# TOWN COUNCIL MEETING

**December 5, 2016**

# 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

Edward A. Mello, Police Chief

Lisa W. Bryer, Town Planner

Michael C. Gray, Public Works Director

Andrew J. Wade, Parks & Recreation Director

Mary Lou Sanborn, Library Board of Trustees Chair

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 6:32 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

# ACKNOWLEDGEMENTS, ANNOUNCEMENTS, RESOLUTIONS

# AND PROCLAMATIONS

## Presentation

### Jamestown Golf Course Facility: Town Planner Lisa Bryer, Public

###  Works Director Michael Gray, and Architect William Burgin

#### Approval of site plan and next steps; review and discussion and/or potential action and/or vote

President Trocki introduced Town Planner Bryer, Public Works Director Gray and Architect Burgin. Public Works Director Gray reviewed the November 7th presentation and a history of the golf course clubhouse facility building (built in 1905) from 2011 to present, including the Structural Assessment Report (C. A. Pretzer Associates, Inc. August 2011), Building Condition Golf Course Clubhouse Report (Buildings and Facilities Committee September 2011), Golf Course Building Replacement Strategies (April 2012), and History of Public Participation (Workshops and Presentations from April 2012 to October 2013). The operator was consulted to review options and needs and develop next steps. The Town Council became committed to replace the building and gave the Town Administrator consent to move forward with an RFQ to hire an architect (Burgin Lambert Architects). The Council met with the Architect (October 30, 2013). After October 2013 the Organizational Assessment of the Parks and Recreation Department (Edward J. Collins Center for Public Management) was developed, a new Town Administrator was hired, The PAC referenda was defeated, and Town Administration learned the community did not support funding for a dedicated performing arts space.

The concept drawing/floor plan (November 7, 2016) was reviewed depicting the current structure, cart storage, proposed community space, proposed multi-purpose space, parking area and equipment storage. Review of the existing building use and square footage proceeded. The total golf support space is 5,269 square feet, total community space proposed is 4,060 square feet, and total clubhouse and community space is 9,329 square feet. Building location considerations were reviewed, including ease of operation, views, topography, site circulation, and proposed equipment storage and offsite storage (identified as D). The goal is to have the operation self-sustaining going forward.

Proposed building use and square footage was reviewed. The total golf support space is 6,200 square feet, total community space is 2,850 square feet, and total clubhouse and community space is 9,050 square feet. The cost per square foot is $350. The goal at this time is commitment to the project rather than a design.

Architect Bill Burgin referenced the three site plans, and noted the views and how the facilities are configured to best serve the needs of the golf course building and functions. The two views of the first floor were reviewed extensively, including the flexible space for larger gatherings, porches, seating areas, outside seating, windows, view shed, relocated office, restrooms, porch, kitchen, receiving area, proposed caterer’s kitchen and cart storage. The basement view was reviewed, including the mechanical area and storage. The proposed expanded seating was reviewed and discussed at length.

Public Works Director Gray stated we are trying to provide the minimum need for the club house and golf course operator. Discussion ensued of the parking area. The estimated cost for building replacement is $350 per square foot, which equates to a $2,000,000 facility. Discussion continued. The goal is to determine the scale, location, parking, and where we want to go with the budget.

Councilor Meagher commented the revised location was suggested by the current operator. Discussion ensued of community space and what the public desires, a second floor for community space, the conflicts it would create and increased costs. Lengthy discussion ensued.

President Trocki noted the current golf course lease has been continued for another year. What is proposed is a scaled down facility with proposed flexible space for varying size functions.

Public Comment.

Alma Davenport of Clinton Avenue stated she is in favor of the new clubhouse and is not a golfer. She referenced the conservation easement and its provisions, including the scenic vista and recreational activities. She also noted the memo prepared by Planner Bryer and packet available for more information. She does not feel the clubhouse has to be designed for future expansion or “a traditional shingle style resort building with fireplace.” She is amazed at the proposed community space and expressed concern for the cost for the proposed facility and maintaining the proposed facility upon completion. She considers the current facility to be serviceable. Lengthy discussion continued. Ms. Davenport stated she believes there needs to be more public input and extend the period for review for another year.

Bill Munger of Cole Street expressed his support for the clubhouse concept for golfers only, and community investment should be reserved for the Recreation Center. He is concerned for parking and preserving vistas and views.

Ray Ianetta of Maple Avenue commented on parking, as it does not appear the available parking can accommodate the proposed expansion, and more public input is needed.

Jean Britton of Sampan Avenue expressed her idea for an expanded clubhouse facility that includes space for senior programs and activities and moving the building closer to the street. The current Grange facility at West Street houses the senior lunches, and the facility is difficult to maneuver and inconvenient. She noted the North Kingstown and Wakefield senior centers, and Jamestown deserves to have a facility on a par with theirs.

Derek Blackman of Lincoln Street commented on meetings and activities and that an expanded operation would not work with the current golf course function and would be unsafe. An expanded facility would reduce the limited available parking spaces for golfers. What we as golfers require is a low-cost, modest update to the existing Caddy Shack with catering facilities as specified by the existing management. Anything more would be against the spirit of the 1987 deed and the intentions for the use of this facility. The existing clubhouse has approximately 3,500 square feet, and the actual available space for the golf bar and facilities proposed would be less than that. The proposed porches would be multi-purpose and golfers would be squeezed into a small space. To duplicate what currently exists would save taxpayer dollars, and the current operator has provided significant revenues to the town. In general other local golf courses have experienced financial difficulties, unlike the Jamestown golf course, and to disrupt this would be unwise. The task is to update and enhance the current facility for the future.

Peter Coble of Narragansett Avenue stated he has not seen the report on the building, but feels the building could be repaired for less than it would cost to rebuild.

Public Works Director Gray explained the issues with the second floor and roof, which make the facility structurally deficient. Mr. Coble stated he doesn’t feel the golf course and community space together will work.

Jane Bentley of Mt. Hope Avenue stated she is a golfer, grew up in Jamestown, remarked on the many changes in town, and when the golf course accommodated banquets and family activities. She likes the design, it is very fair and not overly large, and she likes the porches and fireplace. We need to do this right. Her only question is whether the catering kitchen is necessary and enough bathroom facilities are provided. Thank you for putting this forward and I hope it is done soon.

Town Administrator Nota clarified the beginning of April is when the plan would have to be prepared for inclusion on the Financial Town Meeting warrant.

President Trocki requested Public Works Director Gray clarify a few issues.

Mr. Gray referenced the parking area and stated it is limited to 90 to 100 spaces. The current configuration of parking is not to code, as aisle width is not up to code. The existing operation for the Caddy Shack accommodates 40 seats. The proposed design could accommodate larger functions and more than one function concurrently. The deck design would allow outdoor seating, and not all indoor space and outdoor space would be utilized at the same time.

Vice President White commented the current operator was consulted in the development of the design.

Councilor Mihaly stated when he sat previously at the dais, the golf course was under discussion. The element of placement is important as it would allow the operator to continue during construction. The town is short on usable space, and there could be a parking issue if the operator could not sequence events. It is time to move forward.

**A motion was made by Councilor Mihaly with second by Vice President White to accept the design and go on to the next stage to full development of the plan.**

Discussion. Councilor White commented this goes back four Councils ago. He disagrees that the golf operation would be dangerous for young people, as his granddaughter took ballet there and was perfectly safe, and there have been multiple uses at the golf course for many years. The old structure was unsafe, and the proposed structure takes advantage of the views. We are only voting on moving forward and how much to spend, and then work on bathrooms, parking, and other issues.

Councilor Meagher commented we are reviewing the location and community space. She agrees with the location, which the operator recommended. More time is appropriate to take public input and make a decision. The existing structure is unsafe and is not cost-effective to renovate. The 2011 structural report was referenced. The proposed 1,000 square foot space is not an ordinate space to promote. Discussion continued.

Councilor Dickinson stated as the lessor we have a responsibility to provide a facility that is leasable. He has been to charitable events at the golf course and it would be a nice place to go to. The larger we make the facility the more unfavorable we make it, we have to find a balance, and we don’t want to price it out of the market. This is a difficult business, and he commends the Mistowski’s for doing an amazing job. (Applause) He hopes we can move this forward.

President Trocki stated her agreement with what her fellow Councilors have stated, and we need to move forward. The design may need a few tweaks, and we can figure this out. She is in favor of the proposed location at the 1st tee, the mixed use, and we can vote. Discussion of size and scale ensued.

**Councilor Mihaly withdrew his motion.**

**A motion was made by Councilor Meagher with second by Vice President White to make the location proximate to the 1st tee. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**A motion was made by Councilor Meagher with second by Vice President White to make the approximate size of the structure and the presence of some community space within it that is the approximate size as we discussed here. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

Councilor Meagher would like an update in January, reflective of this discussion. President Trocki thanked everyone for participating this evening.

A short recess was called at 8:05 p.m. The regular meeting resumed at 8:10 p.m.

# PUBLIC HEARINGS, LICENSES AND PERMITS

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*

## Scheduled to address. None.

## Non-scheduled to address.

## Joe Mistowski of Conanicus Avenue, Golf Course Operator, referenced his qualifications and stated the $2,000,000 clubhouse that would be supported by lease payments is for the Jamestown Golf Course. There are major issues regarding the golf course that would need to be addressed over the course of a 10 to 20 year lease. If the rental payment goes for the “clubhouse” the “golf course” will suffer, and should be addressed in any long-term lease.

## Councilor Meagher commented we shouldn’t put a cost on the project as we need to look at the operation, funding, landscaping and other aspects of the golf course operation.

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

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

Mr. Nota commented on the evolution of the report and connectivity to what is happening in the individual Town departments. He proposes a more comprehensive report for the first meeting of the month, with updates as needed. Councilor Meagher commented this is the best report she has seen in four years. Council members comment favorably on the format and state it is terrific. Such an extensive report is not needed monthly, and would be appropriate quarterly, with updates on major issues as needed.

The first six items in the report are of a priority nature and need to be addressed sooner. Fort Getty and East Ferry require larger public discussions. Discussion ensued of East Ferry, the need for sidewalks, enhance what is there, and make it more pedestrian friendly. Councilor Meagher commented on a more public discussion and having separate sessions for Fort Getty and East Ferry (after the first of the year).

Councilor Dickinson asks about the Eldridge Avenue fields. Discussion ensued of the Pump Station and feasibility of getting water for the fields. Mr. Nota commented on a meeting with the Soccer Association. They are interested in partnering with the Town for large scale field rehabilitation (estimated cost of $250,000 if outsourced). The project could be refined, with some work performed by Town staff, and adding it to the capital program. Discussion continued.

## **VII. UNFINISHED BUSINESS**

## Upcoming meetings, work sessions, budget work sessions, workshops, and other sessions; review and discussion and/or potential action and/or vote

###  Town Council Meeting date and time

### Board of Water and Sewer Commissioners Meeting date and time

Council members review scheduling of meetings. The Town Council meetings will be held the 1st and 3rd Monday of the month at 7:00 p.m., with the Water and Sewer Meeting on the 3rd Monday as the first item of business on the agenda. Discussion ensued of having Boards/Commissions/Committees at the 2nd meeting of the month. The Library Board of Trustees will be at the December 19th meeting at 7:00 p.m., with Water and Sewer first on the agenda.

## Peddler’s License application and approval procedure revisions; review and discussion and/or potential action and/or vote

President Trocki noted the information provided by the Town Administrator. Mr. Nota reported on how the licenses are structured. Existing annual licenses are $20, with vendors at set locations. Process streamlining was reviewed, with a new model for vendors at set locations (Mackerel Cove, East Ferry) being awarded trough an RFP process. Council members agree with the RFP process. Discussion ensued. All vendors would be notified of procedural changes.

**A motion was made by Vice President White with second by Councilor Meagher to have the Town Administrator move forward with the Peddler License procedure revisions. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**VIII. NEW BUSINESS**

## Jamestown Community Playground Renovation Committee; review and discussion and/or potential action and/or vote

### Adoption of Resolution No. 2016-17 Establishment of Community Playground Renovation Committee

### Parks and Recreation Director Andy Wade reported on the proposed ad hoc committee for the recreation of the playground, using recent grant funding. The proposed members representing the community, parents, and ex officio members were noted and reviewed. Meetings would be open and public and in compliance with the Open Meetings Act. Discussion continued.

**A motion was made by Councilor Mihaly with second by Councilor Dickinson to create the Committee as recommended by the Parks and Recreation Director. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

## Jamestown Tree Warden, pursuant to RIGL §2-14-2; annual appointment; review and discussion and/or potential action and/or vote

### Letter of interest for reappointment

#### Steve Saracino

###  Letter of recommendation for reappointment

#### Jamestown Tree Preservation and Protection Committee

Public Works Director Gray commented on the great job done by Mr. Saracino, he goes above and beyond what is expected, and he supports the reappointment.

**A motion was made by Vice President White with second by Councilor Mihaly to approve the annual appointment of Steve Saracino as Tree Warden. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

## Jamestown Cesspool Phase-out Program: Town Council appointment to Appeals Committee; review and discussion and/or potential action and/or vote

Public Works Director Gray explained the ordinance drafted and approved in compliance with the State Cesspool Phase-out Act. The Town adopted a phase-out program in 2011 with a January 1, 2016 deadline. There are 17 properties issued a Notice of Violation for non-compliance. We have received requests for meetings and a member of the Council should serve on the Committee along with the Town Administrator, Public Works Director and Environmental Scientist.

**A motion was made by Councilor Dickinson with second by Councilor Meagher to appoint Vice President White to the Committee. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

#  ORDINANCES AND APPOINTMENTS AND VACANCIES

## Appointments and Vacancies

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

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

### Jamestown Tree Preservation and Protection Committee (One vacancy with an unexpired three-year term ending date of December 31, 2016); duly advertised; no applicants

### Jamestown Juvenile Hearing Board – Alternate (One vacancy with an unexpired two-year term ending date of December 31, 2017)

## Expiring Terms

### Beavertail State Park Advisory Committee (One vacancy with a three-year term ending date of December 31, 2016); duly advertised

#### Letter of interest for reappointment

##### Barbara Szepatowski

#### Letter of interest for appointment

##### Job Toll

### Jamestown Conservation Commission (Three terms with three-year term ending dates of December 31, 2016); duly advertised

#### Letters of interest for reappointment

1. Joyce Antoniello
2. George Souza

### Jamestown Harbor Commission (Two terms with three-year term ending dates of December 31, 2016); duly advertised

#### Letter of interest for reappointment

##### David Cain

#### Letter of resignation

##### Bruce Dickinson

### Jamestown Housing Authority (One term with a three-year term ending date of December 31, 2016); duly advertised

#### Letter of interest for reappointment

##### Valerie Malloy

### Jamestown Juvenile Hearing Board (One term with a three-year term ending date of December 31, 2016); duly advertised

#### Letter of interest for reappointment

##### Agnes C. Filkins

### Jamestown Library Board of Trustees (Two terms with three-year term ending dates of December 31 2016); duly advertised

#### Letter of interest for reappointment

##### Paul Housberg

### Quonset Development Corporation Board of Directors (One term with a three-year term ending date of December 31, 2016); duly advertised

#### Letter of interest for reappointment

##### James Rugh

#### Letter of interest for appointment

##### Job Toll

### Jamestown Tree Preservation and Protection Committee (Two terms with three-year term ending dates of December 31, 2016); duly advertised; no applicants

#### Term limit reached

##### John Collins

### Jamestown Zoning Board of Review – Member (One term with a five-year term ending date of December 31, 2016); duly advertised

#### Letter of interest for appointment

##### Terrence Livingston – 1st Alternate

### Jamestown Zoning Board of Review – Alternates (Three terms with a one-year term ending date of December 31, 2016); duly advertised

#### Letter of interest for reappointment

##### Edward Gromada – move up to 1st Alternate

##### Marcy Coleman – move up to 2nd Alternate

#### Letter of interest for appointment

#### Judy Bell – Full member – requesting to serve as Alternate member – 3rd Alternate

President Trocki noted the vacancies and expiring terms. This is placed on the agenda for review and updates will follow. The majority of terms expire on December 31st and members serve until they are replaced.

**A motion was made by Councilor Meagher with second by Vice President White to move the Appointments and Vacancies to the December 19th agenda. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**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 Councilor Meagher with second by Councilor Dickinson to approve and accept the Consent Agenda. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

The Consent Agenda approved consists of the following:

## Adoption of Council Minutes

### November 21, 2016 (regular meeting)

### November 28, 2016 (special meeting)

## CRMC Notices

### December 2016 Calendar

## Abatements/Addenda of Taxes

 Total Abatements: $24,502.03 Total Addenda: $24,435.50

### Motor Vehicles – Abatements to 2016 Tax Roll

 **Account/Abatement Amount**

#### 03-1338-25M $ 218.46

#### 06-0618-02M $ 318.32

### Real Property/Tangible – Abatements to 2016 Tax Roll

 **Account/Abatement Amount**

#### 06-0340-00 $3,182.00

#### 08-0003-77 $2,561.40

#### 08-0562-40 $1,462.98

#### 10-0097-05 $ 10.74

#### 11-0041-60 $9,615.11

#### 12-0236-45 $ 481.00

#### 13-1194-00 $3,500.05

#### 16-0623-65 $3,151.97

### Real Property/Tangible - Addenda to 2016 Tax Roll

 **Account/Addenda Amount**

#### 02-0116-74 $3,182.00

#### 04-1037-55 $3,151.97

#### 07-1070-25 $9,615.11

#### 12-0236-45 $2.424.97

#### 13-1199-95 $3,151.97

#### 13-1677-00 $3,500.05

## One Day Event/Entertainment License Applications

###  Applicant: Jamestown 1st Day Plunge Committee/Bob Bailey

 Event: 6th Annual Jamestown 1st Day Plunge

 Date: January 1, 2017

 Location: East Ferry Square and Beach

### Applicant: Conanicut Island Art Association

 Event: CIAA Art Shows and Opening Receptions

 Dates: January 26, March 2, April 13, June 22, July 19, September 28 and November 9, 2017

 Location: Jamestown Town Hall

 Dates: August 15 and December 2, 2017

 Location: Jamestown Recreation Center

### Applicant: Lawn Avenue School 8th Grade Class

 Event: Duck Race for 8th Grade Washington, DC Trip

 Date: January 1, 2017

 Location: East Ferry Beach

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

None.

# XII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

The items will be discussed in reverse order:

## G) Meeting with Library Board of Trustees – scheduled for December 19th

## F) Review and discussion Business Licensing application and approval process - scheduled for December 19th. All licenses have been signed and issued.

## Town Solicitor, Prosecutor, Probate Judge and Town Sergeant appointments – scheduled for December 19th. Bond Counsel appointment – scheduled for December 19th. This position will be researched. All at-will employees will be on the December 19th agenda. Solicitor Ruggiero reviewed appointment status, at-will employees, and contractual status. Council options were reviewed - take no action and the present appointees continue to serve until appointed or replaced; affirm the appointments; advertise the positions, conduct interviews, and make appointments.

The following items will be addressed in January:

1. Town Council Goals and Objectives
2. Town Council Rules and Procedures
3. Board/Commission/Committee Structure and Appointments
4. Town Council Liaisons

**XIII. 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 (RITBA solar array project); 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 (Tarbox v Jamestown ZBR C.A. NC-2010-667); review and discussion and/or potential action and/or vote in executive session and/or open session

**A motion was made by Councilor Meagher with second by Councilor Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) potential litigation and Subsection (2) pending litigation at 9:02 p.m.**

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

The Jamestown Town Council reconvened the regular meeting at 10:06 p.m. President Trocki announced that the Town Council voted unanimously in Executive Session to send letters to Governor Raimondo, Senator Paiva-Weed, Representative Ruggiero, and Speaker of the House Mattiello requesting RITBA seek local government authority for the proposed solar array project.

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

**XIV. ADJOURNMENT**

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

The Jamestown Town Council adjourned the regular meeting at 10:08 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

 Town Administrator

 Finance Director

 Town Solicitor