stated he hopes a set of rules would alleviate people's fears. The risk exists so we need to address it. He understands the financial risks for the property owner if someone is injured while shooting.

Chris Cannon of East Shore Road noted there is rule requiring a 4 ft. fence around a swimming pool in town, but none governing the use of firearms.

Paul Balzer of Watson Avenue commented he has sat on both sides of the issue. He has been an active shooter since his grandfather gave him his first 22 and served 32 years as a police officer in Jamestown. He now works for RIDEM as a range safety officer, with the only public range in The Great Swamp off Route 138. He does not want to see this sport disappear, but sufficient backstops, berms, and vegetation to control noise is needed. Hunting regulations and target shooting are very different and require different regulations. He requests for regulations for target shooting, there are places you can and can't target shoot in town, and he is available for more information.

Bruce Dickinson of Arnold Avenue asked for the next step. Ms. Trocki stated soliciting information to study the situation and another work session. Mr. Dickinson stated we need to come to an agreement and the Police Department should approve backstops and berms, which would stop firearms in condensed locations, and vegetation to decrease noise. He tries to be courteous and does most of his shooting in winter when windows are closed.

Town Administrator Nota suggested focusing on the eight existing sites, perhaps enacting a moratorium on new sites, or a formal process for approval of a target shooting range. Mr. deAngeli asked if that is grandfathering and stated shooting ranges in close proximity to a property is a downer for real estate values.

Steve Tiexiera of Howland Avenue asked how this is regulated in other communities. Chief Mello explained it varies by municipality - some through the zoning ordinance with zoning officer approval, in the code of ordinances, or by Police Department approval – and his research revealed a wide range of approvals. It would be a challenge to enforce the State laws as they are poorly written. Without a standard for target shooting it would be hard to regulate berms and backstops. Discussion continued.

Christian Infantolino of Reservoir Circle stated everyone has expressed an interest and willingness to adopt an ordinance to regulate the activity. What sparked this was concern for safety. No matter how safe a person is, you don't know what will happen with firearms and the only way to protect our residents is to put something in place that regulates target shooting. Discussion ensued of guidelines for distance, NRA guidelines, setbacks, safety, and what surrounding towns have in place. State law is ambiguous. Many people have children and grandchildren and there is a potential for accidents. It hasn't happened to date, and people here use safety precautions, but the people who shoot won't always be the same. We are looking for regulation to increase safety where no safety mechanism exists and to be pro-active. Mr. Infantolino referenced his packet with a summary of State law, Jamestown regulations, and Tick Task Force regulations. Hunting and target shooting are different, and there are no guidelines to make a judgment call. Chief Mello needs something to work with for everyone's safety.

Mike de Angeli of Court Street stated safety is paramount, and there must be a limit for the amount of time the activity can take place, and it can't be 9 to 5, as not everyone is reasonable. This is not an easy ordinance to write.

Christian Infantolino of Reservoir Circle agreed it is not going to be easy. All areas must be included – safety, noise, nuisance, and environmental concerns. The NRA manual has sections on target shooting and how to manage it. Let's keep the dialogue open and move in a positive direction to address the concerns and develop something appropriate for our town.

Kristine Trocki commented on the procedure and next steps. Mary Meagher commented on drafting an ordinance as the Ordinance Review Committee that is available to people to critique. This committee was formed as there is a need to revise our code of ordinances. We won't please everyone, but will try to draft something that is fair. She is gratified by this session as important information has come forward. Discussion ensued of setting a deadline for comment; the Town Solicitor would draft an ordinance or regulations in compliance with the RI General Laws. Kristine Trocki stated we need to know what we want, and what works.

Paul Sprague of Mast Street stated he is a shooter and learned from Bruce and Blake Dickinson. He expressed concern for the differentiation between target shooting and trap shooting and the need to look at them as two different things. He engages in trap shooting, which he began late, and is now teaching his son. He referenced the safety rules that accompanied the gun purchase that outlined the rules of shooting with an emphasis on safety, respect, awareness, and how to handle a weapon. He and his son never shoot without proper safety gear and eye protection. Shooters learn respect and awareness and never use firearms where they would put someone in danger. With a 500 ft. limit no one could set up a range near the school. Discussion continued.

Chief Mello asked if Mr. Willis' property is the only location for trap shooting. Mr. Willis stated it also takes place at the Farm and invited Chief Mello to accompany him some time.

Mike deAngeli of Court Street commented on Paul Sprague's statement regarding responsible shooters and stated we need regulations. Discussion continued.

Blake Dickinson of Mt. Hope Avenue stated he knows that anyone he takes to other people's property is a reflection of him and he would not do so if they were not aware of the safety, rules, and guidelines that must be followed. We are all in agreement regulation is needed.

Chris Cannon of East Shore Road stated that is okay for Blake, but not everyone is a good guy like him, and that is why regulation is needed.

Bruce Dickinson of Arnold Avenue agrees with both statements and wants regulations in Ordinance Review Committee Work Session 07.22.2015

place that protect him as he wouldn't want someone to come in and ruin his opportunity to shoot and agrees Chief Mello should have guidelines to follow.

John Murphy of Hamilton Avenue commented on the creation of good guys who want to be responsible. There is another element where there are repeated firearms accidents in the police logs. We want shooting in a location that will not endanger others.

Ray Ianetta of Stanchion Avenue stated he lived between Phil Willis and Sandy Kane. He reflected Phil shot occasionally and not for long periods of time. Sandy owns a gun shop and people would shoot there for longer periods of time. Noise is a factor and it has to be regulated. He suggests regulating proper berms and restrictions on the amount of time shooting can take place.

John Murphy of Hamilton Avenue stated the police are one mechanism to do this, but the town is not left without tools. The zoning ordinance lists all uses on properties and states "any use not listed is prohibited" and the building official has authority to stop it; firearms is not listed as a permitted use in the zoning ordinance.

Paul Sprague of Mast Street stated shooters have learned respect for people and following rules, and we do need something in place; but please don't take our sport away and don't regulate us to one hour on a Tuesday afternoon. There is a time and place and all shooters know that. We would police our own and report others who do not practice properly.

Paul Balzer of Watson Avenue asked if the Police Department and the Ordinance Review Committee could look at the ranges available. He would give up shooting time for his neighbor's peace and quiet, but asks him to meet him half way as well.

John Caito of Wildflower Lane commented on Mr. Cannon's family wedding and the request not to shoot during the reception. He was happy to comply. Shooting all the time is expensive and wears on your body. It is not unreasonable to compromise and there must be middle ground. He is not opposed to following set guidelines.

Blake Dickinson of Mt. Hope Avenue commented people shouldn't confuse hunting and target shooting. There will still be noise that does not involve target shooting, as people hunt from October to January. We need something that is reasonable for all.

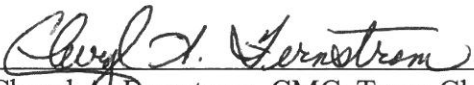
Town Administrator Nota stated we will develop something over the next month and gather comments from the public to bring back to another work session with an exchange of ideas. Comments, information, and input should be forwarded to Police Chief Mello by email or dropped off at the Police Station by Friday, August 14th. Mr. Nota stated he is available to meet with any interested citizen at Town Hall.

Kristine thanked everyone in attendance for their courtesy.

V. ADJOURNMENT

There being no further business to discuss, the work session as adjourned at 7:30 p.m.

Attest:


Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Town Solicitor
 Finance Director

**ORDINANCE REVIEW COMMITTEE
INFORMATIONAL WORK SESSION
November 30, 2015**

I. ROLL CALL

Committee members present:

Andrew E. Nota, Town Administrator
Edward A. Mello, Police Chief
Kristine S. Trocki, Town Council President
Mary E. Meagher, Town Council Vice President

Also in attendance:

Blake A. Dickinson, Town Council Member
Bruce Dickinson, Tick Task Force Member
Lisa Bryer, Town Planner
Chris Costa, Building/Zoning Official
Michael Gray, Public Works Director
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER

The informational work session for the Jamestown Ordinance Review Committee was called to order at 5:30 p.m. in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue by Committee Member Trocki.

III. INFORMATIONAL WORK SESSION

Review of Ordinance Amendments under consideration for review and discussion

Ms. Trocki explained the function of the Ordinance Review Committee and this evening's informational work session. No decisions will be made this evening.

- A) Proposed Ordinance: Target Shooting (5:30 p.m. – 6:45 p.m.)
- 1) Safety/Nuisance Concerns
 - 2) Private Target Range Locations
 - 3) Code of Ordinance Regulations/Violations
 - 4) Enforcement
 - 5) Target Range Standards

Town Administrator Nota stated a draft ordinance is under review and should be completed soon. Discussion ensued of compact area, setbacks, liability, and no commonality among shooting ranges. A PowerPoint presentation was given by Mr. Nota covering the following:

Target Shooting Ranges

Discharge of Firearms

Ordinance Review Committee Work Session 11.30.2015

Page 1 of 10

- Current RIGL §11-47
 - Firing w/o landowners permission
 - Prohibition within compact area
- Current Jamestown Ordinance – no limitations
- Other Cities and Towns – variety of limitations
-

Points of Consideration

Regulation – define minimum standards

- Permitting/licensing
- Permitted/prohibited weapons
- Setbacks
- Time and Day limitations
- Town liability
- Insurance requirements
- Range standards
- Compact area
- Prohibition of commercial ranges

Audience comments on liability ensued. Phil Willis of North Main Road commented on his and Sandy Kane’s shooting ranges, in existence for 40 years, prior many of the homes in the area. Problems did not arise until area homes were being rented for special events. Discussion ensued of their shooting activities and experiences and the safety practices that must be followed by family and friends who use the shooting ranges on their properties. Mr. Willis feels their rights are being taken away. Discussion ensued.

Mr. Nota commented it is not the intent of the Committee to restrict use of their property, but to regulate it, factoring in tradition, in keeping with public safety.

Discussion ensued of insurance, with towns being named insureds. Sandy Kane of North Main Road commented he has extra liability insurance coverage. The issue isn’t the shooting, but rather noise. Discussion ensued of time of day shooting and hunting complaints. President Trocki noted the discussion is target shooting not noise. Discussion of liability resumed. Council wants to balance the issues to develop an ordinance that works for Jamestown. Prior to adoption of an ordinance, there will be a public hearing before the Town Council. Discussion ensued of a definition for compact area.

Setbacks by Ordinance

Barrington

- 125 yards from any building or premises
- Flight of bullet discharge must remain on property
- Allows Target Ranges – as determined by Town Council

Johnston

- 200 yards from occupied dwelling

- Flight of bullet discharge must remain on property
- Allows for target ranges – as determined by Town Council

Tiverton

- 500 feet from any dwelling
- Set time and day restrictions
- Allows for target ranges – as determined by Town Council

Portsmouth

- 500/1000 feet from residence for pistol & shotguns
- 1000/2000 feet from residence for rifles
- Allows for exception by permission
- Allows for target range – as determined by Town Council, standards, permit/inspections

Most RI communities prohibit commercial target shooting ranges. Discussion ensued of the varying regulations between municipalities. Chief Mello commented on the various regulations. Rifle shots travel differently from pistol shots, and cannot be compared. Discussion ensued of setbacks, the map showing 500' buffer from buildings, other maps displayed, and language that would be part of a potential ordinance. President Trocki noted the Town does not want to over-regulate, but to be responsible and adopt regulations that make sense for Jamestown.

Chris Cannon of East Shore Road commented it is a huge responsibility to regulate target shooting. Mr. Cannon commented on the dangers of stray bullets, State hunting regulations, NRA manual on target shooting ranges, ranges around RI, location, liability, and compared shooting regulations to other zoning and safety regulations. Discussion continued.

Mr. Nota asked Mr. Cannon for his suggested regulations. Mr. Cannon felt more complex regulations would help the Police Department. Chief Mello commented on semi-automatic weapon prohibitions, potential definitions, and regulations for compact areas.

John Murphy of Hamilton Avenue commented on changes in the Jamestown community over the years and former backyard ranges that were acceptable but are no longer (due to density), safe ranges, accidents, and regulations that are consistent and enforceable.

Sandy Kane of North Main Road referenced existing outdoor ranges and that no “blue sky” ranges exist any more. Discussion ensued of regulations for target shooting ranges.

Mike deAngeli of Court Street is in favor of the 500 ft. buffer for target shooting ranges.

Nick Robertson of Carr Lane commented on the enjoyment of target shooting, the need for safety regulations including berms, target shooters are responsible and know proper handling of firearms, and he would hate to see it prohibited. Mr. Robertson referenced target shooting on his family’s property over many years, and target shooting is a safe

sport. Vice President Meagher commented on the Ordinance Review Committee's task.

Phil Allen of North Main Road agreed with Mr. Robertson's comments.

Vice President Meagher asked Mr. Robertson for clarification of his statement on inspecting backstops/berms. Mr. Robertson commented he feels proper inspection is necessary, with responsibility for the inspection on the property owner, not the town.

Arlene Seraichyk of Melrose Avenue commented on shooting and bow hunting deer. President Trocki noted this discussion is on target shooting. The Council is having this discussion due to resident complaints.

Town Administrator Nota stated after this evening's discussion and research by Town staff, the information will be evaluated by the Committee and the issue will be brought back before the Council. It is not the Committee's intention to eliminate target shooting, but balance all points and do what is best for the community. President Trocki asked for any additional comments. This concludes the discussion on target shooting (6:45 p.m.), and discussion of rental properties will begin at 7:00 p.m. (15 minute recess)

- B) Proposed Ordinance: Rental Property (7:00 p.m. – 8:30 p.m.)
- 1) Rental Property Registry
 - 2) Minimum Housing Standards/Inspections
 - 3) Code of Ordinance/Zoning Violations
 - 4) Landlord/Tenant Responsibilities
 - 5) Discussion on Minimum Rental Period
 - 6) Enforcement

Ms. Trocki explained this is the second half of the meeting (7:00 p.m.) for discussion regarding a proposed ordinance to regulate rental properties. Town Administrator Nota will give a PowerPoint Presentation to stress topics and issues, followed by public comment, the first step in development of an ordinance. No decisions will be made this evening, and any potential ordinance will be brought before the Council for public hearing prior to adoption.

Mr. Nota commented this is a complex issue and affects residents differently. Many residents have a basic knowledge of the topic. There are four main topics to cover. The rental of homes in Jamestown is a multi-level issue. Some are concerned with behavior and noise, whether the rentals constitute a commercial venture, the advent of Air BnB, Bed and Breakfasts, and short-term rentals used as event locations. This is an opportunity to learn the facts, share experiences, and voice opinions.

Rental Property Workshop

Points of Interest:

- Sales Tax on rental properties

- Hotel definition for tax purposes
- Hosting platform
- Rental of Homes
 - Entire residential dwelling (non-owner occupied)
 - Individual rooms (owner occupied)
- Large Functions in rental homes (commercial use of residential property)
- Bed and Breakfast homes
- Issues related to Sales Tax on Rental Properties
 - Revised definition of Hotel 42-63.1-2: Any facility offering a minimum of one room for which the public pays, for a consideration, to obtain transient lodging accommodations
 - The term “hotel” shall include hotels, motels, tourist homes, shall also include houses, condominiums or other residential dwelling units, regardless of the number of rooms . . .
 - Hospital platform means any electronic or operating system that provides a means through which an owner may offer a residential unit for a “tourist or transient:” use. All hosting platforms are required to collect and remit the tax owed.
- Effective July 1, 2015:
 - A rental greater than 30 days or for one calendar month there is no tax on the transaction
 - A home rental for 30 days or less is subject to a 7% sales tax and a 1% local hotel tax
 - A room rental in a residential dwelling for 30 days or less is subject to the 7% sales tax and 6% hotel tax (1% local and 5% state)

Discussion of the definition change ensued. The hotel definition was changed to include condominiums and residential dwelling units to make those properties eligible for sales tax purposes (short term rentals – 30 days or less). The hosting platforms are responsible for the tax, of which the town gets 1% of the 6% tax. The law notes that the town cannot prevent an owner from renting their property; however, the town can regulate rentals and impose restrictions. Seaside and college communities are mostly affected. Tenants will be paying a little more, and owners will be passing along the tax.

Concerns Related to Rental of Homes:

- Rental of entire dwelling house or by room
- Owner occupied vs. non-owner occupied
- Short term vs. long term
- Not knowing responsible party when issues arise (contact person)
- Nuisance issues such as parking, noise, trash, inconsiderate behavior
- Health and safety issues

Concerns related to Large Functions in Rental Homes (commercial use of residential property)

- Parking and traffic

- General nuisance issues, noise, trash, behavior
- Tent size and safety
- Number of people
- Not always related to traditional rental of home
 - Controlled within Zoning Ordinance by Zoning Enforcement Official

Most issues can be addressed through communication with the property owner. Often the rental of a large property for a special function is less expensive and provides more a more desired space than a traditional hotel rental. Discussion ensued of marketing large properties as wedding destinations.

Types of Regulation

- Rental Registry (flat fee or fee per bedroom)
 - Limit to short-term rentals
- Property Management
 - Local contact person required
- Taxation (subject to Division of Taxation regulations)
- Rules and responsibilities for homeowners and tenants
 - Notice regarding local ordinances
- Owner occupied
- Code compliance (sanitation, health, building, occupancy)
- Minimum length of rental (limit/no limit)
- Number of unrelated persons (definition)
- Enforcement (fines for property owners)

Some communities have a rental registry, which can be shared with the Division of Taxation, as a type of notification of the property owner and local contact. A registry fee could be based on the number of bedrooms at the property or a flat fee. Communities that have a rental registry also have accompanying rules and responsibilities and may include occupancy limits and a code of behavior. Enforcement varies by community and based on the violation, with a set fee schedule for non-compliance and repeat offenses. This would have to be addressed during the ordinance review and development process based on public input.

Building/Zoning Official Chris Costa commented on the rental of properties by the week or season and the number of unrelated persons, based on the number of rooms for rent. Town Administrator Nota referenced the challenges faced by the Building Office in monitoring rentals, and the fee imposed by a rental registry covers the cost of monitoring rentals, including inspections. Discussion ensued of the benefits of a rental registry and enforcement.

Town Planner Lisa Bryer commented on the issues faced by Jamestown in regulating rentals and the different issues faced by other municipalities. We need to fully understand the issues, which is why this public session is important for information gathering.

IV. PUBLIC COMMENT

President Trocki noted the importance of public input. We need balance, but don't want to over regulate, over burden the town, or create an ordinance that can't be enforced. President Trocki opened public comment.

John Pagano of Seaside Drive commented on rentals to a small group who then brings in 20 to 30 people for an event, often over night. In his neighborhood it was for a sales event, which was not addressed in the PowerPoint, and is not a normal scenario. This is a commercial use of a residential property. Ms. Trocki stated if there is a problem, we need to determine it and how it can be regulated.

Karen Gray of Seaside Drive commented on enforcement of commercial operations in a residential zone. Mr. Nota stated residential property rentals have never been defined as a commercial use. Ms. Meagher commented the dilemma is our ordinance needs a more clear definition, and that is why we are here this evening.

Gary Girard of Seaside Drive noted his property is a single family home in a quiet neighborhood. Now his neighborhood will include business entities, rentals, which is not why he purchased his home in Jamestown. This changes the area to a commercial district. Ms. Meagher stated this is not changing the structure, but defining the issue, and protecting what is there. Discussion ensued of not knowing your neighbors when there are short term rentals.

John Pagano of Seaside Drive commented we could have motel city, and it sounds like it is okay as there is nothing to regulate it.

Karen Gray of Seaside Drive commented short term rentals is a commercial activity and should only be allowed in a commercial zone, not a residential zone.

Town Administrator Nota stated most of the rentals would be for weekends, even with a seven-day rental. This is complicated and it is unclear if a seven-day rental would alleviate any of the issues.

Ken Newman of Avenue B referenced short term rentals in the West Ferry neighborhood and limiting the number of times a property could be rented, regardless of the length of the rental. Discussion ensued of one-month rentals in Newport and various other rental issues. Party rentals need to be monitored, as often the person listed on the lease agreement is not who is actually staying at the property. Discussion ensued of property rentals, which Mr. Newman reports at over 700 on the Island, and properties that have had behavior or other issues. Mr. Nota commented there have been a handful of calls on this issue, mainly large scale events at large properties affecting an entire neighborhood. Mr. Newman commented on parking and the number of vehicles allowed at a property. He feels a rental registry would provide an easy way to contact a person of record to

solve problems much faster. Ms. Trocki agreed.

Sav Rebecchi of Sail Street inquired how Mr. Newman determined the rental properties in Jamestown. Mr. Newman explained through real estate agencies, Air BnB, and other sources. Mr. Rebecchi stated this is approximately one quarter of Jamestown's residential properties. Lengthy discussion ensued.

Liz Brazil of East Shore Road commented on short term rentals that have been occurring for a long time without issue. A rental registry is a good idea, but what about communication with property owners when problems arise? It is just common courtesy. Discussion continued. Ms. Brazil commented she manages rentals and the revenue generated benefits the town. If handled properly, rentals are good for the town, and she is sorry for the unfortunate experiences experienced by some residents.

Charlotte Zarlengo of Seaside Drive commented on incidents where two people rent a property, but fifteen people show up and stay. She commented on potential health issues with multiple inhabitants in a two bedroom short-term rental property with a septic system.

Susan (last name unknown) referenced her positive experience with long-term rental of her property and how she manages it. The tenants frequent stores and restaurants in the area, and contribute to the economy of the Island.

Nick Robertson of Carr Lane commented on the difficulties of renting properties. If tenants are not honest and more people than contracted show up, how is that dealt with. Building Official Costa commented tenants notify friends and family they are staying in Jamestown and to come on down.

Mr. Nota commented that you cannot control the number of family members who visit. Discussion ensued of the difference between the number of bedrooms in a property, the number of persons a property sleeps for marketing purposes, and regulating the number of persons who can stay at a property.

Sav Rebecchi of Sail Street commented on issues that occurred in his neighborhood and how recent parking restrictions will help. Noise ordinance revision and enforcement would also help to alleviate problems. Building Official Costa commented on regulations that would site the landlord and/or the tenant and repeat offenders. Discussion continued.

Duncan Pendlebury of East Shore Road stated he is happy to see this approach to solving the problems and referenced rental property issues in his neighborhood including a Super Bowl party and New Year's Eve party next door to him. Our noise ordinance has limitations and needs revision in order to assist the Police Department with enforcement. All conditions need to be outlined in rental agreements, damage deposits needs to be collected, and tenants must be held to those conditions and deposits forfeited for lack of compliance.

Karen Salvatore of North Kingstown, who manages the property on Seaside Drive owned by her elderly father-in-law, stated this has been a learning curve and she likes the idea of a rental registry. Mistakes have been made, and they involved bachelor parties, which will never happen again. She now has house rules posted that include no bachelor parties. Communication is important and she has tried to keep the lines of communication open and will continue to do so.

Discussion ensued of owner-occupied and non-owner occupied properties. Ms. Salvatore commented renting to a family was a consideration, but they believed this was a better alternative, would be more acceptable to the neighbors, and would provide an income to complete much-needed repairs to the property.

Ms. Trocki commented on her experiences as an attorney, landlord tenant law is a difficult area, and rules and regulations and contact information is helpful and can make a difference. For some property owners, without renting their homes they would not be able to keep their properties in town.

Ms. Meagher commented on short term rentals as affordable vacation alternatives. There are a multitude of opportunities for Ms. Salvatore's rental issues. Ms. Salvatore commented she has had professionals renting the property, referenced the Thanksgiving tenants, and stated the only problems were the bachelor parties, which are now prohibited at the property.

Ken Newman of Avenue B commented on the tax structure in town and what it costs to maintain seaside properties. The increase in rentals is for vacations, and with the advent of Air BnB, it becomes easier to do, but more difficult to regulate. Discussion continues.

Bernie Pfeiffer of Seaside Drive commented that rental properties are a business, with a potential hefty income, and should be treated as such and regulated.

Peter Gadoury of Weeden Lane commented on the advent of new technology creating the ease of renting properties. He referenced property rentals in other communities and events to promote rentals sponsored by Chambers of Commerce that highlight regulation and creating positive outcomes for property owners, renters, and communities.

Ms. Trocki stated it is important to communicate on the issues and enacting regulations and enforcement will be helpful. John Pagano asked what the next steps and time frame would be. Ms. Trocki stated that depends on what the Council can handle, review of what has been discussed, what makes sense for Jamestown, development of an ordinance, and the public hearing process before the Council for adoption.

Ms. Meagher stated the two complex issues covered this evening required a great deal of time. There is a process involved, and there will be a response in a few months. Ms. Trocki commented on the time invested by the Town Administrator, Police Chief, and Building Official to get us to this point. The issues reviewed by the Traffic Committee Ordinance Review Committee Work Session 11.30.2015

may assist with parking problems associated with rentals. The bad experiences discussed this evening are due to people behaving poorly, which is unfortunate.

Chris Walsh of Rosemary Lane commented the problems with rentals are associated mostly with one property, and behavior is the direction we should be focusing on.

Peter Gadoury of Weeden Lane commented that a property owner enforcing a security deposit and forfeiture for violations may assist landlords and curtail behavior problems.

Duncan Pendlebury of East Shore Road referenced the Comprehensive Plan which solicits input from the citizenry, and citizen response to the questionnaire emphasized the sense of community in Jamestown. We have to ensure that we don't let the Zoning Ordinance erode by commercialization of the Island.

Ms. Meagher stated in a new technology we have to look at what are the minimum protections.

Gary Girard of Seaside Drive commented on rentals and their potential affect on property values. Discussion continued.

Police Chief Mello stated how safe we are in Jamestown, and he has faith in the people of this community. Where he formerly served, the landlords were not as responsible, but through enforcement, the landlords imposed their controls on the tenants for a positive outcome. The responsibility ultimately falls on the property owners, and they don't want to pay fines. It will take time, but this approach will work.

President Trocki thanked the public for their attendance and input this evening.

V. NEXT STEPS

VI. FUTURE MEETINGS

VII. ADJOURNMENT

There being no further business to discuss, the work session as adjourned at 8:55 p.m.

Attest:


Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
Town Administrator
Town Solicitor
Finance Director

TOWN COUNCIL/LIBRARY BOARD OF TRUSTEES WORK SESSION
January 12, 2016

I. CALL TO ORDER

The Library Board of Trustees Meeting was called to order at 5:00 p.m. in the Jamestown Philomenian Library Museum Room at 26 North Road by Chair Peter Carson.

The Joint Jamestown Town Council/Library Board of Trustees Session was called to order at 5:00 p.m. in the Jamestown Philomenian Library Museum Room at 26 North Road by President Trocki.

II. ROLL CALL

Library Board of Trustees members present:

Peter Carson, Chair
Jennifer Cloud
Paul Housberg
Marianne Kirby
Mary Lou Sanborn
Christopher Walsh

Members absent:

Laura Yentsch, Secretary

Town Council members present:

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

Also present:

Andrew E. Nota, Town Administrator
Peter D. Ruggiero, Town Solicitor
Christina D. Collins, Finance Director
Donna Fogarty, Library Director
Michael Glier, IT Consultant
Cheryl A. Fernstrom, Town Clerk

III. JOINT TOWN COUNCIL AND LIBRARY BOARD OF TRUSTEES WORK SESSION

Mr. Carson explained the intent for this evening's meeting. Guest speaker Karen Mellor of the Office of Library Information Services was invited to attend this session to review the structure of meetings and duties of the Library Board of Trustees in accordance with Rhode Island General Laws. Ms. Mellor will be approximately fifteen minutes late due to heavy traffic associated with current weather conditions. The Library Board of Trustees meeting will proceed and the joint work session will resume when Ms. Mellor arrives, followed by completion of the monthly Trustees Meeting.

The joint work session was recessed at 5:05 p.m. Upon Ms. Mellor's arrival, the joint work session continued at 5:20 p.m.

A) Guest Speaker Karen Mellor, Director of the Office of Library Information Services Ms. Mellor was welcomed and introductions for Town Council, Town staff, Library Board of Trustees, and Library staff members proceeded. Ms. Mellor is in attendance for informational purposes. Explanation of the role of OLIS proceeded.

- 1) Review and Discussion of Title 29 Chapter 4 of the RI General Laws relating to Public Libraries

Ms. Mellor referenced Title 29 and reviewed State funding for libraries and other services provided, including Askri.org, summer reading programs, blind and handicapped assistance, and the Library Reimbursement Construction Grant Program. The rules and regulations governing programs and services were referenced, established to promote resource sharing and procedures for distribution.

Ms. Mellor explained that Jamestown Philomenian Library is a municipal Library pursuant to Chapter 29, and she reviewed the governing General Laws and library structure. Discussion ensued. Trustee Sanborn and Trustee Carson inquired about evaluations and Library Board appointments. Ms. Mellor commented on procedures in Jamestown (appointed by Town Council) and other communities and the Trustees membership.

Trustee Housberg inquired about Trustee communications, and Ms. Mellor noted all communications are subject to the Open Meetings Act. Discussion of Open Meetings continued. Council President Trocki noted the transparency policy, the Council wants to keep the lines of communication open, and the Liaison to the Library Board of Trustees. Solicitor Ruggiero offered to conduct an Open Meetings workshop for the Board of Trustees and gave an overview of open meetings and proper procedures. Attendance at the annual Open Government Summit

sponsored by the Attorney General's Office was recommended. Discussion continued on open meetings, notice posting and filings, and Minutes of meetings. Roberts Rules of Order are used to conduct meetings as well as procedures listed in the Trustees' bylaws. Solicitor Ruggiero outlined the procedures for approval of Minutes. Discussion ensued of interpretation of the Open Meetings Act and how it has evolved. As a division of the Town, the Solicitor's Office is here to assist the Board of Trustees with Open Meetings questions. Discussion ensued of keeping the lines of communication open. Ms. Mellor commented libraries must comply with the Open Meetings Act if they receive more than 25% of their funding from public funds, as outlined in the RI General Laws.

Trustee Walsh referenced fiscal responsibility. Solicitor Ruggiero noted fiscal and financial responsibility lies with the Town. Conflicting information within the Statute were noted and discussed. Vice President Meagher referenced the budget development and approval process. Trustee Carson asked for clarification on the use of fundraising, bequests, endowment and donation revenues and how they are handled. Solicitor Ruggiero reviewed their handling according to how they are structured and received. If they are not part of the Town budget they and do not require Town approval to use them. However, donations made to the Town for the Library must be meshed with Town funds and proper procedures followed. Ms. Mellor commented on acceptance of gifts by 501(c)3 entities and Boards of Trustees and explained that endowment revenues used for operating expenses can be reimbursed through the State. Discussion ensued of a cooperative relationship between the municipality, council, and trustees working for the public good and that it is imperative in order to achieve goals.

Town Administrator Nota asked Ms. Mellor about collaboration and support afforded municipal libraries and the advantages, such as financial and legal assistance, not always available to private libraries. Ms. Mellor explained the advantages afforded a municipal library, with Trustees and Councils working in sync in a positive relationship. Discussion continued. Trustee Sanborn referenced Library expansion funding and its direct impact on property values. Finance Director Collins reviewed the budget process from development to submission to approval with past and present Library Trustees and that the Library is treated the same as all other Town departments. Salary/wage increases have been the same as other non-union Town employees. Vice President Meagher noted payroll taxes and other items provided by the Town that are not part of the Library budget.

Trustee Housberg asked for clarification on what is allowed in expressing an opinion regarding the Library. Solicitor Ruggiero explained that as a Board of Trustees, they speak as one voice. However, individual members may express their opinions and objections as an individual citizen and not as a member of the Board of Trustees or on behalf of the Board of Trustees. During a vote a trustee may state they do not agree with the decision or vote of the Board and may recuse

on an issue. A Trustee may forward an objection to Council members explaining the objection as an individual and not as a member of the Board. More than two responses in a chain becomes a violation. Discussion ensued of communications between trustees and how that violates the Open Meetings Act. Solicitor Ruggiero explained that topics cannot be discussed in groups or communications outside of a meeting, by a quorum of members, and can only be addressed when they appear on an agenda, and must be discussed and voted on in an open public meeting. President Trocki recommended that any issue the Board of Trustees would like to bring before the Council can be reported to the Town Administrator, and that would not be a violation. Discussion of an issue between the Library Director and Town Administrator would not be a violation.

2) Review and Discussion of the State of RI Reimbursement Construction Grant Program

Ms. Mellor gave an overview of the reimbursement program and its guidelines. The program reimburses up to 50% of building or renovation costs up to \$200 per square foot for new construction and \$175 per square foot for renovations, not including fundraising costs. The Board of Trustees files an application for reimbursement as guardians of the Library, and reimbursement is awarded to the municipality. The guidelines require the hiring of an independent outside consultant, working with the architect, to perform a needs assessment, in order to assure it meets functionality and demonstrates how the project will benefit the community, in accordance with the Library's Strategic Plan and the Town's Comprehensive Plan. All criteria must be met prior to awarding of the Grant, and it then goes to the State Budget Office, contingent upon available funding. All monies must be in place prior to moving forward, and an audit must be performed to determine all is in order and how much is to be reimbursed, with written agreement the project cap will not be exceeded. Discussion ensued of bonding. A letter of intent is required (submitted last year), Jamestown is being considered for project funding, and the money is not signed off on yet. The application can be updated during the process. Discussion ensued of donations, and donations must be in place prior to going forward. The application and funding criteria is available online on the OLIS website. Discussion ensued of fundraising.

Councilor Dickinson commented he had not previously attended a Board of Trustees meeting, and you don't tinker with something that works. Solicitor Ruggiero noted he will contact Library Director Fogarty to schedule an OMA workshop with the Trustees. President Trocki expressed appreciation to Ms. Mellor for her attendance and participation; we all learned a lot from her presentation. The Library is very important and the Council is committed to supporting the Trustees in their efforts to go about the process properly. The return on investment for libraries is one of the best investments a municipality can make. She applauds the Trustees work, noted the support of the Town Council, and extended an open invitation to the Trustees to be on a Council agenda.

3) Questions and Answers

IV. ADJOURNMENT

There being no further business to discuss, the work session was adjourned at 6:37 p.m.

Chair, Peter Carson, resumed the business meeting of the Library Board of Trustees at 6:40PM.

C. President's Report – Peter expressed his honor as being the chair of the trustees. He indicated there was and is good work to be done by the trustees.

D. Election of 2016 Board of Trustee Officers – Elections of 2016 Board of Trustees were held by ballot. The result of the election is as follows:

Chair	Mary Lou Sanborn
Vice Chair	Laura Yentsch
Treasurer	Peter Carson
Secretary	Vacant

E. Consent Agenda – A motion was made by Board member Cloud, and seconded by Board member Kirby to approve the Consent Agenda as written. The motion passed unanimously.

F. Friends of the Library Report – Mary Lou Sanborn attended the January 6th meeting of the Friends of the Library and provided details of the meeting to the board of trustees.

G. Old Business –

a. Renovation Project – Building Use Committee – Board members Walsh and Cloud reported

the survey was reviewed and condensed at the December committee meeting. Mary Meagher and Lisa Bryer will speak at the January committee meeting. Board member Sanborn questioned the extent of the Building Use Committee and its members. It was indicated by Board member Walsh this committee would complete the research side of the

project only. The costs and analysis of the survey would be presented to the board of trustees at its February meeting.

b. Project outline approval – Board member Sanborn briefly reviewed the project outline and

asked for approval by the board of trustees to present to the Town Council. Town Council

member, Mary Meagher, indicated the wording on the agenda allowed for the approval of the project outline but not for it to be presented to the Town Council. A motion was made

by Paul Hausberg and seconded by Chris Walsh to approve the project outline as presented.

The approval of the project outline to the Town Council will be included as an agenda item

to the February meeting of the board of trustees,

c. 2016 LBOT proposed budget – Board member Sanborn distributed and reviewed the past three expenses of the board of trustees. The annual expenses varied between \$12,000 – \$16,000. Board member Sanborn requested the LBOT approve a 2016 budget as its February meeting in order to withdraw appropriate funds from the RI Foundation for 2016. The budget will be included as an agenda item at the February meeting of the board of trustees.

d. Town Charter – Sec 422 – Library Trustees – proposed revision – As a member of the Town Charter Review Committee, Board member Sanborn distributed a proposed revision to Section 422 Library Trustees. Discussion took place. It was decided the board of trustees would submit a letter to the Town Council requesting a board member/s be included as part of the interview and approval process in the event of vacancy on the Library Board of Trustees. The letter will be included as an agenda item at the February meeting of the board of trustees.

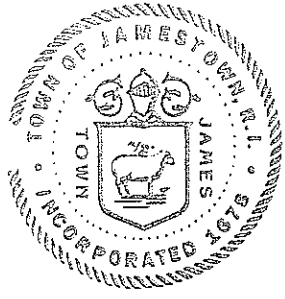
No public comment.

A motion was made by board member Hausberg and seconded by board member Kirby to adjourn the meeting at 7:27PM.

The next meeting of the Library Board of Trustees will be held on Tuesday, February 9, 2016.

Respectfully submitted,

Mary Lou Sanborn
Secretary Pro tem



401-423-9802

Town of Jamestown

Tax Assessment Board of Review

93 Narragansett Avenue

Jamestown, Rhode Island 02835

MINUTES

The Tax Assessment Board of Review met in the **Town Hall Conference Room** on **February 10, 2016 at 4:00 PM**. The following people were in attendance: **Board Members, William Dawson and Karen Gabriele, Atty. Alexander Walsh, and Property Owner, Duncan Laurie.**

The Board elected the following officers for the current fiscal year:

Chair: **Stuart Rice**

Secretary: **Karen Gabriele**

Case #1-2015-16

The Board heard the following arguments from Atty. Alexander Walsh, representing the Laurie Family Trust, owners of the property at 177 Beavertail Road:

The town's property record and assessment include a deck at the waterfront with stairs to the water; both of which were lost during Hurricane Sandy. CRMC has denied the owners' request to rebuild.

The land value is too high due to the fact that the Carriage House on the abutting parcel, 173 Beavertail Road, Plat 11, Lot 29, is very close to the appellant's house. This proximity limits the interest of prospective buyers, who don't believe the subject property is worth its assessed value or their asking price.

Although the home has been upgraded since it was purchased, it is still quite old (c. 1893) and, as such, in need of additional repairs.

Cases #2, 3, 4, 5, & 6-2015-16

The property owners of 597, 585, 589, 593, and 605 Beavertail Road, and their attorney, Mark Pogue, were excused from attending this Tax Board meeting since their cases remain in litigation from last year. Nevertheless, the Tax Board will review the material that has been submitted and make decisions regarding this year's appeals.

The Board scheduled their next meeting for Tuesday, February 23, 2016, when they will make decisions on the above appeals.

The meeting adjourned at 5:00 PM


_____, Secretary
Tax Assessment Board of Review

Approved by the Board 2-23-16

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the January 26, 2016 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:00 p.m. The stenographer called the roll and noted the following members present:

Richard Boren
Joseph Logan
Dean Wagner
Richard Cribb
Judith Bell
Terence Livingston

Also present: Brenda Hanna, Stenographer
Chris Costa, Zoning Officer
Pat Westall, Zoning Clerk
Wyatt Brochu, Counsel

MINUTES

Minutes of December 15, 2015

A motion was made by Joseph Logan and seconded by Richard Cribb to accept the minutes of the December 15, 2015 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston was not seated and Edward Gromada was absent.

CORRESPONDENCE

A letter from the Town Counsel informing the Chair that Edward Gromada, Joseph Logan, Dean Wagner, and Terence Livingston were reappointed to the Zoning Board.

An Entry of Appearance from W. Mark Russo, Esq. in re: Appeal of David S. Martin et al.

A letter dated Jan. 7, 2016 from Robert E. Flaherty, Esq. re: 1095 E. Shore Rd.

A letter dated Jan. 26, 2016 from Christian S. Infantolino, Esq. requesting a continuance of Fowler's Rock.

Fowler's Rock

A motion was made by Joseph Logan and seconded by Richard Cribb to continue the application of Fowler's Rock to the Feb. 23, 2016 meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston was not seated and Edward Gromada was absent.

A letter dated Jan. 26, 2016 from Christian S. Infantolino, Esq. requesting a continuance of Jamestown Boat Yard.

Jamestown Boat Yard

A motion was made by Joseph Logan and seconded by Richard Cribb to continue the application of Jamestown Boat Yard to the Feb. 23, 2016 meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston was not seated and Edward Gromada was absent.

OLD BUSINESS

Stearns Farms

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
TOWN OF JAMESTOWN**

IN THE MATTER OF:

**APPEAL OF DAVID S. MARTIN; JANICE :
MARTIN; STEARNS FARMS REALTY, LLC : JAMESTOWN ZONING
BOARD OF REVIEW**

Decision of the Town of Jamestown Zoning Board of Review

I. Introduction.

On November 12, 2015, the Appellants filed an appeal from the issuance of a building permit on February 15, 2013 to the Lischios. The Appellants are asking the Zoning Board of Review to require the Lischios to seek the approval of the Zoning Board to construct those improvements completed in 2013. The Appellants further request that the Zoning Board of Review overturn the issuance of the building permit and declare the February 15, 2013 building permit and the certificate of occupancy void.

On or about December 3 or December 4, 2015, the Lischios filed a Motion to Dismiss the Appeal on the basis that the appeal is out of time and/or a zoning enforcement action can only be prosecuted by a Town through its' Solicitor. The Motion to Dismiss further alleges that the Zoning Board of Review has no jurisdiction over the Martin appeal if not made within thirty (30) days of the time when the Appellant becomes chargeable with knowledge of the decision.

The Appellants have filed a Memorandum in Opposition to the Motion to Dismiss.

II. Standard of Review.

A Motion to Dismiss permits this Zoning Board of Review to dismiss an appeal for failure to state a claim upon which relief may be granted or for lack of subject matter jurisdiction. The sole function of a Motion to Dismiss "is to test the sufficiency of the appeal". See *Ho-Rath v. Rhode Island Hospital*, 89 A.3d 806 (R.I. 2014). In deciding a Motion to Dismiss, the zoning board is to confine its' review to the four corners of the appeal and must assume all allegations are true, resolving any doubt in the Appellants favor. See *Narragansett Electric Company v. Minardi*, 21 A.3d 274 (R.I. 2011). A Zoning Board of Review may grant a motion to dismiss when it is clear beyond a reasonable doubt that the Appellant would not be entitled to relief from the zoning board under any set of facts that could be proven in support of the Appellants claim. See *School Committee v. Chaffee*, 89 A.3d 778 (R.I. 2014).

A Motion to Dismiss also permits dismissal for lack of subject matter jurisdiction. Such a motion questions the zoning board's authority to adjudicate a particular controversy before it. See *Boyer v. Bedrosian*, 57 A.3d 259 (R.I. 2012). When ruling on such a motion, a court or zoning board is not limited to the face of the pleadings. A court or zoning board may consider any evidence it deems necessary to settle the jurisdictional question. A claim of lack of subject matter jurisdiction may be raised at any time by the parties or by the court *sua sponte*. See *Sidell v. Sidell*, 18 A.3d 499 (R.I. 2011).

If, however, matters outside the pleading are presented to and not excluded by the zoning board, the motion shall be treated as one for Summary Judgment and disposed of accordingly, and all parties shall be given reasonable opportunity to present all material pertinent to the motion. Here, both parties have presented certain portions of the pleadings and both parties have been given reasonable opportunity to respond.

III. Facts and Allegations.

The facts and allegations set forth herein are taken solely from the November 12, 2015 appeal of the Martins and Stearns Farms Realty, LLC and those limited statements the Martins reference in their Memorandum.

On November 12, 2015, the Martins and Stearns Farms Realty, LLC filed an appeal from the issuance of a building permit on February 15, 2013 to the Lischios.

On January 12, 2013, the Lischios filed an application for a building permit to construct a second floor guest quarters above the Lischios garage.

On February 15, 2013, the building official approved the January 12, 2013 permit application, and construction commenced thereafter. At the time, the zoning official failed to issue a zoning certificate and publish the zoning certificate in the newspaper.

In spite of lack of publication, in February 2013, Mr. Martin learned of the planned construction in which he was told that the project entailed the conversion of the second floor of the garage into guest quarters.

In late March 2013, Mr. Martin met with the building official and discussed the 1986 variance, which Mr. Martin claimed to the zoning official was at odds with the 2013 building permit.

On September 6, 2013, the building official issued a certificate of occupancy.

In 2014, Mr. Martin filed suit in Newport County Superior Court to declare that the February 2013 building permit was void.

The Martin appeal acknowledges that "With respect to the issuance of a building permit, which is not required to be recorded and was not in this case, the Rhode Island Supreme Court has stated that the time period within which to file an appeal begins to run when the Appellant becomes chargeable with knowledge of the decision from which he seeks to appeal." Sousa v. Town of Coventry, 774 A.2d 812 (R.I. 2001).

The Martin appeal further acknowledges that R.I.G.L. § 45-24-64 provides that an appeal shall be taken within a reasonable time of the date of the recording of the decision of the zoning official.

Mr. Martin alleges in his appeal that although he learned of the issuance of the building permit in 2013, he did not learn the full story until Mary Meagher was deposed on November 3, 2015. As previously set forth, the relief being sought by the Martins is to overturn the issuance of the February 2013 building permit, declare the February 2013 building permit and the September 6, 2013 certificate of occupancy void, and require, after the fact that the garage has been built, to now seek zoning board approval to construct the two and one-half year old existing garage with guest quarters.

IV. The Issues Addressed in the Lischios Motion to Dismiss and Accompanying Memorandum.

The Lischios filed a Motion to Dismiss the Martin appeal on the basis that the appeal is out of time and/or a zoning enforcement action can only be prosecuted by a Town through its' Solicitor.

The Motion to Dismiss further alleges that the Zoning Board of Review has no jurisdiction over the Martin appeal if the appeal is not made within thirty days of the time when the Appellants become chargeable with knowledge of the decision. See Hardy v. Zoning Board of Coventry, 321 A.2d 298 (R.I. 1984).

The Motion to Dismiss further alleges that if the Martins and Stearn have not filed a timely appeal, there can be no consideration of whether the Lischios did or did not need zoning board approval in the first instance.

The Motion to Dismiss further alleges that this is not an appeal to the Zoning Board of Review before or during construction, but the appeal is seeking to declare a building permit and certificate of occupancy void.

Finally, the Motion to Dismiss alleges that the Martins have no standing to bring their appeal and any such action can only be brought in the state courts by the Town Solicitor.

**V. The Issues Addressed in the Martin/Stearns Farm Realty, LLC
Memorandum.**

The Appellants allege in the first instance that the unusual circumstances which will lead the Zoning Board of Review to conclude that the appeal is timely include the secret, ex-parte collusion between town officials from fairly carrying out his duties.

The Appellants further allege that the failure of the Zoning Official to issue a zoning certificate and failure to publish the zoning certificate is jurisdictional and vitiates the entire issue of timeliness.

The Appellants further allege that the doctrine of equitable tolling applies to halt any time limitation period.

Finally, the Appellants allege that their appeal is not in the nature of declaratory judgment, but is a request under R.I.G.L. § 45-24-68 for the Zoning Board of Review to reverse the Zoning Official's decision to issue a building permit.

VI. Overriding Issue.

Notwithstanding the multiple issues raised by the Appellants, does the 2 ½ year delay preclude the Zoning Board of Review from hearing the appeal?

VII. Zoning Ordinances.

Section 82-401. Building Permit Required. No structure shall hereafter be erected, enlarged, or relocated until a permit authorizing the same shall have been issued by the zoning enforcement officer.

Section 82-402. Zoning Certificates. The zoning certificate shall be issued on the basis of the application and accompanying plans and shall authorize only the use, arrangement, and construction set forth in approved plans and applications. A record of all applications, plans, and zoning certificates shall be kept on file in the office of the zoning enforcement officer and shall be available for public inspection during regular office hours.

Section 82-403. Publication of Zoning Certificates. The zoning enforcement officer shall publish weekly a list of all zoning certificates in a newspaper of general circulation in Jamestown.

Section 82-408. Appeal of a Decision of the Zoning Enforcement Officer. Any person, group of persons, or corporation, aggrieved by a decision of the zoning enforcement officer concerning this ordinance, may file an appeal in accordance with the provisions of Article 5 of this ordinance.

Section 82-503. Procedures for Appeals, Special Use Permits and Variances.

A. Appeals to the zoning board may be taken by any person aggrieved by an officer, department, board or bureau affected by any decision of the zoning enforcement officer and the enforcement of this ordinance. Such appeal shall be taken within thirty days as provided by the rules of the zoning board by filing with the zoning enforcement officer and with the board a Notice of Appeal specifying the grounds thereof.

VIII. Timeliness of Appeal.

As a matter of law, is the Martin appeal out of time, and if so, does that deprive the Zoning Board of Review of jurisdiction from hearing the merits of the appeal?

On February 15, 2013, the zoning enforcement officer approved the January 12, 2013 building permit. The zoning enforcement official did not comply with Section 84-203 by publishing the zoning certificate in a newspaper.

However, in February 2013, the Martins learned of the planned construction. In March 2013, Mr. Martin met with the zoning official, learned of the building permit, and Mr. Martin claimed that the building permit was at odds with the 1986 variance granted. The Martins took no appeal at that time.

On September 6, 2013, a certificate of occupancy was issued. The Martins took no appeal at that time.

In October 2014, the Martins filed suit in Superior Court seeking to declare that the 2013 building permit was void. The Martins took no appeal at that time.

On July 29, 2015, in the Superior Court lawsuit, Fred Brown was deposed. The Martins took no appeal at that time.

On November 3, 2015, in the Superior Court lawsuit, Mary Meagher was deposed. Nine days later, this appeal followed.

In the Rhode Island Supreme Court case of *Sousa v. Town of Coventry*, 774 A.2d 812 (R.I. 2001), on July 22, 1997, Sprint applied for a building permit for the construction of a telecommunications tower on town property. The building permit was issued on July 29, 1997. Rather than file an appeal to the Zoning Board of Review, the Sousas filed suit in Superior Court on September 26, 1997 seeking to revoke Sprint's building permit. The trial judge granted summary judgment on behalf of Sprint and the Sousas appealed to the Supreme Court. The Sousas argued in the Supreme Court that the appeal period for contesting the issue of the building permit did not begin to run until the Sousas became aware of the decision to issue the

building permit and they did not become aware of the issuance of the building permit until cement trucks appeared on September 16, 1997. Thus, the Sousas argued that their Complaint filed on September 26, 1997 was well within the thirty day time period provided for contesting the issuance of the building permit. The Supreme Court first stated that the thirty day time period for review of an administrative officer's decision to issue a building permit is permissible and reasonable so long as the period begins to run at the time the Plaintiff "becomes chargeable with knowledge of the decision from which he seeks to appeal." (*emphasis added*) In the *Sousa* case, the Rhode Island Supreme Court held that the Sousas had constructive notice that a building permit would be issued and that they had an obligation to periodically inspect the public records for the issue of a building permit for the telecommunications tower. Therefore, the Sousas Complaint filed on September 26, 1997 seeking to challenge the issuance of the building permit was untimely.

Here, the Martins learned of the planned construction in February 2013. In March 2013, the Martins met with the building official, learned of the building permit, and claimed that the building permit was at odds with the 1986 variance granted. Certainly, by March 2013, the Martins were chargeable with knowledge. The Martins took no appeal.

Since the certificate of occupancy was issued on September 6, 2013, and the Martins were abutters to the Lischios, the Martins certainly had knowledge between March 2013 and September 2013 of the construction. The Martins took no appeal during that six month period.

In October 2014, the Martins chose as their sole remedy at that time to file suit in Superior Court seeking to declare that the February 2013 building permit was void. The Martins certainly could have chosen to appeal to the Zoning Board of Review at that time. The Martins took no appeal.

There are no Rhode Island Supreme Court decisions that hold that an Appellant can wait until the Appellant learns "the full story" before filing an appeal. Simply because the Appellants learned additional information from the depositions of Fred Brown in July 2015 and Mary Meagher in November 2015 does not extend the time for appeal from the dates in 2013 that Appellants had actual knowledge of the building permit, construction, the certificate of occupancy, and the issue presently on appeal regarding the 1986 variance.

Even assuming that in April 2013 Brown and Meagher were "conspiring" to appease Mr. Martin and Mr. Martin was "appeased", whether Mr. Martin knew or did not know of the alleged actions of Brown and Meagher, Mr. Martin had already met with Mr. Brown, reviewed the building permit, and claimed to Mr. Brown that the building permit was at odds with the 1986 variance granted. At that time, Mr. Martin had actual knowledge of the building permit and he is so charged with that knowledge.

As set forth in the Standard of Review section of this decision, if matters are presented outside the appeal pleading and are not excluded by the zoning board, the Motion to Dismiss

shall be treated as a Motion for Summary Judgment and disposed of accordingly. As the Rhode Island Supreme Court has said in *Coia v. Stephano*, 511 A.2d 980 (R.I. 1986), a Motion to Dismiss, based upon matters outside the pleadings will be treated as a Motion for Summary Judgment under this rule. When there is no genuine issue of material fact and the moving party is

entitled to judgment as a matter of law, summary judgment is properly entered. See *Tangleridge Development Copr. V. Joslin*, 570 A.2d 1109 (R.I. 1990), *Alfano v. Landers*, 585 A.2d 651 (R.I. 1991).

With the Lischios Memorandum of Law, they attach a booklet of exhibits. Exhibit # 3 is a letter dated April 10, 2013 from David Martin to Diane Lischio outlining all of the issues he has now addressed in this appeal. As Mr. Martin states in the third paragraph of his letter "That being said, however, there is little question in my mind that a building permit should not have been issued to your parents for the conversion of the garage with its' attic that is now underway."

On April 10, 2015, Mr. Martin was deposed under oath in the Superior Court suit. During the deposition, Mr. Martin was represented by counsel. The following colloquy took place that is set forth in Exhibit # 12:

Question: My question is: Instead of filing this lawsuit, why didn't you appeal because you have mentioned it so many times in the past?

Answer: I had, subsequent to the initiation of the improperly issued permit, determined that there was a time restraint to appeal to the Town on building permits. And I don't remember the deadline, but there's a certain period of time in which an aggrieved party can appeal a zoning permit. And that time limit to my knowledge has expired.

Question: The time limit on the zoning appeal had passed?

Answer: To my knowledge yes.

The Appellants are chargeable with knowledge of the building permit in the year 2013.

IX. The Failure to Issue a Zoning Certificate and Publication.

In the Appellants' Memorandum, they argue that the failure to issue a zoning certificate and failure to publish that zoning certificate before issuing a building permit on February 15, 2013 is jurisdictional and vitiates the entire issue of timeliness.

For the above proposition, the Appellants cite *L.A. Ray Realty v. Town Council of Cumberland*, 603 A.2d 311 (R.I. 1992) and *Town of Johnston v. Pezza*, 723 A.2d 278 (R.I. 1999).

In *L.A. Ray Realty*, the Town Council failed to give notice of a proposed amendment for changes to minimum lot sizes. The Rhode Island Supreme Court held that the purpose of notice requirements, whether by publication or individual notice, is to give those interested an opportunity to express their opinions. Such public notice is a jurisdictional prerequisite.

In *Town of Johnston v. Pezza*, a building official issued a permit to build an asphalt plan without a site plan. A subsequent building official rescinded the permit. The Rhode Island Supreme Court upheld the second building official since it found that site plan requirements were substantive and not a mere procedural exercise.

The issues here for determination are whether the issuance of the building permit constitutes public notice and vitiates the need for a zoning certificate and publication and whether what occurred in this case is procedural or substantive.

It is well established that zoning certificates are not legally binding, *Parker v. Byrne*, 966 A.2d 627 (R.I. 2010) and do not create any enforceable rights, *Tompkins v. Zoning Board of Review of Town of Little Compton*, 2003 RI Super. Lexis 133 (2003).

Likewise, the sole purpose of publication of zoning certificates is to give the public notice. In this case, the Appellants had notice almost immediately after the issuance of the building permit.

A review of Article 4 of the Zoning Ordinance clearly establishes that the building permit is the operative document.

The failure to issue a zoning certificate and publication of that zoning certificate does not relieve the Appellants from appealing in a timely manner once they are charged with knowledge of the building permit.

X. Does the Doctrine of Equitable Tolling Apply to This Case, Such That the Appeal is Timely?

First, the Appellants' reliance on *Johnson v. Newport County Chapter for Retarded Citizens*, 799 A.2d 289 (R.I. 2002) is misplaced. In the *Johnson* case, the doctrine was rejected by the Court, but the court held that the doctrine may be applicable in certain circumstances when the Plaintiff may be found to be of unsound mind.

In *Rivera v. Employees Retirement System of RI*, 70 A.3d 905 (R.I. 2013), an appeal to the state retirement board must be taken within thirty days of receipt of the notice of the decision. The notice postmark was May 21, 2008, but Plaintiff's affidavit said receipt was May 29, 2008 and appeal filed June 27, 2008. Thus, the appeal was either filed timely if receipt was on May 29, 2008, or was filed thirty-seven days after notice. The Rhode Island Supreme Court held this was a rather unusual case and the trial judge should have tolled the thirty day deadline.

The Doctrine of Equitable Tolling does not apply in this case.

XI. Decision.

It is the decision of this Zoning Board of Review that the Martin appeal is untimely and that the Lischios Motion to Dismiss, whether treated as a Motion to Dismiss or Motion for Summary Judgment, is granted based upon the untimeliness. The failure to issue a zoning certificate and publication does not vitiate untimeliness. Likewise, the Doctrine of Equitable Tolling is not applicable to the facts set forth.

Since the Martin appeal is not timely, this board does not need to address the issues as to whether the Appellants have standing to file this appeal and whether the Zoning Board of Review has jurisdiction to hear and decide declaratory judgment actions.

The motion was made by Richard Boren and seconded by Richard Cribb.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Richard Cribb, Judith Bell, and Terence Livingston voted in favor of the motion.

Dean Wagner was not seated and Edward Gromada was absent.

NEW BUSINESS

Gromada

A motion was made by Joseph Logan and seconded by Dean Wagner to grant request of Edward & Madeleine Gromada, whose property is located at 30 Melrose Ave., and further identified as Assessor's Plat 8, Lot 580 for a variance from Article 3, Section 2 (District Dimensional Regulation) to construct a front porch 19'8 from the front lot line (same as existing front stoop and stairs) and a second story on the existing house that is 23'8 from the front lot line where 30' is required.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 13,000 sq. ft.
2. The purposed plan meets the lot coverage requirement.
3. The foot print will not extend into the setback in front more than the existing stoop (19'8"). Other setbacks are in compliance.
4. There were no objectors.
5. The style is similar to neighborhood houses.

A motion was made by Joseph Logan and seconded by Dean Wagner to continue the application of Jamestown Boat Yard to the Feb. 23, 2016 meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Richard Cribb, and Judith Bell voted in favor of the motion.

Terence Livingston was not seated and Edward Gromada was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 8:10 p.m.

The motion carried unanimously.

Town of Jamestown as an abutter

Town Property: plat 16, lots 1, 51, 220, & 221

February 29, 2016

TOWN OF JAMESTOWN
NOTICE OF ADMINISTRATIVE DECISION

Application of David & Kathleen Maurice whose property is
Located at 130 Frigate Street, and further identified as tax
Assessor's Plat 16, Lot 28, for an accessory family
Dwelling from Article 14 , Section 1404 , A.1 Notice
Requirements, to allow an in-law kitchen for parents where
No exterior changes are needed. Said property is located
In a R-40 zone and contains 21,759 sq. ft.

An Accessory Family Dwelling will be granted unless valid
Written objection is received within 10 days of the mailing
Of such notice.

BY ORDER OF THE ZONING OFFICER
CHRIS N. COSTA
93 NARRAGANSETT AVENUE
JAMESTOWN, RI 02835



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-3767

AGENDA

Semi-Monthly Meeting – Full Council Tuesday, March 8, 2016; 6:00 p.m. Administration Building, Conference Room A One Capitol Hill, Providence, RI

Approval of the minutes of the previous meeting – February 23, 2016
Subcommittee Reports
Staff Reports

Applications which have been Out-To-Notice and are before the Full Council for Decision:

- 2015-09-030 JASON PEET** – Conduct an aquaculture operation to grow oysters using two sites in Quonochontaug Pond. One site will be a 0.79 acre year round area to grow oysters in floating bags. The second site proposed is a 0.13 acre area for temporary winter storage of oysters in cages from November 1 to May 1. Located in Quonochontaug Pond, Charlestown, RI.
- 2015-08-101 MANUEL SOUSA** – Perform aquaculture on a one acre oyster aquaculture farm using cages on the bottom in Gull Cove (aka Island Park Cove) of Portsmouth, RI.

Applications requiring Public Hearing for Special Exception before the Full Council for Council Decision:

- 2015-11-027 TOWN OF NARRAGANSETT** -- Construct and maintain a flood proofing barrier in order to protect the existing Scarborough Waste Water Treatment Facility (WWTF). The flood proofing barrier will consist of driven steel sheet piles and a cast-in-place concrete wall to accommodate utilities. The cast-in-place concrete wall shall be approximately 70 linear feet, and the steel sheet pile wall shall be approximately 360 linear feet, all fronted by a riprap revetment. The top of the barrier will be constructed to +20 feet (NAVD88) which provides about 4 feet of freeboard above the FEMA Flood Zone VE elevation of 16 feet (NAVD88). A special exception is required for the installation of the shoreline protection facility adjacent to Type 1 waters (conservation area). Located at plat K, lot 496; 990 Ocean Road, Narragansett, RI.



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
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MARCH 2016 CALENDAR

- Tuesday, March 8** **Semimonthly Meeting.** Administration Building, Conference Room A, One Capitol Hill, Providence, RI.
6:00 p.m.
- Wednesday, March 16** **Policy and Planning Subcommittee Meeting.** CRMC; Conference Room, Oliver Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI.
3:30 p.m.
- Tuesday, March 22** **ROW Subcommittee Meeting.** Administration Building, Conference Room A, One Capitol Hill, Providence, RI.
5:45 p.m.
- Tuesday, March 22** **Semimonthly Meeting.** Administration Building, Conference Room A, One Capitol Hill, Providence, RI.
6:00 p.m.
- Thursday, March 24** **Administrative Fine Hearings.** CRMC Offices, Conference Room, Oliver Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI.
9:30 a.m.
- Tuesday, March 29** **Ocean SAMP Stakeholder Meeting.** University of Rhode Island, Bay Campus (Hazard Rms. A & B), South Ferry Road, Narragansett, RI.
5 p.m. - 8 p.m.

Individuals requesting interpreter services for the hearing impaired for any of the above meetings must notify the Council office at (783-3370) 72-hours in advance of the meeting date.

**TOWN OF JAMESTOWN
TAX ASSESSOR
93 Narragansett Avenue
Jamestown, RI 02835**

To: PRESIDENT, JAMESTOWN TOWN COUNCIL

From: JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS/ADDENDA OF TAXES FOR **MARCH 7, 2016** MEETING

REAL PROPERTY ABATEMENTS TO 2015 TAX ROLL

#01-0470-50 Andrade, Stephen M. & Linda A.	Plat 9, Lot 48 – Property transfer 2-9-16 to Account #13-0268-00	\$2,843.04
#01-0471-00 Andreozzi (Fox), Megan	Plat 3, Lot 401 – Property transfer 2-5-16 to Account #02-0621-10	\$2,618.00
#02-0227-50 Barrett, Rowland P. & Nancy	Plat 10, Lot 68 – Property transfer 2-3-16 to Account #08-0650-50	\$9,645.51
#03-0115-00 Cammans, Jeffrey R. & Kathleen L.	Plat 8, Lot 28 – Property transfer 2-4-16 to Account #06-0375-50	\$236.18
#03-0115-00 Cammans, Jeffrey R. & Kathleen L.	Plat 8, Lot 25 – Property transfer 2-4-16 to Account #06-0375-50	\$4,307.27
#04-0992-50 Dupre, Robert E. Jr.	Plat 9, Lot 243 – Property transfer 2-3-16 to Account #21-0054-01	\$7,690.35
#06-0149-90 Federal National Mortgage Association	Plat 14, Lot 144 – Property transfer 2-5-16 to Account #03-1237-51	\$2,946.37
#07-0025-00 Gaines, Lynda A.	Plat 9, Lot 111 – Property transfer 2-16-16 to Account #07-0689-90	\$2,748.86
#11-0534-35 Kouttab, Nicola M.	Plat 15, Lot 318 – Property transfer 2-11-16 to Account #21-0001-12	\$2,840.14
#19-0055-40 Sand Point Partners, LLC	Plat 8, Lot 649 – Property transfer 2-4-16 to Account #06-0375-50	\$3,501.27
#21-0054-00 Urso, Philip J.	Plat 9, Lot 462 – Property transfer 2-3-16 to Account #04-0542-20	\$5,555.30

REAL PROPERTY ADDENDA TO 2015 TAX ROLL

#02-0621-10 Bessinger, Ramona	Plat 3, Lot 401 – Property transfer 2-5-16 from Account #01-0471-00	\$2,618.00
#03-1237-51 Corbett, Stephen J.	Plat 14, Lot 144 – Property transfer 2-5-16 from Account #06-0149-90	\$2,946.37
#04-0542-20 Dewey, Caroline F.	Plat 9, Lot 462 – Property transfer 2-3-16 from Account #21-0054-00	\$5,555.30
#06-0375-50 Foster, Richard W. & Michele S.	Plat 8, Lot 649 – Property transfer 2-4-16 from Account #19-0055-40	\$3,501.27
#06-0375-50 Foster, Richard W. & Michele S.	Plat 8, Lot 25 – Property transfer 2-4-16 from Account #03-0115-00	\$4,307.27

#06-0375-50 Foster, Richard W. & Michele S.	Plat 8, Lot 28 – Property transfer 2-4-16 from Account #03-0115-00	\$236.18
#07-0689-90 Gordon, Peter	Plat 9, Lot 111 – Property transfer 2-16-16 from Account #07-0025-00	\$2,748.86
#08-0650-50 Hollinger, Michael R. & Callahan, Barbara M.	Plat 10, Lot 68 – Property transfer 2-3-16 from Account #02-0227-50	\$9,645.51
#13-0268-00 Mai Tai Investments, Inc.	Plat 9, Lot 48 – Property transfer 2-9-16 from Account #01-0470-50	\$2,843.04
#21-0001-12 U.S. Bank Trust, N.A., Trustee	Plat 15, Lot 318 – Property transfer 2-11-16 from Account #11-0534-35	\$2,840.14
#21-0054-01 Urso, Philip J. & Deslauriers, Renee	Plat 9, Lot 243 – Property transfer 2-3-16 from Account #04-0992-50	\$7,690.35

TOTAL ABATEMENTS	\$44,932.29
TOTAL ADDENDA	\$44,932.29

RESPECTFULLY SUBMITTED,

Kenneth S. Gray

KENNETH S. GRAY,
TAX ASSESSOR



Town of Jamestown
Finance Department
Town Hall
93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-9809 Fax 401-423-7229
Email: ccollins@jamestownri.net

Christina D. Collins
Finance Director

MEMORANDUM

TO: Andrew E. Nota, Town Administrator
FROM: Christina D. Collins, Finance Director
DATE: 3/4/2016
SUBJECT: Budget to Actual

Attached is the Budget to Actual reports for the Fiscal Year 2015/2016. The report contains the expenses that have been paid through February 29, 2016.

Please do not hesitate to contact me with any questions or concerns.

**TOWN OF JAMESTOWN
BUDGET VS. ACTUAL
JULY 2015 - JUNE 2016
February 1, 2016 - February 29, 2016**

<u>Account Number & Description</u>	<u>Annual Budget</u>	<u>PTD Expenses</u>	<u>YTD Expenses</u>	<u>Remaining \$</u>	<u>% of Budget</u>
TOWN COUNCIL					
70001101 Salaries (5)	11,300.00	0.00	5,650.00	5,650.00	50.00%
70001302 Fees & Supplies	1,250.00	76.41	89.13	1,160.87	7.13%
70001305 Advertising	2,000.00	0.00	0.00	2,000.00	0.00%
70001 Town Council	14,550.00	76.41	5,739.13	8,810.87	39.44%
TOWN ADMINISTRATOR					
70002101 Salary, Administrator	108,572.00	8,560.44	72,763.74	35,808.26	67.02%
70002102 Salary, Clerical w/longevity	63,002.00	4,511.65	42,656.79	20,345.21	67.71%
70002302 Fees, Supplies & Dues	2,500.00	63.21	1,321.68	1,178.32	52.87%
70002303 Travel Expenses	12,000.00	750.00	7,592.10	4,407.90	63.27%
70002 Town Administrator	186,074.00	13,885.30	124,334.31	61,739.69	66.82%
PROBATE COURT					
70003101 Salary, Judge	5,081.00	390.82	3,321.97	1,759.03	65.38%
70003302 Fees, Supplies & Dues	1,750.00	178.04	787.34	962.66	44.99%
70003 Probate Court	6,831.00	568.86	4,109.31	2,721.69	60.16%
ELECTION & TOWN MEETINGS					
70004101 Salaries, Canvassers (3 & 2alt.)	5,234.00	0.00	2,618.00	2,616.00	50.02%
70004102 Salary, Clerical	700.00	0.00	0.00	700.00	0.00%
70004103 Salaries, Moderator & Sergeant	1,450.00	0.00	772.36	677.64	53.27%
70004104 Election Supervisors	1,000.00	0.00	0.00	1,000.00	0.00%
70004302 Fees, Supplies & Dues	2,300.00	97.26	481.41	1,818.59	20.93%
70004305 Advertising & Printing	500.00	0.00	0.00	500.00	0.00%
70004 Election & Town Meetings	11,184.00	97.26	3,871.77	7,312.23	34.62%
LEGAL					
70050201 Professional Services	95,000.00	7,053.50	53,481.00	41,519.00	56.30%
70005 Legal	95,000.00	7,053.50	53,481.00	41,519.00	56.30%
CLERK & RECORDS					
70060101 Salary, Town Clerk w/longevity	67,550.00	5,072.48	43,116.08	24,433.92	63.83%
70060102 Salary, Clerical (2) w/longevity	87,680.00	6,479.23	56,072.30	31,607.70	63.95%
70060302 Fees, Supplies & Dues	33,000.00	373.83	9,664.25	23,335.75	29.29%
70060305 Advertising & Printing	3,000.00	286.89	1,883.60	1,116.40	62.79%
70060 Clerk & Records	191,230.00	12,212.43	110,736.23	80,493.77	57.91%
PLANNING					
70070101 Salary, Town Planner w/longevity	77,545.00	5,508.22	52,758.01	24,786.99	68.04%
70070102 Salary, Clerical (.8) w/longevity	36,444.00	2,612.20	22,053.97	14,390.03	60.51%
70070201 Planning Commission	7,150.00	0.00	0.00	7,150.00	0.00%
70070302 Fees, Supplies & Dues	5,500.00	1,426.43	2,996.35	2,503.65	54.48%
70070305 Advertising	500.00	0.00	321.00	179.00	64.20%
70070 Planning	127,139.00	9,546.85	78,129.33	49,009.67	61.45%
ZONING					
70080101 Salaries, Zoning Board (10)	10,000.00	325.00	1,950.00	8,050.00	19.50%
70080302 Supplies	700.00	342.79	-623.36	1,323.36	-89.05%
70080 Zoning	10,700.00	667.79	1,326.64	9,373.36	12.40%
PERSONNEL					
70090900 Social Security Tax	291,485.00	20,613.38	192,552.24	98,932.76	66.06%
70090901 Blue Cross/Delta Dental	681,500.00	39,918.39	368,443.90	313,056.10	54.06%
70090902 Worker's Compensation	70,000.00	0.00	60,187.00	9,813.00	85.98%
70090903 Retirement System	296,425.00	17,667.80	159,698.71	136,726.29	53.87%
70090906 Life Insurance	10,000.00	0.00	6,986.18	3,013.82	69.86%
70090907 General Liability Insurance	110,000.00	5,000.00	108,493.87	1,506.13	98.63%
70090910 Salary Study Adjustment	30,000.00	0.00	0.00	30,000.00	0.00%
70090920 Blue Cross - Police Retirees	118,805.00	11,443.81	80,619.26	38,185.74	67.86%
70090 Personnel	1,608,215.00	94,643.38	976,981.16	631,233.84	60.75%

**TOWN OF JAMESTOWN
BUDGET VS. ACTUAL
JULY 2015 - JUNE 2016
February 1, 2016 - February 29, 2016**

Account Number & Description	Annual Budget	PTD Expenses	YTD Expenses	Remaining \$	% of Budget
FINANCE OFFICE					
70100100 Salary, Finance Director w/longevity	89,597.00	6,411.24	61,997.46	27,599.54	69.20%
70100101 Salary, Deputy Tax Collector w/long	64,989.00	4,664.56	41,868.26	23,120.74	64.42%
70100102 Consultant, Computer Technican	40,000.00	4,067.84	28,582.19	11,417.81	71.46%
70100201 Professional Services	16,000.00	2,213.63	12,057.13	3,942.87	75.36%
70100302 Fees, Supplies & Dues	22,000.00	775.53	15,623.99	6,376.01	71.02%
70100 Finance	232,586.00	18,132.80	160,129.03	72,456.97	68.85%
TAX ASSESSOR					
70110101 Salary, Assessor (.8) w/longevity	53,508.00	3,864.78	32,850.63	20,657.37	61.39%
70110102 Clerical (as needed)	0.00	0.00	0.00	0.00	#DIV/0!
70110302 Fees, Supplies & Dues	12,500.00	81.53	12,281.79	218.21	98.25%
70110305 Advertising & Printing	1,100.00	0.00	784.98	315.02	71.36%
70110308 Field Inspections	0.00	0.00	0.00	0.00	#DIV/0!
70110 Tax Assessor	67,108.00	3,946.31	45,917.40	21,190.60	68.42%
AUDIT OF ACCOUNTS					
70120201 Professional Services	22,000.00	0.00	22,320.00	-320.00	101.45%
70120 Audit of Accounts	22,000.00	0.00	22,320.00	(320.00)	101.45%
POLICE PROTECTION					
70310100 Salary, Police Chief	88,521.00	6,809.26	57,878.71	30,642.29	65.38%
70310101 Salaries, Police(13)/ Dispatch(4.5) /Support (.8 & 1 seasonal)	911,986.00	70,591.72	640,023.77	271,962.23	70.18%
70310102 Longevity, Officers/Dispatch	45,943.00	0.00	21,784.83	24,158.17	47.42%
70310103 Police Benefits	46,320.00	4,375.45	42,526.20	3,793.80	91.81%
70310104 Overtime & Sick Leave	165,000.00	11,004.86	122,291.15	42,708.85	74.12%
70310105 Police Retirement	165,215.00	82,607.50	82,607.50	82,607.50	50.00%
70310302 Fees, Supplies & Dues	21,000.00	102.91	6,659.15	14,340.85	31.71%
70310303 Computer Maintenance	18,500.00	678.99	20,386.32	-1,886.32	110.20%
70310305 Advertising	0.00	0.00	65.10	-65.10	#DIV/0!
70310307 Building Maintenance	5,000.00	100.00	960.55	4,039.45	19.21%
70310308 Vehicle Insurance	8,197.00	0.00	8,197.00	0.00	100.00%
70310309 Telephone	21,500.00	1,566.73	7,979.69	13,520.31	37.11%
70310310 Personal Equipment, Uniforms	8,000.00	0.00	3,188.80	4,811.20	39.86%
70310311 Maintenance Of Uniforms	32,150.00	0.00	1,545.13	30,604.87	4.81%
70310312 Ammunition & Supplies	4,000.00	0.00	2,606.00	1,394.00	65.15%
70310313 Maintenance, Police Cars	17,500.00	742.01	5,545.10	11,954.90	31.69%
70310314 Gas & Tires	38,000.00	0.00	14,604.88	23,395.12	38.43%
70310315 Training	20,000.00	0.00	6,887.02	13,112.98	34.44%
70310316 Police Incentive	0.00	0.00	0.00	0.00	#DIV/0!
70310317 Maintenance of Radio System	14,000.00	0.00	5,690.35	8,309.65	40.65%
70310318 Equipment	8,000.00	275.94	2,292.73	5,707.27	28.66%
70310 Police Protection	1,638,832.00	178,855.37	1,053,719.98	585,112.02	64.30%
EMERGENCY MANAGEMENT AGENCY					
70311302 Emergency Management Agency	10,000.00	0.00	2,757.59	7,242.41	27.58%
70311 Emergency Management Agency	10,000.00	0.00	2,757.59	7,242.41	27.58%
FIRE PROTECTION					
70320100 Salary, Fire Chief/Fire Inspector	55,325.00	4,255.76	36,173.96	19,151.04	65.38%
70320101 Salary, Dispatch/Maintenance OT & Fill-in for Dispatch	56,510.00	0.00	15,811.20	40,698.80	27.98%
70320102 Deputy Fire Chief Stipend (2)	2,000.00	0.00	0.00	2,000.00	0.00%
70320103 Salary, Fire Inspector	17,980.00	883.05	11,893.89	6,086.11	66.15%
70320104 Fire Incentive Program	70,000.00	0.00	0.00	70,000.00	0.00%
70320302 Fees, Supplies & Dues	5,000.00	392.94	1,281.51	3,718.49	25.63%
70320308 Insurance	55,000.00	1,128.75	26,605.00	28,395.00	48.37%
70320309 Telephone	8,800.00	1,099.44	5,478.70	3,321.30	62.26%
70320313 Apparatus & Truck Repair	25,000.00	1,795.77	13,393.93	11,606.07	53.58%

**TOWN OF JAMESTOWN
BUDGET VS. ACTUAL
JULY 2015 - JUNE 2016
February 1, 2016 - February 29, 2016**

<u>Account Number & Description</u>	<u>Annual Budget</u>	<u>PTD Expenses</u>	<u>YTD Expenses</u>	<u>Remaining \$</u>	<u>% of Budget</u>
70320314 Gas, Tires & Oil	15,000.00	282.00	6,795.36	8,204.64	45.30%
70320315 Training	12,000.00	0.00	610.44	11,389.56	5.09%
70320319 Fuel Oil	14,000.00	1,149.02	1,458.57	12,541.43	10.42%
70320320 Maintenance	13,500.00	1,865.95	8,550.40	4,949.60	63.34%
70320321 Electricity	12,000.00	1,025.94	5,202.68	6,797.32	43.36%
70320322 Alarm & Radio	6,000.00	704.00	2,259.91	3,740.09	37.67%
70320323 Oxygen & Air Pack	5,000.00	0.00	649.95	4,350.05	13.00%
70320324 Water	1,500.00	278.61	601.37	898.63	40.09%
70320325 Fire Equipment	15,000.00	1,567.98	7,729.89	7,270.11	51.53%
70320326 Fire Extinguisher Agents	2,400.00	0.00	1,053.00	1,347.00	43.88%
70320399 Subscriptions & Journal	500.00	0.00	0.00	500.00	0.00%
70320 Fire Protection	396,246.00	16,429.21	145,549.76	250,696.24	36.73%
EMERGENCY MEDICAL SERVICES					
70600101 Ambulance Incentive Program	80,000.00	0.00	0.00	80,000.00	0.00%
70600102 EMS Director	27,930.00	2,483.59	14,625.97	13,304.03	52.37%
70600103 JFD EMS Captain	0.00	0.00	0.00	0.00	#DIV/0!
70600xxx Medical Director Stipend	3,000.00	0.00	0.00	3,000.00	0.00%
70600104 ALS Per Diem (12 months)	175,200.00	13,920.00	117,120.00	58,080.00	66.85%
70600330 Ambulance Building	16,000.00	1,546.66	5,350.31	10,649.69	33.44%
70600332 Ambulance Personal Equip/Uniforms	10,000.00	0.00	0.00	10,000.00	0.00%
70600333 Ambulance Medical	20,000.00	6.99	10,416.37	9,583.63	52.08%
70600334 Ambulance Office	5,000.00	49.61	1,688.81	3,311.19	33.78%
70600336 Ambulance Vehicles	12,000.00	272.45	5,450.84	6,549.16	45.42%
70600337 Ambulance Training	23,000.00	582.40	10,531.38	12,468.62	45.79%
70600455 Insurance on Ambulance	30,000.00	0.00	19,081.00	10,919.00	63.60%
70600 EMS	402,130.00	18,861.70	184,264.68	217,865.32	45.82%
PROTECTIVE SERVICE					
70330101 Salary, Building Inspector	64,564.00	4,966.44	70,284.17	-5,720.17	108.86%
PT for New Position	5,395.00	0.00	0.00	5,395.00	0.00%
70330102 Salary, Clerical (.5) w/longevity	25,014.00	1,836.82	17,767.12	7,246.88	71.03%
70330117 Salary, Electrical Inspector	10,000.00	833.33	6,666.64	3,333.36	66.67%
70330118 Salary, Plumbing Inspector	5,000.00	416.67	3,333.36	1,666.64	66.67%
70330119 Salary, Mechanical Inspector	5,000.00	416.67	3,333.36	1,666.64	66.67%
70330302 Fees, Supplies & Dues	4,500.00	76.61	3,604.72	895.28	80.10%
70330328 Hydrant Rental	160,000.00	0.00	0.00	160,000.00	0.00%
70330 Protective Service	279,473.00	8,546.54	104,989.37	174,483.63	37.57%
ADMINISTRATION					
70410101 Salary, Public Works Director (.5)	50,357.00	3,498.25	33,517.85	16,839.15	66.56%
70410302 Fees, Supplies & Dues	1,200.00	0.00	95.64	1,104.36	7.97%
70410 Administration	51,557.00	3,498.25	33,613.49	17,943.51	65.20%
ENGINEERING					
70420101 Salary/Environ Services (.6)	38,927.00	1,569.30	24,685.18	14,241.82	63.41%
70420103 Intern	10,000.00	0.00	7,519.50	2,480.50	75.20%
70420302 Fees, Supplies & Dues	1,200.00	25.00	617.84	582.16	51.49%
70420 Engineering	50,127.00	1,594.30	32,822.52	17,304.48	65.48%
HIGHWAY					
70430100 Salary, Supervisor w/longevity	67,047.00	4,883.68	42,037.37	25,009.63	62.70%
70430101 Salaries (10) w/longevity & Overtime	568,266.00	43,641.10	387,571.55	180,694.45	68.20%
70430308 Vehicle Insurance	14,520.00	0.00	14,520.00	0.00	100.00%
70430313 Upkeep of Equipment	65,000.00	2,168.18	53,953.74	11,046.26	83.01%
70430314 Oil & Gas	80,000.00	3,302.87	29,984.16	50,015.84	37.48%
70430330 Sand & Gravel	15,000.00	0.00	6,639.74	8,360.26	44.26%
70430331 Cold Patch	17,500.00	3,268.98	7,153.74	10,346.26	40.88%
70430333 Road Supplies/Street Signs	15,000.00	135.00	4,226.58	10,773.42	28.18%
70430334 Equipment Rental	3,000.00	0.00	1,450.00	1,550.00	48.33%

**TOWN OF JAMESTOWN
BUDGET VS. ACTUAL
JULY 2015 - JUNE 2016
February 1, 2016 - February 29, 2016**

Account Number & Description	Annual Budget	PTD Expenses	YTD Expenses	Remaining \$	% of Budget
70430336 Clothing (contractual)	5,500.00	0.00	5,700.10	-200.10	103.64%
70430399 Safety & Licensing	6,500.00	528.26	4,041.09	2,458.91	62.17%
70430 Highway	857,333.00	57,928.07	557,278.07	300,054.93	65.00%
SNOW REMOVAL					
70440336 Snow Removal (overtime)	28,000.00	15,367.73	16,253.76	11,746.24	58.05%
70440337 Equipment & Supplies	49,000.00	9,323.83	34,400.63	14,599.37	70.21%
70440 Snow Removal	77,000.00	24,691.56	50,654.39	26,345.61	65.78%
WASTE REMOVAL					
70450101 Salary, Operator w/longevity Sunday OT hours	55,607.00 6,335.00	4,466.40 0.00	39,600.68 0.00	16,006.32 6,335.00	71.22% 0.00%
70450309 Telephone	600.00	51.97	362.96	237.04	60.49%
70450321 Electricity	1,300.00	183.35	523.25	776.75	40.25%
70450340 Maintenance & Testing	42,000.00	7,500.00	23,033.00	18,967.00	54.84%
70450341 Transfer Trucking & Recycling	310,000.00	26,200.18	176,818.86	133,181.14	57.04%
70450350 Hazardous Waste Recycling	500.00	0.00	0.00	500.00	0.00%
70450 Waste Removal	416,342.00	38,401.90	240,338.75	176,003.25	57.73%
STREET LIGHTING					
70460321 Electricity	82,500.00	7,339.18	41,315.94	41,184.06	50.08%
70460 Street Lighting	82,500.00	7,339.18	41,315.94	41,184.06	50.08%
OTHER PUBLIC WORKS					
70480342 Town Cemetery & Parade	2,100.00	0.00	789.69	1,310.31	37.60%
70480 Other Public Works	2,100.00	0.00	789.69	1,310.31	37.60%
PUBLIC BUILDINGS					
70490101 Service Contract Custodial	60,000.00	3,265.57	37,076.56	22,923.44	61.79%
70490302 Building/Cleaning Supplies	5,300.00	0.00	812.59	4,487.41	15.33%
70490309 Telephone & Alarms	15,000.00	1,196.72	9,912.68	5,087.32	66.08%
70490321 Electricity	60,000.00	4,813.72	28,806.45	31,193.55	48.01%
70490324 Water	10,500.00	92.75	4,494.19	6,005.81	42.80%
70490343 Heat	45,000.00	3,385.56	7,671.27	37,328.73	17.05%
70490344 Repairs & Maintenance	43,000.00	6,918.38	28,936.80	14,063.20	67.29%
70490375 Landscape	9,500.00	0.00	3,127.75	6,372.25	32.92%
70490 Public Buildings	248,300.00	19,672.70	120,838.29	127,461.71	48.67%
TREE MANAGEMENT PROGRAM					
70495101 Consultant	9,600.00	0.00	5,525.00	4,075.00	57.55%
70495302 Materials & Supplies	1,800.00	0.00	939.35	860.65	52.19%
70495360 Tree Pruning	15,000.00	3,527.14	12,308.41	2,691.59	82.06%
70495370 Purchase Of Trees	5,000.00	0.00	1,875.00	3,125.00	37.50%
70495375 Water	0.00	0.00	500.00	-500.00	#DIV/0!
70495 Tree Management Program	31,400.00	3,527.14	21,147.76	10,252.24	67.35%
PUBLIC WELFARE					
70500101 Salary, Welfare Director	3,964.00	0.00	1,982.00	1,982.00	50.00%
70500347 New Visions, Newport County	0.00	0.00	0.00	0.00	#DIV/0!
70500 Public Welfare	3,964.00	0.00	1,982.00	1,982.00	50.00%
PUBLIC HEALTH					
70600456 Visiting Nurse/Mental Health/ SC Hospice/ Substance Abuse	17,500.00	1,500.00	10,500.00	7,000.00	60.00%
70600458 Senior Center Operations	71,693.00	8,007.04	49,769.01	21,923.99	69.42%
70600 Public Health	89,193.00	9,507.04	60,269.01	28,923.99	67.57%

**TOWN OF JAMESTOWN
BUDGET VS. ACTUAL
JULY 2015 - JUNE 2016
February 1, 2016 - February 29, 2016**

Account Number & Description	Annual Budget	PTD Expenses	YTD Expenses	Remaining \$	% of Budget
ANIMAL CONTROL					
70610xxx Animal Control Services/Shelter	5,000.00	0.00	0.00	5,000.00	0.00%
70610302 Fees, Supplies & Dues	0.00	0.00	0.00	0.00	#DIV/0!
70610306 Tick Task Force	15,000.00	0.00	1,166.28	13,833.72	7.78%
70610 Animal Control	20,000.00	0.00	1,166.28	18,833.72	5.83%
LIBRARY					
70700100 Salary, Librarian w/longevity	69,921.00	6,952.78	46,308.13	23,612.87	66.23%
70700101 Salaries (2FT & 2@.875)w/longevity	144,990.00	10,839.33	89,864.70	55,125.30	61.98%
70700102 Custodian	0.00	0.00	2,612.20	-2,612.20	#DIV/0!
70700302 Fees, Supplies & Dues	8,500.00	1,003.37	5,024.55	3,475.45	59.11%
70700308 Insurance	12,850.00	0.00	12,850.00	0.00	100.00%
70700309 Telephone	1,200.00	76.64	545.11	654.89	45.43%
70700310 Equipment	500.00	0.00	538.95	-38.95	107.79%
70700321 Electricity	24,000.00	640.66	10,544.37	13,455.63	43.93%
70700343 Heat	18,500.00	1,937.10	2,474.56	16,025.44	13.38%
70700344 Repairs & Maintenance	19,000.00	2,775.09	10,836.66	8,163.34	57.04%
70700345 Information Technology	6,000.00	0.00	1,014.52	4,985.48	16.91%
70700351 Books & Periodicals	29,000.00	2,450.98	19,828.25	9,171.75	68.37%
70700352 Books - State Aid	87,697.00	3,940.78	50,968.31	36,728.69	58.12%
70700 Library	422,158.00	30,616.73	253,410.31	168,747.69	60.03%
PARKS, BEACHES & RECREATION					
70800101 Salary, Director w/longevity	65,506.00	4,966.42	34,715.90	30,790.10	53.00%
70800102 Salaries, Rec, Parks (3) w/longevity	124,564.00	11,623.34	192,768.80	-68,204.80	154.75%
Seasonal Support Staff	142,221.00	0.00	0.00	142,221.00	0.00%
70800103 Salary, Teen Center Coordinator	35,653.00	2,742.55	23,288.19	12,364.81	65.32%
70800104 Salaries, Teen Center Support Staff	15,749.00	0.00	3,741.25	12,007.75	23.76%
70800302 Fees, Supplies & Dues	5,965.00	609.49	4,248.82	1,716.18	71.23%
70800305 Advertising & Printing	3,750.00	0.00	1,271.75	2,478.25	33.91%
70800308 Insurance	6,470.00	0.00	6,470.00	0.00	100.00%
70800309 Telephone	2,500.00	215.89	1,511.14	988.86	60.45%
70800310 Equipment	4,500.00	600.40	2,209.50	2,290.50	49.10%
70800314 Gas & Oil	10,000.00	0.00	5,387.55	4,612.45	53.88%
70800321 Electricity & Field Lighting	30,000.00	55.62	14,028.50	15,971.50	46.76%
70800322 Ft Getty Waste Water Removal	7,000.00	0.00	4,620.00	2,380.00	66.00%
70800323 Shores Beach/Sanitary Facility	3,000.00	0.00	0.00	3,000.00	0.00%
70800324 Water	12,000.00	0.00	18,974.48	-6,974.48	158.12%
70800341 Trash Removal	10,000.00	313.00	6,309.00	3,691.00	63.09%
70800344 Repairs, Maintenance &	26,000.00	2,078.25	16,547.13	9,452.87	63.64%
70800382 Summer Programs	3,825.00	0.00	471.93	3,353.07	12.34%
70800383 Winter Programs	1,200.00	0.00	500.00	700.00	41.67%
Senior Programs	3,000.00	0.00	0.00	3,000.00	0.00%
PAC-Operational	15,000.00	0.00	0.00	15,000.00	0.00%
70800 Parks, Beaches & Recreation	527,903.00	23,204.96	337,063.94	190,839.06	63.85%
70801381 Special Activities	0.00	686.97	5,159.69	5,159.69	
70801384 Exercise	0.00	0.00	-2,101.80	0.00	
70801386 Flag Football S/F	0.00	0.00	0.00	0.00	
70801388 Basketball S/F	0.00	0.00	-1,174.40	-1,174.40	
70801391 Sports Camp S/F	0.00	0.00	3,482.93	3,482.93	
70801392 Tennis S/F	0.00	0.00	638.99	638.99	
70801393 Soccer S/F	0.00	0.00	-564.00	-564.00	
70801395 Girl's Softball S/F	0.00	0.00	0.00	0.00	
70801396 Restoration Rec Ctr S/F	0.00	0.00	0.00	0.00	
70801398 Pavilion	0.00	-1,286.86	-3,008.62	-3,008.62	
70801399 Miscellaneous	0.00	0.00	0.00	0.00	
70801400 Volleyball S/F	0.00	0.00	0.00	0.00	
70801401 Summer Playground S/F	0.00	0.00	-11,191.76	-11,191.76	
70801402 J.Y.O. S/F	0.00	0.00	0.00	0.00	
70801 Recreation Programs	0.00	-599.89	-8,758.97	-6,657.17	

**TOWN OF JAMESTOWN
BUDGET VS. ACTUAL
JULY 2015 - JUNE 2016
February 1, 2016 - February 29, 2016**

<u>Account Number & Description</u>	<u>Annual Budget</u>	<u>PTD Expenses</u>	<u>YTD Expenses</u>	<u>Remaining \$</u>	<u>% of Budget</u>
<i>DEBIT SERVICE</i>					
70900504 Payment Of Principal	520,000.00	0.00	100,000.00	420,000.00	19.23%
70900505 Payment Of Interest	276,060.00	0.00	138,530.00	137,530.00	50.18%
70900503 Lease DPW Equipment Resolution	71,362.00	44,519.31	67,576.81	3,785.19	94.70%
xxxxxxx Lease JetVac *included in above	0.00	0.00	0.00	0.00	#DIV/0!
138 Narragansett Ave	28,500.00	0.00	0.00	28,500.00	0.00%
Fire Station Improvements	47,750.00	0.00	0.00	47,750.00	0.00%
70900 Debit Service	943,672.00	44,519.31	306,106.81	637,565.19	32.44%
<i>MISCELLANEOUS</i>					
70920527 Incidentals & Emergencies	50,000.00	0.00	6,040.36	43,959.64	12.08%
70920530 Conservation Commission	2,200.00	0.00	-565.45	2,765.45	-25.70%
70920550 Chamber of Commerce Development	4,000.00	0.00	1,500.00	2,500.00	37.50%
70920536 Eastern RI Co-Op Extension	0.00	0.00	0.00	0.00	#DIV/0!
Economic Development	5,000.00	0.00	0.00	5,000.00	0.00%
70920 Miscellaneous	61,200.00	0.00	6,974.91	54,225.09	11.40%
Total	9,184,047.00	648,024.85	5,144,128.85	4,039,918.15	56.01%

MORNEAU & MURPHY
ATTORNEYS AT LAW

JOHN AUSTIN MURPHY
JOHN B. MURPHY
RICHARD N. MORNEAU*

EMILY J. MURPHY **
CHRISTIAN S. INFANTOLINO*

NEALE D. MURPHY
1904-2003

March agenda 2016

77 NARRAGANSETT AVENUE
JAMESTOWN, RI 02835-1149
(401) 423-0400 TELEPHONE
(401) 423-7059 FACSIMILE

38 NORTH COURT STREET
PROVIDENCE, RI 02903-1217
(401) 453-0500 TELEPHONE
(401) 453-0505 FACSIMILE

*ALSO ADMITTED IN MASSACHUSETTS

**ALSO ADMITTED IN CONNECTICUT

RECEIVED
TOWN OF JAMESTOWN, R.I.
16 FEB 17 PM 3:32

February 11, 2016

Alcoholic Beverage Licensing Commission
Jamestown Town Hall
93 Narragansett Avenue
Jamestown, RI 02835

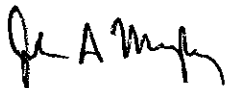
Re: Conanicut Marine Services, Inc./Class G. Liquor License

Dear Commissioners:

This letter constitutes our formal request that pursuant to RIGL § 3-7-15, the Town of Jamestown grant us permission to serve alcoholic beverages to our patrons aboard our ferries, The Jamestown and the MV Katherine, while at dockside at East Ferry in Jamestown for the 2016 season.

Should the Commission wish to discuss any aspect of this request, we would be pleased to appear at its convenience. Please let us know if this will be required.

Very truly yours,



John A. Murphy
General Counsel

Enclosure: Class G Liquor Licenses
Copy of RIGL 3-7-15

Cc: William S. Munger

(c) The fee for the license shall be thirty-five dollars (\$35.00).

History of Section.

P.L. 1998, ch. 3, § 1.

Compiler's Notes. The subsection designations (a) to (c) were added and other stylis-

tic changes were made by the compiler to make this section consistent with the 1998 reenactment of this title.

3-7-15. Class G license. — (a) A Class G retailer's license shall be issued only to any dining car company, sleeping car company, parlor car company, and railroad company operating in this state, or any company operating passenger carrying marine vessels in this state, or any airline operating in this state, and authorizes the holder of the license to keep for sale and to sell in its dining cars, sleeping cars, buffet cars, club cars, lounge cars and any other cars used for the transportation or accommodation of passengers, and in or on any passenger-carrying marine vessel, and in any airplane, beverages for consumption therein or thereon, but only when actually en route.

(b) In addition, the holder of the Class G license for a passenger-carrying marine vessel may serve alcoholic beverages at retail aboard the vessel during the period thirty (30) minutes prior to the scheduled departure and until departure, provided that the local licensing board annually consents.

(c) Each company or airline to which the license is issued shall pay to the department an annual fee of one hundred dollars (\$100) for the license, and one dollar (\$1.00) for each duplicate of the license, which fees are paid into the state treasury.

(d) The license expires one year from its date and is good throughout the state as a state license, and only one license is required for all cars or airplanes, but a license issued to any company or person operating passenger-carrying marine vessels in this state shall authorize the sale of beverages only in the passenger-carrying marine vessel designated and no further license shall be required or tax levied by any city or town for the privilege of selling beverages for consumption in those cars or on those vessels or in those airplanes. Each licensed dining car company, sleeping car company, and railroad car company shall keep a duplicate of the license posted in each car where beverages are sold. The department shall issue duplicates of the license from time to time upon the request of any licensed company upon the payment of the fee of one dollar (\$1.00).

History of Section.

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2088, § 2; P.L. 1935, ch. 2270, § 1; P.L. 1937, ch. 2525, § 1; G.L. 1938, ch. 163, § 3; P.L. 1939, ch. 660, § 120; G.L. 1956, § 3-7-15; P.L. 1960, ch. 75, § 2; P.L. 1986, ch. 535, § 2; P.L. 1994, ch. 39, § 1.

Reenactments. The 1998 Reenactment (P.L. 1998, ch. 441, § 1) designated the subsections.

Cross References. Beverages salable, § 3-5-12.

Posting of licenses, § 3-5-18.

Power to issue license, § 3-5-14.

Revocation or suspension of licenses, §§ 3-5-21 — 3-5-23, inclusive.

Collateral References. Liability for license fee of one who has conducted business without required license. 5 A.L.R. 1312; 107 A.L.R. 652.



CITY OF NEWPORT
OFFICE OF THE MAYOR
Jeanne-Marie Napolitano
Mayor

February 17, 2016

Members of the Town Council
Jamestown Town Hall
P.O. Box 377
Jamestown, RI 02835-1199

Dear Council Members:

On Saturday, March 12, 2016, Newport will celebrate its 60th Annual Saint Patrick's Day Parade, and we would be honored if you would participate in the festivities and march in the parade.

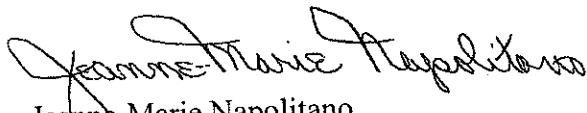
Mark your calendar and come join us and celebrate one or all of the following events:

**60th ANNUAL ST. PATRICK'S DAY PARADE
SATURDAY, MARCH 12, 2016**

9:00 a.m. - Mass at St. Joseph's Church - Corner of Broadway and Mann Ave.
10:00 a.m. - Light Irish Breakfast at Thompson Middle School - 55 Broadway
11:00 a.m. - Prompt Step-Off of Parade from City Hall - 43 Broadway

The excitement of Irish Heritage Month and the St. Patrick's Day Parade are events we wish to share with all of Rhode Island. I do hope you will plan to attend.

Sincerely,


Jeanne-Marie Napolitano
Mayor

JMN/ras
RSVP
(401)845-5437



Armenian National Committee OF RHODE ISLAND

7 Armenia Street
Providence, Rhode Island 02909

February 22, 2016

Town Clerk Cheryl Fernstrom
Jamestown Town Hall
93 Narragansett Ave.
Jamestown, RI 02835

Dear Cheryl Fernstrom:

For the past sixteen years, the Town of Jamestown has participated in our program to have the Armenian flag raised in memory of the Ottoman Turkish government's attempt to eliminate the Christian Armenians from their ancestral lands through planned Genocide during World War I. The flag is to be flown on April 24th, which is the date when 300 Armenian leaders, doctors, lawyers, priests and others were hung in the center of Constantinople, thus beginning the systematic planned elimination of the Armenians from their homeland, which they had occupied for over 2000 years.

It is widely known and accepted by scholars, historians and most of the civilized world as the first Genocide of the 20th Century, a precursor to the Holocaust. Enclosed is a copy of last year's House of Representatives Resolution recognizing the day as well as a copy of a law in our state allowing for the teaching of this and other cases of Man's Inhumanity to Man over the past two centuries.

Armenians here in Rhode Island and all over the world contribute to their cultural, educational, political and religious communities. There are about 12,000 Armenians in the State of Rhode Island and every one of them would be pleased and honored if you would continue to fly our flag in memory of the 1,500,000 Armenian men, women and children who lost their lives during that period. If you need the flag replaced due to wear or it is missing, please let us know.

The flag is to be flown with the red stripe on top.

Thank you,

Stephen J. Elmasian

Armenian National Committee of Rhode Island
401-573-7888
steveelmasian@gmail.com

Headquarters:

Armenian National Committee — Eastern U.S.A. • 80 Bigelow Avenue, Watertown, MA 02472 • (917) 428-1918

Offices in:

Washington • Los Angeles • Toronto • Buenos Aires • London • Paris • Athens • Yerevan • Beirut • Sydney



Rhode Island Housing
working together to bring you home

3

February 26, 2016

The Honorable Kristine S. Trocki
President, Jamestown Town Council
Jamestown Town Hall
93 Narragansett Ave
Jamestown, RI 02835

Dear Council President Trocki,

This letter is to inform you that Rhode Island Housing intends to file an application with the Department of Agriculture, Rural Housing Service under the Section 533 Housing Preservation Grants for Fiscal Year 2016. The purpose of this program will be to provide amortizing and deferred loans to conduct rehabilitation on rental properties with five or more units serving low-income households in USDA eligible areas in Rhode Island.

If awarded funding, Rhode Island Housing will send a notification letter to Council Presidents and Planning Directors. To request a copy of the Statement of Activities for this grant, provide comments, or to learn more, please contact Stacy Wasserman, Special Assistant for Government Relations and Policy, at swasserman@rhodeislandhousing.org or 401-457-1242.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carol Ventura".

Carol Ventura
Deputy Director

Cc: Planning Director

TOWN OF FOSTER RHODE ISLAND

RESOLUTION 2016-02

RESOLUTION OF THE FOSTER TOWN COUNCIL

SUBJECT: SUPPORT OF THE FORMATION OF A COALITION AMONG RHODE ISLAND'S REGIONAL SCHOOL DISTRICTS.

WHEREAS, the General Assembly promised a regional incentive to local communities to induce them to form regional school districts; and

WHEREAS, the towns of Bristol, Charlestown, Exeter, Foster, Glocester, Hopkinton, Richmond, Warren, and West Greenwich relied on the promises of the General Assembly to form the regional school districts of Bristol-Warren, Chariho, Exeter-West Greenwich, and Foster-Glocester, and

WHEREAS, the regional incentive was phased out in 2010 with the passage of the new education funding formula; and

WHEREAS, transportation categorical funds were provided in 2010 to regional school districts to partially offset the loss of the regional incentive and to reimburse for the higher transportation costs of the regional districts, and

WHEREAS, R.I.G.L.16-7.2-6 "requires that the state and regional school district share equally the student transportation costs net any federal sources of revenue for these expenditures"; and

WHEREAS, transportation categorical funds were level funded in 2016 and the regional school districts received less transportation categorical funds in 2016 than were required under R.I.G.L. 16-7.2-6; and

WHEREAS, the Rhode Island Department of Education has recommended a budget to the regional school districts which calls for less transportation categorical funding for regional school districts than is required for 2017 under R.I.G.L. 16-7.2-6; and

WHEREAS, the regional school districts have designed and implemented a number of efficient, innovative and creative educational programs to meet the learning needs of all students; and

WHEREAS, the investment of state resources in our regional school districts has yielded positive educational outcomes for all students; and

WHEREAS, to ensure that students attending the regional school districts continue to receive a high quality public education and to reduce the burden on the taxpayers of regional school districts, that the Bristol Warren Regional School District, the Chariho Regional School District, the Exeter –West Greenwich Regional School District, and the Foster-Glocester Regional School District will:

1. cooperate and collaborate in matters related to state financial support of regional school districts, including the reinstatement of the regional incentive;

2. share knowledge with each other regarding efficient, innovative and creative educational programming;
3. disseminate information related to state funding of regional school districts and communicate with each other when state funding sources are threatened;
4. jointly introduce and/or support legislation, as necessary, to (a) protect the educational and financial interests of regional school districts and (b) advance the educational mission of regional school districts;
5. inform and seek the support of all related town councils and legislators regarding matters of mutual interest to regional school districts; and
6. advocate for full state funding of regional school districts, including transportation categorical funding, as call for in state law.

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Foster supports the formation of the Coalition of Regional School Districts and fully supports the goals of said Coalition as enumerated above.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to our State Delegation, the RI League of Cities and Towns and to all Rhode Island municipalities requesting support of the Coalition among Rhode Island's Regional School Districts.

This Resolution was read and approved by the Foster Town Council on Thursday, February 25, 2016.

Adopted this 25th day of February, 2016.

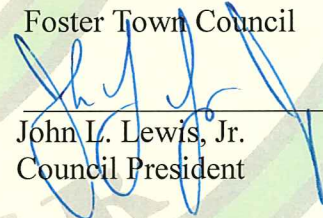
WHERETO the following bear witness:

Signed:



Jane H. Christopher
Town Clerk

Foster Town Council



John L. Lewis, Jr.
Council President

