**TOWN COUNCIL MEETING**

**June 27, 2016**

# ROLL CALL

Town Council Members present:

Kristine S. Trocki, President

Mary E. Meagher, Vice President

Michael G. White

Thomas P. Tighe

Town Council Members absent:

Blake A. Dickinson

Also in attendance:

Andrew E. Nota, Town Administrator

Christina D. Collins, Finance Director

Edward A. Mello, Police Chief

James Bryer, Fire Chief

Howard Tighe, Deputy Chief

Steve Tiexiera, Deputy Chief 3

Lisa Bryer, Town Planner

Michael C. Gray, Public Works Director

Peter D. Ruggiero, Town Solicitor

Cheryl A. Fernstrom, Town Clerk

# CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:08 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Tighe led the Pledge of Allegiance.

# ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

## Presentation by the Jamestown Philomenian Library Board of Trustees: Building Needs Assessment - Mary Lou Sanborn, Jennifer Cloud, Dorothy Strang and Chris Walsh

## Board of Trustees Chair Mary Lou Sanborn introduced the Building Needs Assessment Committee Members and the detailed Needs Assessment of the Jamestown Philomenian Library. The last renovation project was 25 years ago.

Jennifer Cloud of East Shore Road distributed a summary sheet of the history of the Library facility and findings from the Needs Assessment Report including:

Background

* The Library is one of the most used public buildings in Jamestown
* JPL one of the busiest libraries in the State – 2nd highest in visits per capita and 3rd highest in circulation per capita

Approach

* Renovation Committee formed in September 2015 – met through May 2016
* Consultant Catherine Taylor, approved by OLIS, hired as resource to help secure grants and facilitate project process, including staff interviews
* Wright Museum family representative engaged for discussion of the history of the museum and its place in the Library renovation
* Tiverton Library visited (before its opening) for ideas and information
* Survey conducted with 10% of the population taking part

Facility - Chris Walsh

* Repairs and renovations for the building evaluated for needs including: carpets, HVAC system, roof, painting, lighting, restroom rehabilitation, museum improvements, furnishings, technology improvements, front door replacement, generator, sidewalk repair, fuel tank and wastewater pump
* Basement – could be better utilized for the future; potential uses noted, some of which may need an elevator

Technology – Jennifer Cloud

* Last renovation did not plan for computers
* Patrons moving towards mobile devices – with new complications – building not equipped with necessary outlets (connectivity)
* Library computers do not have enough space; little privacy

Staff Area - Dorothy Strang – Member from the Friends of the Library

* Staff area cramped, crowded and inadequate – schematic displayed and reviewed
* When 1993 renovation completed there was one full time librarian and 6 part time employees
* Today JPL employees 3 full time librarians, 2 full time staff members, and six part time employees plus volunteers
* Library is below the standard for work space by over 1000 sq. ft.
* JPL processes 35,312 inter-library items in 2015
* Circulation desk area also used for staff work and mobile cart storage, creating space problems, and tendency to be noisy
* Lack of quiet space for staff for private work area

Meeting Spaces – Chris Walsh

* Large Meeting Room resource for many community groups; very accommodating and accessible and reserved 328 times over the past year; it lacks flexibility, storage, and does not accommodate more than one use at a time
* Small Meeting Spaces (areas for 2 or more patrons) in high demand and short supply; popular for tutoring, tax preparation, knitting groups, sign language classes, and students working together; such spaces were reserved 562 times over the past year and used whenever available as well; the common complaint in the survey was that the spaces are noisy; the need for quiet, flexible small spaces is on the rise
* Sydney Wright Room is another meeting room for 15 to 30 people, used less frequently. It serves as a Museum, housing artifacts from 17th and 18th century Narragansett Indian settlements, prehistoric artifacts, and local history materials. The artifacts belong to the Narragansett Tribe and could be removed at any time. Security, liability and preservation of the artifacts are ongoing concerns, and any renovation must consider their protection and long-term care.

Children’s, Young Adult, and Adult Areas – Dorothy Strang

* Children’s and Young Adult areas are over-crowded, below national standards for shelving space, with no office for the Children’s and Young Adult Librarian. Until the 1993 renovation, there was no children’s space. Increased attendance called for an increase in the book collection by 5% per year. There are 17.6 items per linear foot on the shelves, and the national standard is 10 items per linear foot. Increased populations for story times and craft time requiring 3 story times. Children’s Librarian Lisa Shelley reports by national standards 25% more space is required for story time and 50% more space for craft time. In 2011 there was a focus on the Young Adult section and it has an expanded collection adequately shelved per national standards, with computer and work stations and teen-friendly seating.
* Adult space – since the renovations in 1993, other designated spaces have made that area more of a collections space, and it is not big enough, not shelved at national standards, and the 36 inch aisles are minimally ADA compliant (42-44 inches standard). Limited space is left for adult patrons that includes 6 computer cubicles, 2 study carols, round tables for 4 and 2, and 2 easy chairs plus other chairs, with poor lighting and aesthetics, and unusable space in front of former front door.
* Demographics - 75% of survey respondents over 50; 2015 Census Data – 55% of year-round residents are over 50. All age groups/patrons are important and should be accommodated.

Wrap-up – Chris Walsh

* The last renovation in 1993 created the (east) main entrance and closed the North Road entrance. Survey respondents argued for greater North Road presence.
* Safe Routes to School program includes a sidewalk on North Road, which is a State Road, and OLIS requires any library entrance on a State Road must be handicapped accessible.
* Playground – Library parking lot, restrooms and drinking fountain used by visitors and facilities need work.
* JAC – Library parking lot and nearby streets used for parking, and biggest complaint in survey was lack of parking in the area.
* Coordination and Communication - Additional parking, public memorial to Narragansett Tribe, and Playground renovation will impact any Library renovation and is of critical importance as this project moves forward.

President Trocki thanked the Committee for the thorough presentation and opened the meeting to questions.

Council members asked for next steps and timeline. Board of Trustees Chair Mary Lou Sanborn commented the feasibility study is complete, we are moving into the design phase, and formation of a Building Committee will be at the next meeting, with schematic design as the next phase.

# 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 motion was made by Vice President Meagher with second by Councilor White to convene as the Alcoholic Beverage Licensing Board for the Town of Jamestown and open the public hearing at 7:57 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## **Town Council Sitting as the Alcoholic Beverage Licensing Board**

### **NOTICE** is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3 Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **NEW** license application has been received by the Town Council under said Act, for the period May 17, 2016 to November 30, 2016 (duly advertised in the *Jamestown Press* April 28th and May 5th editions), and continued from the public hearing of June 14, 2016:

### **CLASS B – VICTUALER - LIMITED**

PP Jamestown, LLC

dba: Preppy Pig BBQ

35 Narragansett Avenue

Jamestown, RI 02835

Jason Pannone in attendance stated the project is moving along, they should be ready to go for the July Town Council meeting, and requested continuance of the public hearing to the July 19th Council Meeting.

**A motion was made by Vice President Meagher with second by Councilor White to continue the Liquor License public hearing for PP Jamestown, LLC dba: Preppy Pig BBQ to the July 19th meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

#### Approval of the Liquor License for a **NEW CLASS B – VICTUALER – LIMITED LICENSE;** review and discussion and/or potential action and/or vote

#### Approval to raise the **CLASS B – VICTUALER – LIMITED LICENSE CAP** to Two (2) [Present Cap One (1)] and set the **CLASS B – VICTUALER – LIMITED LICENSE CAP** at Two (2); review and discussion and/or potential action and/or vote

#### Approval to raise the total number of **LIQUOR LICENSES** in the Town of Jamestown to **THIRTEEN (13)** from Twelve (12); review and discussion and/or potential action and/or vote

### Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956 and as amended the following license application has been received under said Act for August 20, 2016;

### **CLASS F (NON-PROFIT)**

Jamestown Chamber of Commerce

P.O. Box 35

53 Narragansett Avenue

Jamestown, RI 02835

#### Approval of the **CLASS F (NON-PROFIT) LIQUOR LICENSE;** review and discussion and/or potential action and/or vote

#### Request for waiver of the Class F (Non-Profit) Liquor License Fee ($15.00); review and discussion and/or potential action and/or vote

President Trocki recuses on this issue, files the appropriate form, and leaves the dais, as she is a board member of the Chamber of Commerce. Vice President Meagher presides over the meeting.

Monique Paquin, Executive Director of the Jamestown Chamber of Commerce, addresses the Council stating she is requesting a Class F Liquor License for their annual “Chamber Night” event on Saturday, August 20th. They also request a waiver of the $15 license fee as they are a non-profit organization. The proceeds of the event will benefit the Chamber and another local non-profit to be announced shortly.

Vice President Meagher states this is new and will set an example for other non-profit groups. Town Administrator Nota stated this has not been a common practice in Jamestown and is one we should adopt. Chief Mello stated this practice has been in discussion with the Town Administrator, and the Chamber is performing their due diligence in making sure they are properly licensed. Non-profit organizations are allowed to have up to five such licenses per year to serve or sell beer and wine for an event. The other alternative is to have a Caterer with a Class P License, and they have opted for the Class F License.

**A motion was made by Councilor White with second by Councilor Tighe to approve the Class F Liquor License for the Chamber of Commerce for August 20, 2016. President Trocki, Recused; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Councilor White with second by Councilor Tighe to waive the fee. President Trocki, Recused; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye. Councilor Tighe, Aye.**

President Trocki returns to preside over the meeting.

This will encourage other non-profits to come forward to apply for Class F licenses. Mr. Nota explained Class F and Class F1 licenses are used in other communities statewide. It provides another check and balance, especially when holding public and private events on Town-owned properties. This was precipitated by a BYOB event that raised consciousness of the dangers involved with such events. The Class F license provides oversights and protections, and we need to educate groups on the licensing procedure for non-profit organizations. Discussion continued.

**A motion was made by Vice President Meagher with second by Councilor White to continue Agenda item IV. A) Class B – Victualer – Limited License for Jamestown Peppy Pig, as well as the approval for a new Class B – Victualer – Limited License, as well as approval to raise the Class B – Victualer Limited License Cap to Two, presently set at One, and an approval to raise the total number of Liquor licenses for the Town overall to Thirteen from Twelve to the next Council meeting date of July 19, 2016. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor White to adjourn as the Alcoholic Beverage Licensing Board. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye. Councilor Tighe, Aye.**

## Licenses and Permits; review and discussion and/or potential action and/or vote

### Multi-License Application (new), continued from June 14, 2016

Victualing and Entertainment

#### PP Jamestown, LLC dba: Preppy Pig BBQ

#### Location: 35 D Narragansett Avenue

### Holiday License (new), continued from June 14, 2016

#### PP Jamestown, LLC dba: Preppy Pig BBQ

Location: 35 D Narragansett Avenue

**A motion was made by Vice President Meagher with second by Councilor White to continue the Multi-License Application for the Victualing and Entertainment Licenses as well as the Holiday License for Preppy Pig to the July 19th meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye. Councilor Tighe, Aye.**

### One Day Event/Entertainment License Applications

#### Applicant: Bay Voyage, LLC dba: Bay Voyage

Event: July 3rd Fireworks Display - Jamestown

Date: July 3, 2016

Location: Lawn Area at Bay Voyage

150 Conanicus Avenue

#### Applicant: Bay Voyage, LLC dba: Bay Voyage

#### Event: July 4th Fireworks Display - Newport

#### Date: July 4, 2016

#### Location: Lawn Area at Bay Voyage

#### 150 Conanicus Avenue

The Bay Voyage is requesting to have alcohol service on the lawn for the two events. Chief Mello offered clarification; when the Council approved the Bay Voyage’s liquor license they were not allowed to have alcohol service on the lawn area, it was limited to the deck area and pool area, and if they wanted have an event or serve alcohol on the lawn, they were required to have a special event permit. Mr. Sullivan’s letter was read in which he asked to have waitress service on the lawn in order to ensure proper ID checks and supervision. Wait staff would be bringing beverages onto the lawn from the bar area. Concern for alcohol service on the lawn by area residents was noted. It appears Mr. Sullivan is following proper procedure. Chief Mello stated this is a policy decision for the Council. This is a request for an expansion of use.

There was no reference to entertainment, and it should be known that no entertainment is allowed in the outside area for the two dates. Discussion ensued of whether drinks can be brought onto the lawn from the restaurant. Chief Mello stated the liquor license limits the service area to the deck and pool and inside area. This is a unique property not limited to one use. Mr. Sullivan is covering his bases to allow alcohol service on the lawn, with the limitations imposed by the Council. The conditions were put in place when the license was first granted. Councilor White commented on the letter and Mr. Sullivan’s concern for staff monitoring so that someone doesn’t purchase drinks from the bar and hand one to a minor. It would have been helpful if Mr. Sullivan were here to answer questions. Chief Mello stated due to an expected mixed population at the event, the license should be specific as to what is allowed and what conditions are placed on the granting of the license. There must be monitoring so that patrons do not take alcoholic beverages off the property. The license should specify what is allowed, entrances and exits must be monitored, no bar only wait service, and monitoring so only legal age patrons consume alcohol. Councilor Tighe believes we should deny it.

Christian Infantolino of Reservoir Circle stated he represented the Bay Voyage when they applied for the liquor license but is not representing them at this time. When the liquor license public hearing was held, the Council directed the Bay Voyage apply for a special event permit for special occasions and events, and this is what Mr. Sullivan has done. From past discussions the intention was for wait service on the lawn for such events. Mr. Infantolino stated he goes to the fireworks with family, it is a great vantage point, and the alcohol service would be a nice additive. He understands the concern, and service by wait staff and no bar is a reasonable restriction. The present license allows patrons to purchase alcohol and bring it onto the lawn. It appears Mr. Sullivan is trying to minimize the potential overflow of alcohol coming onto the property by using TIP trained servers, and having patrons monitored will be an added advantage.

**A motion was made by Councilor Tighe to deny the License.** There was no second.

Discussion ensued of conditions for the granting of the licenses that include Chief Mello’s conditions, employees should monitor the entrances, he will provide wait service, there will be no bar on the lawn, that there will be a time limitation both nights in consideration of the neighbors, there should be no entertainment, and monitoring patrons movement so they do not cross over onto streets or town property across from the beach.

**A motion was made by Vice President Meagher with second by Councilor White to approve the two requests for both July 3rd and July 4th given the caveats as described by Chief Mello**

* **Provide employees who will monitor entrances and exits to the lawn area**
* **Service will be provided by wait staff**
* **There will be no bar on the lawn**
* **There will be no entertainment in the outside area**
* **There will be a time limit of 10:30 p.m. both nights**
* **There will be monitoring of movement of patrons to ensure they do not cross over onto streets or town property across from the beach**

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

This is a trial license, and if there are other requests for special event licenses, Mr. Sullivan should be present to address them.

#### Applicant: James A. Thompson

Event: RI Beach Boogie

Date: July 9, 2016

Location: Fort Getty Pavilion

James Thompson in attendance reviewed the event held last year, when there were five bands over the course of the day. The attendees and band members are 60 and older, and the event was very mellow. He is involved in music as a DJ for WRIU. He felt the Pavilion would be a beautiful place for the event, it worked out well last year, and he is applying again this year. Mr. Thompson stated he is not selling or providing alcohol and last year he went through former Director Piva, who informed him he should have liquor liability insurance to cover attendees who bring and consume alcohol. He purchased the liquor liability policy for this year as well. He doesn’t feel the event would be a threat to public safety.

Town Administrator Nota stated with the information available, he and Chief Mello will not sign off on this event. Last year the event was proposed as a music event for a group of friends. This year the event is posted on Facebook and selling tickets. This is a private event selling tickets, on Town property, for a BYOB event on the premises. The Town does not have a policy in place to approve that type of event. Does the Council want Fort Getty to become a concert venue? The campground is in full operation with summer residents, and the issues have raised red flags. Council members are concerned with ticket sales; a family battle of the bands would be acceptable. Mr. Thompson noted the Chamber of Commerce is selling tickets for their event. President Trocki noted the Chamber applied for a Class F liquor license, will have TIP certified servers, will charge for the alcohol, and provided proof of liquor liability insurance and event liability insurance.

Council members note the expansion of the event from last year. Mr. Thompson asked how he should proceed. He is not a non-profit organization, loses money on the event, and just does it for the love of music. Discussion ensued of the Council’s intent for use of Fort Getty and the Pavilion. The event has been promoted as BYOB and that is what the people expect. The liquor aspect at this late date is problematic. Not knowing the number of attendees, if police details are needed, extra restroom facilities requirements, whether attendees will arrive with alcohol, and the protection of summer campground residents are of concern. An event planned for the future with the protections referenced this evening may be a better way to go.

**A motion was made by Vice President Meagher with second by Councilor White to deny the license at this time with the options as described by the Chair. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

#### Applicant: Rhode Races and Events

#### Event: Jamestown Half Marathon and

#### Officer Ryan Bourque Memorial 5K\*

#### Date: September 24, 2016\*

#### Location: Fort Getty Rd/ Beavertail Rd/Walcott Ave/

High St/Southwest Ave/Fort Getty Pavilion

#### \*Revised application for Jamestown Half Marathon (approved 12/7/2015) to include Officer Ryan Bourque Memorial 5K

Karen Zyons of Rhode Races and Events in attendance requested to revise their application approved in December to include the Officer Ryan Bourque Memorial 5K. One of their missions is to support local communities where events are held. When they heard of Office Bourque’s passing, the 5K in his memory was proposed. The half marathon would start at 7:00 a.m. and the 5K at 7:30 a.m., following the same course as Payton’s Pace, with proceeds going towards the Playground Restoration Fund. To date $700 has been raised. Chief Mello confirmed the Police Department and Officer Bourque’s family is in favor of the event. One or two staff members will be needed to monitor the event. The Town Administrator has no objection.

**A motion was made by Councilor White with second by Vice President Meagher to approve the event. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor White to move up Item X F) 5) out of order to the next item. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**X. CONSENT AGENDA**

F) One Day Event License

### 5) Applicant: Manuka Sports Management

### Event: Race the State

### Date: August 7, 2016

### Location: Mackerel Cove/Beavertail Road

### 

Hugh Piggin of Manuka Sports was in attendance and explained the statewide Race the State kayak and road race event that crosses Mackerel Cove and Beavertail Road to Sheffield Cove. The event was successful last year with 40 to 50 participants expected his year. Town Administrator Nota stated the Town continues to monitor the event and Chief Mello is comfortable supporting it this year.

**A motion was made by Vice President Meagher with second by Councilor White to approve the license. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

#### 

# 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*

## Scheduled to address. None.

## Non-scheduled to address. None.

# COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

## Administrator’s Report: Town Administrator Andrew E. Nota

### Mr. Nota reported last Tuesday, through the RIDOH water monitoring program random sampling, the beach at Mackerel Cove tested above acceptable limits for contaminants and was closed. Follow-up tests on Wednesday showed there were no contaminants and the beach was reopened on Thursday. There are no inherent problems, and this was an unusual event due to weather conditions.

1. TIP 2017-2025 Recommended Projects.

Town Administrator Nota referenced his letter to the State Planning Council and thanked Planner Lisa Bryer for her assistance. Two local projects were included in the TIP – the former Ice Road Bike Path, now the Shared Use Path that traverses the North Reservoir property, and the Side Walk Replacement on Walcott Avenue from Hamilton to Ft. Wetherill. Due to reprioritization of State dollars in the TIP there was a recommendation to remove the two projects, and the Town objected to their removal. There may not be a reaction to the letter, but the objection should be on the record. The concrete curbing from Hamilton to Wetherill has deteriorated to the degree that the Town cannot maintain the sidewalks. State attention is required, as this is a State road. We will continue working with RIDOT and Statewide Planning to try to maintain the project on the TIP, in addition to the Shared Path.

# UNFINISHED BUSINESS

None.

# NEW BUSINESS

## Award of Bid: Jamestown Fire Station Expansion Project to Iron Construction of Warwick, RI in the amount of Two Million, One Hundred and Twenty-Nine Thousand, Five Hundred Dollars ($2,129,500) for construction of the Fire Station Expansion Project, in an amount not to exceed $2,278,565, which includes a contingency amount of 7% or $149,065, as recommended by Town Administrator Andrew E. Nota; review and discussion and/or potential action and/or vote

Town Administrator Nota reported on the rebid and the transparent process from the hiring of Architect Aharonian & Associates, review of the needs of the community, and public sessions. There were five bidders, with bids ranging from $2,569,000 to $2,974,000, all above the $2,200,000 approved by the voters at the 2015 FTM. A thorough review of the project by the Architect, Committee, Town staff, and the Fire Chiefs ensued. It was determined an additional addendum review of the five bidders using the value engineering process was the next step. Discussion continued. Two of the five bidders resubmitted rebids - E. W. Burman at $2,469,000 and Iron Construction at $2,295,000, both with add alternates in the bids. There are two major items that can be purchased directly through the Town, saving additional funding. Other cost reductions were noted, including roofing and siding, and work that can be completed later. Discussion ensued of contingencies, which generally range between 3% and 7%, and use of fund balances for contingencies. When presented with this project our Bond Rating was Aa2 status, and the projected cost was $3,392,000. With the Town’s new Bond Rating of Aa1 the long-term costs of the project over 25 years would be reduced, based on current rates that fluctuate with the market. Lengthy discussion ensued of contingencies and costs. Adding contingencies is prudent, and due diligence was done, bringing the bid in under the bond amount approved. The final cost for Iron Construction with the cost reductions outlined is $2,129,500.

The Fire Station renovation will take a year. Council members reference Councilor Dickinson’s comments provided prior to this meeting. Town Administrator Nota commented it was important to Councilor Dickinson to stick to the $2,200,000 approved, and he felt the overall costs would be greater and the FTM request should have been higher. It was noted the original bids included add alternates. This was an exhaustive project that was fully vetted. Lengthy discussion ensued.

Discussion continued. The $2,200,000 is not the actual final cost, and with the interest will be more over the 25 year life of the Bond. Discussion ensued of contingency funding and the transparency of the process with full vetting. Chief Bryer noted concerns with adding on later for the roof and shingling as future costs may not be the same as current costs with additional setup costs involved with doing them later. Discussion ensued of awarding the bid at this time and whether there would be a penalty for addressing the contingencies at a later time. There would be no penalty, and this is the Council’s purview. Discussion ensued of the Bid Alternates.

Public Works Director Gray commented on past Town projects, including the Highway Barn, no one wants to spend more money, and this project was vetted more than any other he has been part of. Everyone involved with the Fire Station project is confident with what is there, the plans, and the specs. Discussion continued. The project has been transparent and all parties are trying to do the right things. Add alternates are not the same as contingencies. It will not hold up or jeopardize the project to vote on it tonight without the contingencies. The project is coming in under the $2,200,000. Discussion continued.

**A motion was made by Vice President Meagher with second by Councilor White to approve the bid to Iron Construction for the amount of $2,129,500. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

The Council will continue the matter of contingencies and add alternates to next meeting agenda.

## Award of Bids: Supply of Drainage Materials, Phase 1 of the North Road Improvement

### Precast Drainage Structures: to Scituate Precast for an amount not to exceed the total bid price of $18,292 for the supply and delivery of Precast Drainage Structures as recommended by Public Works Director Michael C. Gray; review and discussion and/or potential action and/or vote

### Precast Concrete Pipe: to Scituate Concrete Pipe Corporation for an amount not to exceed the following:

### Item 1: 160 LF of 12” RCP for a unit cost of $7.79 per ft., and a total of $1,246.40;

Item 2: 600 LF of 18” RCP for a unit cost of $12.62 er ft., and a total of $7,572.00;

Item 3: 570 LF of 24” RCP for a unit cost of $18.52 per ft., and a total of $10,556.40

Item 4: 1100 LF of 30” RCP for a unit cost of $27.25 per ft., and a total of $29,975.00

Item 5: 630 LF of 36” RCP for a unit cost of $42.63 per ft., and a total of $26,856.90

as recommended by Public Works Director Michael C. Gray; review and discussion and/or potential action and/or vote

### Drainage Covers and Grates: to EJP for an amount not to exceed the following:

Item 1: Eleven (11) cast iron square frame and grates for a unit cost of $344.77 each and a total of $3,792.47

Item 3: Two (2) cast iron round covers for a unit cost of $537.78 each and a total of $1,075.56

as recommended by Public Works Director Michael C. Gray; review and discussion and/or potential action and/or vote

### Drainage Covers and Grates: to Warwick Winwater Works for an amount not to exceed the following:

Item 2: Twenty (20) cast iron high capacity frame and grates for a unit cost of $366.49 each and a total of $7,329.80

as recommended by Public Works Director Michael C. Gray; review and discussion and/or potential action and/or vote

Public Works Director Gray explained the bids.

**A motion was made by Vice President Mary Meagher with second by Councilor White to award the bid for Precast Drainage Structures to Scituate Precast for an amount not to exceed $18,292. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor White to award the bid for Precast Concrete Pipe to Scituate Concrete Pipe Corporation for an amount not to exceed for Item 1 $1,246.40; for Item 2 $7,572.00; for Item 3 $10,556.40; for Item 4 $29,975.00; and for Item 5 $26,856.90. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor White to award the bid for Drainage Covers and Grates to EJP, a different company, for an amount not to exceed the following: for Item 1 Eleven cast iron square frame and grates for $3,792.47; for Item 3 Two cast iron round covers for $1,075.56. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor White to award the bid for Drainage Covers and Grates for Item 2 to Warwick Winwater Works for $7,329.80. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

Public Works Director Gray split the bids up for better prices. President Trocki thanked him for working so hard to save the Town and taxpayers money.

## Amendment of the Jamestown Town Charter; review and discussion and/or potential action and/or vote to proceed to advertise in the *Newport Daily News* and *Jamestown Press* for public hearing on July 19, 2016

President Trocki referenced the discussion at the last Town Council Meeting on the proposed Charter amendments prepared by the Charter Review Committee for presentation to the public.

**A motion was made by Vice President Meagher with second by Councilor White to proceed to advertise the proposed Charter Amendments in the *Newport Daily News* and *Jamestown Press* for public hearing on July 19, 2016. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

President Trocki noted the suggestions by Sav Rebecchi for Charter amendments that are part of Communications. Town Administrator Nota met with Sav and reviewed his suggestions. Communication 9) will be removed for discussion later in the agenda.

# ORDINANCES AND APPOINTMENTS AND VACANCIES

## Ordinances

### Amendment of the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles, Article III. Specific Street Regulations, Sec. 70-55 Restrictions on Certain Streets; review and discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* for public hearing on July 19, 2016

Vice President Meagher stated the ordinance language as written is not the same as agreed at the Traffic Committee Meeting. It should read that the vehicles are allowed between 3:00 p.m. to 5:00 a.m. from a point “200 feet south of West Street and continuing to the intersection of Windsor Street” and not “entire length to southern end.” This will be changed prior to advertising for public hearing.

**A motion was made by Vice President Meagher with second by Councilor White to advertise the amended proposed amendment of the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles Sec. 70-55 for public hearing on July 19, 2016. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

## Appointments and Vacancies; review and discussion and/or potential action and/or vote

### Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016); duly advertised; interview conducted

#### Letter of interest

##### Marcy Coleman

**A motion was made by Vice President Meagher with second by Councilor White to appoint Marcy Coleman to the Zoning Board of Review Alternate position. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

### Jamestown Housing Authority (One vacancy with an unexpired five-year term ending date of December 31, 2017); duly advertised; no applicants

Advertising will continue.

### Jamestown Fire Department Compensation Committee – Citizen-at-Large Representative (One vacancy with a three-year term ending date of May 31, 2019); duly advertised

#### Letter of interest for reappointment

##### Steven Jepson

**A motion was made by Vice President Meagher with second by Councilor White to reappoint Steven Jepson to the Fire Department Compensation Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

### Jamestown Affordable Housing Committee (Two vacancies with three-year term ending dates of May 31, 2019); duly advertised; interview conducted

#### Letter of resignation

##### Debra Murphy

#### Letter of interest for reappointment

##### Barbara Szepatowski

#### Letter of interest

##### Lydia Thomas

**A motion was made by Vice President Meagher with second by Councilor White to reappoint Barbara Szepatowski and to appoint Lydia Thomas to the Affordable Housing Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

A letter of thanks will be sent to Debra Murphy for her services to the Town.

##### 

### Jamestown Tax Assessment Board of Review – Member (One vacancy with a three-year term ending date of May 31, 2019); duly advertised

#### Term limit reached

##### Stuart Rice, Jr.

#### Alternate to move up to Member

##### Frank F. Sallee

### Jamestown Tax Assessment Board of Review – Alternate (One vacancy with a one-year term ending date of May 31, 2017); duly advertised; no applicants

**A motion was made by Vice President Meagher with second by Councilor White to appoint Alternate Frank Rusty Sallee to the Tax Assessment Board of Review as Member. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

A letter of thanks will be sent to Stuart Rice for his many years of service. As there are no applicants for the Alternate position advertising will continue.

### Jamestown Tree Preservation and Protection Committee (One vacancy with an unexpired three-year term ending date of December 31, 2016)

#### Letter of resignation

##### Paula Samos

A letter of thanks will be sent to Paula Samos for her service to the Town and the vacancy will be advertised.

# 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, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

The Consent Agenda approved consists of the following:

## Adoption of Council Minutes

### May 17, 2016 (special meeting)

### May 17, 2016 (special executive session)

### May 17, 2016 (regular meeting)

### May 17, 2016 (executive session)

### June 6, 2016 (Financial Town Meeting)

### June 14, 2016 (special meeting)

## Minutes from Boards, Commissions and Committees

#### Jamestown Fire Department Compensation Committee (05/17/2016)

#### Jamestown Harbor Commission (04/13/2016)

#### Jamestown Library Board of Trustees (05/10/2016)

#### Jamestown Planning Commission (03/02/2016)

#### Jamestown Planning Commission (03/16/2016)

#### Jamestown Planning Commission (04/20/2016)

#### Jamestown Traffic Committee (04/21/2016)

#### Jamestown Zoning Board of Review (04/26/2016)

## CRMC Notices

#### June 2016 Calendar

## Abatements/Addenda of Taxes

Total Abatements: $22,757.28 Total Addenda: $22,363.83

### Properties – Abatements to 2015 Tax Roll

### **Account/Abatement Amount**

#### 05-0003-05 $ 2,598.00

#### 05-0361-00 $ 5,640.08

#### 06-0500-08 $ 393.45

#### 07-0434-50 $ 4,813.00

#### 25-0022-00 $ 9,312.75

### Properties – Addenda to 2015 Tax Roll

### **Account/Addenda Amount**

#### 01-0001-44 $ 5,640.08

#### 01-0052-07 $ 4,813.00

#### 04-0863-01 $ 9,312.75

#### 05-0003-06 $ 2,598.00

## Finance Director’s Report

## One Day Event/Entertainment License Applications

### Applicant: Greg Charest dba: Jamestown Rocket Hogs

Event: Independence Day Fireworks

Date: July 3, 2016

Location: Veterans Square/East Ferry

### Applicant: St. Matthew’s Parish

Event: St. Matthew’s Annual Summer Fair

Date: July 16, 2016

Location: 87 Narragansett Avenue

### Applicant: Bonnie B. Kennedy

Event: Party

Date: July 22, 2016

Location: Fort Getty Pavilion

### Applicant: Margaret Fonseca

Event: Wedding

Date: July 31, 2016

Location: Fort Getty Pavilion

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

*Approval of the Communications, Petitions, and Proclamations and Resolutions from other Rhode Island Cities and Towns shall be equivalent to approval of each item as if it had been acted upon separately.*

Council proposes to remove the following Communications 1), 4), 5), 7), 8) and 9).

7) Letter of Jamestown Conservation Commission re: RITBA purchase of electricity from Altus Power with plan to clear-cut wooded area of RITBA land near the Newport Pell Bridge to install solar panels

This has been addressed publicly by the Governor’s Office. Mr. Nota stated the project received major grant funding, and has been down-sized from the original proposal. He and Public Works Director Gray have met with RITBA and they have been very cooperative and willing to work with the Town regarding impact of the view corridor. This letter asks for abandonment of the site. We don’t know enough about the project and the importance of that location. RITBA is willing to work with the Town. Council members agree there should be a conversation. Town Administrator will look into this.

**A motion was made by Vice President Meagher with second by Councilor White to have the Town Administrator facilitate a conversation between the Bridge and Turnpike Authority and the Conservation Commission. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

### Email of Attorney General Peter F. Kilmartin re: 18th Annual Open Government Summit, July 29, 2016

President Trocki noted the annual Summit is July 29th for review of the Open Meeting Laws for any elected and appointed officials and board members at Roger Williams University and all those interested are urged to attend.

### Letter of Deborah A. Foppert, Esq. re: proposed Subdivision of Plat 8 Lot 68 with improvement of 200 ft. of Pemberton Avenue (between Arnold Avenue and Westwind Drive); being heard before the Planning Commission on July 20, 2016

Town Planner Lisa Bryer explained that this proposed subdivision will be on the Planning Commission agenda for July 20th, and this is a notice to Council for their information as suggested by Solicitor Brochu and no action is required by Council.

**A motion was made by Vice President Meagher with second by Councilor White to receive Communications 2), 3), 6), and 8). President Trocki, Aye; Vice President Meagher, Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

The Communications received are as follows:

1. Letter of Diana and Malcolm Brown re: restrictive parking regulations on Seaside Drive proposed by the Traffic Committee
2. Letter of Pat and Jay Holtzman re: restrictive parking regulations for Jamestown Shores area proposed by the Traffic Committee

6) Notice of Public Hearings for Statewide Planning Council re RIGL §42-11-10 and Chapter 42-35 draft plan entitled “Water Quality 2035” on July 13, 2016 at 2:00 p.m. Department of Administration Conference Room B, One Capitol Hill, Providence, and 6:00 P.M. RI Department of Environment Management Room 300, 235 Promenade Street, Providence

8) Letter of Deb Foppert, Esq. re: proposed Subdivision of Plat 8 Lot 68 with improvement of 200 ft. of Pemberton Avenue (between Arnold Avenue and Westwind Drive); being heard before the Planning Commission on July 20, 2016

Other Communications:

1. Letter of Conanicut Island Land Trust re: fireing ranges in Jamestown and adoption of an ordinance prohibiting the unregulated discharge of firearms on private property.

This is an interesting letter for Council discussion as we review the target shooting ordinance.

5) Letter of Tim Lemire requesting Council support for General Assembly formation of a study commission to investigate and determine effective education modules on parenting through and after divorce and how the modules could be implemented and nurtured in Rhode Island.

President Trocki asked Solicitor Ruggiero if he has heard anything about this proposal for a study commission. Solicitor Ruggiero stated he is not aware of this initiative.

### Letter of Sav Rebecchi dated October 14, 2015 to the Charter Review Committee with Charter amendment recommendations and proposed Charter Amendments dated June 19, 2016 for review by the Town Council

Some of the suggested procedures could be part of the Town Council Rules and Procedures. In terms of penalties, they should remain with the Ethics Commission. These items were brought forward by Sav as the Charter Review was more of a Committee review and public discussion would be at the public hearing level, and he was unsure where in the process his suggestions would be addressed.

**A motion was made by Vice President Meagher with second by Councilor White to accept Communications 1), 5), 4), 7), and 9). President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

## Resolutions and Proclamations of other Rhode Island cities and towns

**A motion was made by Vice President Meagher with second by Councilor White to accept the Resolutions and Proclamations from other RI cities and towns. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

The Resolutions and Proclamations accepted are as follows:

### Resolution of the Exeter Town Council in support of Article 15 of the Governor’s FY 2017 Budget expanding the time frame between state-mandated property revaluations

### Resolution of the Exeter-West Greenwich School Committee in support of Bills H 7243 and S 2761 “Gun Free Schools”

### Resolution of the Richmond Town Council in opposition to the expansion of the existing toll gantry plan for Interstate Route 95

# AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

None.

# EXECUTIVE SESSION

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

## Pursuant to RIGL §42-46-5(a) Subsection (2) potential litigation (King/Pike v. Town of Jamestown NM-2016-0120); review and discussion and/or potential action and/or vote in executive session and/or open session

## Pursuant to RIGL §42-46-5(a) Subsection (2) pending litigation (Monti v. Town of Jamestown NM-2015-0140); review and discussion and/or potential action and/or vote in executive session and/or open session

## Pursuant to RIGL §42-46-5(a) Subsection (5) real estate (offer to purchase town land); review and discussion and/or potential action and/or vote in executive session and/or open session

**A motion was made by Vice President Meagher with second by Councilor White to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) potential litigation, Subsection (2) pending litigation, and Subsection (5) real estate at 9:50 p.m.**

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

The Jamestown Town Council reconvened the regular meeting at 10:31 p.m. President Trocki announced that no votes were taken in the Executive Session.

**A motion was made by Councilor Tighe with second by Vice President Meagher to authorize Solicitor Ruggiero to settle the Beavertail Farms Tax appeals under protest. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Absent; Councilor White, Aye; Councilor Tighe, Aye.**

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

# ADJOURNMENT

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

The Jamestown Town Council adjourned the regular meeting at 10:33 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Finance Director

Town Solicitor