



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, April 3, 2017
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.

Attachments for items on this meeting agenda are available to the public on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2017-meetings-minutes/2017-meetings>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Proclamations:

- 1) No. 2017-08: Declaring Friday, April 28, 2017 "Arbor Day" in Jamestown; review and discussion and/or potential action and/or vote

V. 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) One Day Event/Entertainment License

- 1) Applicant: Payton Elizabeth Watson Memorial Foundation
Event: Payton's Pace 5K Run/Walk
Date: May 21, 2017
Location: Fort Getty, Pavilion, and Streets of Jamestown
 - a) Request for Waiver of Pavilion Rental Fee
- 2) Applicant: Quononoquott Garden Club
Event: Annual Plant Sale
Date: May 20, 2017
Location: Ft. Getty Pavilion
 - a) Request for Waiver of Pavilion Rental Fee

VI. 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

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

- A) Town Administrator's Report: Andrew E. Nota
 - 1) Town Administrator's Quarterly Report - Local Project Initiatives and Town Department Updates
- B) Tax Assessment Board of Review Annual Report for FY 2017

VIII. UNFINISHED BUSINESS

- A) Golf Course presentation and update: Public Works Director Michael Gray and Town Planner Lisa Bryer; review and discussion and/or potential action and/or vote
- B) Upcoming Meetings and Sessions – dates and times; review and discussion and/or potential action and/or vote

IX. NEW BUSINESS

- A) Conservation Commission request to the Town Council to convene a Technical Review Committee of volunteers to address growing concerns for water resources on the Island; review and discussion and/or potential action and/or vote
- B) 2017 Vending RFP Results
 - 1) Award of Seasonal Vending Permit:
 - a) At Mackerel Cove to: Del's Lemonade & Refreshments, Inc. of Cranston, RI for the amount of \$3,250.00 as bid as recommended by Parks and Recreation Director Andrew Wade; review and discussion and or potential action and/or vote
 - b) At East Ferry to: Del's Lemonade & Refreshments, Inc. of Cranston, RI for the amount of \$3,350.00 as bid as recommended by Parks and Recreation Director Andrew Wade; review and discussion and/or potential action and/or vote

X. ORDINANCES AND APPOINTMENTS, VACANCIES AND EXPIRING TERMS

- A) Appointments, Vacancies and Expiring Terms; review and discussion and/or potential action and/or vote
 - 1) Jamestown Tree Preservation and Protection Committee (One vacancy with a three-year term ending date of December 31, 2019); duly advertised; no applicants

XI. 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 Council Minutes
 - 1) March 20, 2017 (regular meeting)
 - 2) March 21, 2017 (budget work session)
 - 3) March 23, 2017 (budget work session)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Traffic Committee (02/23/2017)
 - 2) Jamestown Zoning Board of Review (01/24/2017)
- C) One Day Event/Entertainment License Applications
 - 1) Applicant: Joyce Solomon
Event: Diane and Harve Wedding
Date: June 17, 2017
Location: Ft. Getty Pavilion
 - 2) Applicant: Jamestown Baseball Association
Event: Opening Day Parade
Date: April 29, 2017
Location: Recreation Center/Narragansett Avenue/Lawn Avenue/Baseball Field
 - 3) Applicant: Peyton Fowler
Event: Fowler-Hoffman Rehearsal Dinner
Date: July 21, 2017
Location: Ft. Getty Pavilion
 - 4) Applicant: Deborah Young
Event: Young-Primiano Wedding
Date: June 4, 2017
Location: Ft. Getty Pavilion
 - 5) Applicant: Amanda Gajewski
Event: Hunter-Gajewski Wedding
Date: August 11, 2017
Location: Ft. Getty Pavilion
 - 6) Applicant: Suzan Birt & Bruce Miller
Event: Miller Wedding
Date: June 3, 2017
Location: Ft. Getty Pavilion
- D) Marine Vessel Beverage License – **Class G** – Renewal
 - 1) Conanicut Marine Services
dba: MV The Jamestown
Location: East Ferry Wharf
 - 2) Conanicut Marine Services, Inc.
dba: MV The Katherine
Location: East Ferry Wharf

- E) Victualing License Application Renewal
 - 1) The Island Scoop dba: The Island Scoop
Address: 79 North Road

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

- A) Communications; review and discussion and/or potential action and/or vote
 - 1) Letter of Jamestown Traffic Committee regarding the request of William Munger to the Traffic Committee to allow Low Speed Vehicles on Town roads where the speed limit is 35 mph or less
 - a) Sample Ordinance from North Carolina
 - 2) Letter of Cynthia Long thanking the Council for their support of House Bill 5515 and adopting Resolution No. 2017-05
 - 3) Email of Earth Day Network President Kathleen Rogers and Board Chair Emeritus Denis Hayes requesting Jamestown host an environmental education roundtable event or adopt a Proclamation for Earth Day 2017
 - 4) Letter of RIDEM Division of Forest Environment and the Arbor Day Foundation congratulating Jamestown for again qualifying as a Tree City USA Community
 - 5) Letter of the Housing Network of RI Board of Directors announcing that the Town of Jamestown is a *2017 Housing Innovation Award* recipient and will be honored at the 25th Anniversary Annual Meeting on May 15th
 - 6) Letter of the ACLU providing a model “Municipal Immigrant protection Ordinance for RI Cities and Towns”
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns; review and discussion and/or potential action and/or vote
 - 1) Resolution of the Town of Charlestown in Support of Governor Raimondo’s Rhode Island’s Promise Program
 - 2) Resolution of the Town of Charlestown Relative to the Regulation of Earth Removal, Extraction, Processing and Blasting
 - 3) Resolution of the Town of Charlestown in Support of Inadequacies of the Low and Moderate Income Housing Act as Identified by the Town of Glocester, RI and forwarded to the RI Legislatve LMIH Study Commission

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) FY 2018 Budget Adoption
- B) Calendar for Board/Commission/Committee Sessions
- C) Affordable Housing Committee Session
- D) Tick Task Force: Development and Adoption of Committee Charge and Establishing Terms and Term Ending dates for Members
- E) Traffic Committee: Amending of Committee Charge and Establishing Terms and Term Ending dates for Members

XIV. EXECUTIVE SESSION

XV. 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, notice also may be posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

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.

Town of Jamestown



PROCLAMATION OF THE TOWN COUNCIL

NO. 2017-08

ARBOR DAY

WHEREAS: Arbor Day is observed throughout the nation and world; and

WHEREAS: Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS: Trees in our town increase property values and enhance the economic vitality of business areas; and

WHEREAS: Trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS: Our community has been blessed with a plentiful number and variety of trees which have beautified our landscape and added a touch of nature.

NOW, THEREFORE, the Town Council of the Town of Jamestown, Rhode Island does hereby proclaim Friday, April 28, 2017 as **ARBOR DAY IN THE TOWN OF JAMESTOWN**, and does hereby urge all citizens to support efforts to protect our trees and woodlands; and

FURTHERMORE, all citizens are urged to plant trees to gladden the hearts and promote the well-being of present and future generations.

By Order of the Jamestown Town Council,

Kristine S. Trocki, President

IN WITNESS WHEREOF, I hereby attach my hand and
the official seal of the Town of Jamestown this 3rd day of April, 2017.

Cheryl A. Fernstrom, CMC, Town Clerk

PAYTON'S PACE



Payton Elizabeth Watson Memorial Foundation
25 Shady Cove Road
North Kingstown, RI 02852

February 3, 2017

Jamestown Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

Dear Members of the Jamestown Town Council,

We thank you for your continued support of the Payton Elizabeth Watson Memorial Foundation. We respectfully request your consideration to waive the rental fee for Ft. Getty Pavilion for Payton's Pace 5K to be held on May 21, 2017.

Our event is a fundraiser to bring awareness to childhood cancer and support local organizations that help children fighting cancer, as well as, local youth arts, athletic and educational programs. Some of the organizations we continue to support are Jamestown Soccer, Jamestown Baseball, Jamestown Teen Center, NKHS Drama, NK Recreation Drama, NKHS Payton Elizabeth Watson Scholarship, PAYTON Beads at Hasbro Children's Hospital, The Tomorrow Fund and The Hole in the Wall Gang Camp.

Your approval of this fee will help us in our goals to continue to Pay It Forward in Payton's memory.

Sincerely

Elizabeth Watson
President

**Quononoquott Garden Club
P.O. Box 278
Jamestown, RI 02835**

March 17, 2017

Jamestown Town Council
93 Narragansett Ave
Jamestown, RI 02835

Dear Council Members

**Re: QGC's use of the Pavilion at Ft. Getty for our Plant Sale
May 20, 2017**


This letter accompanies the Quononoquott Garden Club's application to use the Pavilion on the morning of Saturday, May 20, 2017 for our Plant Sale.

As our literature states: "A goal of the Quononoquott Garden Club is to nurture the civic spaces on beautiful Conanicut Island for the enjoyment and pleasure of its citizens and visitors." and the plant sale, scheduled for May 20 this year, is our major fund-raiser to generate funds to do just that.

We respectfully request that you consider waiving the residential rental fee charged for the use of the Pavilion - so that money can be channeled towards the civic beautification instead.

Thank you for your consideration of this request.

Sincerely,



Anna Bernath
President, QGC
125 Hamilton Ave
Jamestown, RI 02835

RECEIVED
TOWN OF JAMESTOWN, R.I.
17 MAR 21 PM 3:46



TOWN OF JAMESTOWN
93 NARRAGANSETT AVENUE
P.O. Box 377
JAMESTOWN, RHODE ISLAND 02835

TO: HONORABLE TOWN COUNCIL
FROM: ANDREW E. NOTA, TOWN ADMINISTRATOR
SUBJECT: TOWN ADMINISTRATORS QUARTERLY REPORT
DATE: April 3, 2017

The following business items are provided as part of the April 2017 Administrators report. These items reflect ongoing projects and initiatives that are under review and in various stages of development with the Town staff and some that will require further Town Council direction during the various stages of development. Additional information is also provided as to the actions of select Town Departments and the various initiatives that they are presently involved with.

Project/Initiative Updates

- **Fort Getty:** Facility rehabilitation/replacement (gate house, lower and upper restroom facilities and waterfront improvements); seeking direction from Council later in Spring 2017 to release RFP for consultant services; public work session being planned in May/June 2017 to discuss both facility improvements and the overall park program.
- **Mackerel Cove:** Replacement of the portable restroom/equipment storage structure planned for this summer 2017; \$25,000 budgeted for materials - work is underway and being performed by Town personnel – facility should be ready and available for use this summer.
- **East Ferry Parking Area Restoration:** Public engagement process has commenced and will continue into spring/summer 2017. Future meetings planned with business owners and Planning Commission before returning to the Council with a final recommendation. Work scheduled to begin in fall 2017 with project completion in spring 2018. Main project elements include the replacement of curbing, sidewalks, asphalt, drainage and signage, along with Harbor Commission repairs of steel pipe rail fencing along bulked at an estimated cost of \$300,000. Grant application being filed with RI Commerce Corp. for 50% matching funds in the Main Street Streetscape Improvement Fund.
- **Playground Restoration Project and Parking:** Town, grant and private funds total \$258,162.11 as of March 2017, including \$85,000 in capital funds, a \$100,000 RIDEM grant and \$73,162.11 in private funds raised. The Playground Committee has been formed and has begun meeting to set priorities and to assess play equipment options. Based on the length of the design phase and funding requirements, work is expected to commence later in 2017, with parking and other site enhancements to be initiated in the spring by the Public Works and Parks Departments. The first phase of the project includes the added parking and pedestrian sidewalk installation, planned for spring 2017. The outcome of this effort will increase parking for 5-6 parallel spaces on Valley Street to a total of 11 angled spaces. This work will help in setting the northern perimeter of the

play area, relocating the fence 15 ft. to the south, and provide the playground committee with a defined area as they continue their work in developing a final playground design.

- **Lawn Avenue Recreation Project:** The Department is in the process of reviewing the RFP proposals submitted by various consultants for services to complete a detailed design of the approved enhancements for bid purposes and for review by Tribal representatives. This project timeline will extend over the next two years and is funded through a combination of local funds including a RIDEM Open Space, Recreation Development grant.
- **Target Shooting Public Hearing:** A public hearing to review two potential draft ordinance options has been scheduled for 6:00pm on Monday, April 10, 2017. The drafts include 1) a full prohibition on all outdoor firearm use, except for those categories including self-defense and hunting as protected by the RIGL, while option 2) includes language that allows for recreational target shooting to continue only in specific zones within the town in a regulated format.
- **Solar Array Project Discussions:** The Town staff is continuing to work with RITBA and its staff in the review of alternate sites for the potential development of a solar array to support the electricity needs of both the RITBA and the Town of Jamestown. The Town utilizes approximately 2 megawatts of power in total, from all municipal operations, utilities, and School Department accounts. In addition, the Town is seeking capital funds to conduct an assessment of several town buildings and properties in order to assess the future viability of solar array installations at select town locations.
- **Golf Course Facility:** The Town staff working with Architect Bill Burgin have continued their efforts to development a working plan and cost estimation on the Clubhouse project for presentation to the Town Council in the coming weeks. Work thus far has been based on the guidance provided by the earlier Facility Committee, in combination with the needs assessment and inventory of existing operational needs, public workshop discussions and facility/grounds needs and operating equipment used by the existing course operator.
- **Transfer Station replanting:** The Tree Warden, along with the Tree Committee, Public Works Department and community members, have been working on and off for several years on a replanting plan for the entranceway to the Transfer station. This program will be managed by Town staff, with the support of both Town and private funding. The Public Works staff have been working this winter and spring to prepare the site for the initial work to begin in spring 2017.
- **Grant Applications:** The Town is in development of two new grant applications including the following:
 1. Rhode Island Foundation community grant for \$5,500 in support of the continued public education and Lyme disease prevention efforts of the Tick Task Force.
 2. Rhode Commerce Corp. Main Street infrastructure grant to provide funding support for the planned improvements at East Ferry. The Town will be requesting funding support totaling 50% of total project costs. The preliminary project estimate is approximately \$300,000.
 3. Recently Awarded Grants:
 - a. RIDEM – small grant \$100,000 to support the Towns Playground restoration program.
 - b. RIDEM – Large Grant of \$400,000, supporting the rehabilitation of the Lawn Avenue recreational playfields.

Other Project Updates and Business

- **Budget Development Process:** The FY2017-2018 budget development process has begun with the Capital program and Town operating budget review of the Town Administrators proposal already having already been held in March. The joint meeting of the School committee and Town Council was held on March 30th and a follow up budget workshop is tentatively planned for Thursday, April 6th at 6:00pm to provide for additional review by the Council. A date for tentative budget adoption is planned for the Town Council meeting scheduled on April 17th. The Towns Financial Town meeting is scheduled for Monday, June 5, 2017.
- **Transfer Station Buildings and Grounds:** Repairs and restoration of exterior of transfer station buildings is ongoing; Planning has begun on finalizing the landscape plan previously developed by the Tree Committee for the entrance to the transfer station. Private funding will support the majority of this project. This fall additional tree planting on the upper portion of the property was performed by Town personnel to enhance the green buffer with abutting neighborhoods. The work on the entranceway is tentatively planned for this spring/summer 2017.
- **Fiber Cabling Project:** The installation from the Fire Station to the Police Department has been completed this winter with plans being made for Phase 2 – with an in-ground installation from Police to the Highway and Wastewater facilities. Phase 3 – will include a possible tie-in to the RITBA facility and the installation of a redundant line down Weeden Lane to a connection on North Road, also providing for a connection to the water plant. This work is being performed mainly by Town personnel and will be completed over the next year or as time allows.
- **Public ROW Review and CRMC Maintenance Assents:** The Town has received approval on the seven Maintenance Assents authorized by CRMC for the recognized public ROW's at the following locations: Hull Street, Heads Beach, Buccaneer Way, Champlin Way, Sunset Beach, Broad Street/Park Dock, Decatur Avenue. The majority of these assents call for minimal work, including the marking of property bounds, trimming of growth or the creation of a pathway to the shoreline, and the installation of ROW signage. A neighborhood group will be involved directly in providing input on the proposed work at the Champlin way site, inclusive of concrete repairs, property line delineation and other safety improvements. The Park Dock assent also provides for the installation of a safe travel way to the shoreline from the road surface. Work is expected to begin this winter/spring at all locations as staffing levels and resident participation allows.
- **RI Commerce Corp. "Lean" Professional Development Training:** Select Town staff will be participating in "Lean" management principles training over a three week period in March/April as provided through RI Commerce Corp. The second phase of the training involves a local project to improve the Business Licensing process. In addition, we will also review other similar processes, including event approvals, building permitting, and other related processes. The main result we are seeking to achieve is to maximize customer value while minimizing waste, or simply creating more value for customers with fewer resources. A lean organization or municipality understands customer value and focuses its key processes to continuously increase it. The ultimate goal is to provide perfect value to the customer through a perfect value creation process that has zero waste. With strategic adjustments being made other processes municipalities are then able to respond to changing customer desires with high variety, high quality, low cost, and with very fast throughput times. Also, information management becomes much simpler and more accurate.

Police Department:

- The Department has advertised for the three vacant patrol positions and is seeking both interested and qualified certified officers and academy candidates. If someone is selected to attend the academy, the academy schedule start date would be July 2017. The Town is also investigating

the use of temporary, per diem certified officers to fill-in shifts that the full-time officers are unavailable to cover.

- A thorough review of the mock assessment for the Department Accreditation is underway and adjustments are being made to the program, as needed;
- Request to Bargain: In accordance with Rhode Island General Law 28-9.2-13 the Local IBPO has requesting the Town and Union begin the process of collective bargaining for the contract covering the period of July 1, 2017 through June 30, 2020. The existing contract expires on June 30, 2016.

Harbor Division:

- The Chief having worked with the Harbor Commission in the review and acceptance of the proposed operating 2017/2018 budget at their December meeting, received approval of the Town Council in January.
- The Town Council authorized the replacement of multiple wooden pilings in West Ferry in support of the Outhauls and floating dock systems, This work has be awarded to Narragansett Dockworks and should be completed this spring.
- The Harbor Master is in early season preparation for the new season and to be back in the office in the coming weeks and also to begin pre-season work on both patrol boats.
- The Chief and Harbor Master are working on developing a plan for one or more part-time Harbor Masters to fill in the schedule and to tale on special projects, when needed.

Fire Department:

- The station expansion project is continuing with the final interior elements and mechanical installations underway. The roof has been shingled and the exterior is being prepared in anticipation of cedar shingles being installed in the next several weeks. Chief Bryer remains in the role of on-site project manager. Formal project meetings are continuing on a bi-weekly basis with Iron Construction, with Mike Gray, Chief Bryer and me. It is anticipated that the station will be functional at some point in June and fully completed by July.
- The new Pumper Truck and Rescue approved and funded within the Capital Program and Bond Authorization, have just recently arrived and are being prepared for active use.
- The transition for the EMS building for all EMS operations will be coordinated with the opening of the new expanded main station;
- The Department is continuing with its monthly training of both Fire and EMS volunteers and paid professionals.

Tax Assessment Department:

- All motor vehicles have been priced, account numbers assigned, and they have all been recalculated and added to the 2017-18 Tax Roll.
- The Tax Assessment Board of Review has completed all of their appeal hearings. The following is a summary of their work for the 2016-17 tax year:

Total properties appealed to Tax Board:	13
Number of assessments unchanged:	7
Number of properties granted reduction in assessed value:	6
Reduction in assessment granted by the Tax Board:	\$382,200.00
Total tax abatements issued:	\$2,157.01

Building and Zoning:

- This June, the Rhode Island State Fire Marshal and State Building Commission became the first two entities to launch our statewide e-Permitting platform. The state no longer accepts paper

applications for building permits or plan review and the expectation is that ten municipalities in Phase 1 will be launched by spring 2017. The department will continue to monitor the state's efforts and the expansion of this program on a statewide basis.

- Building permitting has been steady and is now increasing based on an upswing in seasonal activity. The department recognized 28 new dwelling permits issued between 3/30/16 and 3/30/17.
- The Building Official is working with the Planning Department on recommendations for potential revisions to the Zoning Ordinance.

Planning Department:

- **Sustainability Program** – Horsley Witten Group (HWG) has completed Phase I and published a report <https://www.sustainablejamestown.com/all-feedback-as-of-march-2017> as well as a two page summary <https://www.sustainablejamestown.com/two-page-feedback-summary> of the input that was gathered at all of the venues in January and February 2017. This information was presented to the Planning Commission on March 15 along with a draft scope for Phase 2 of the program. The Planning Commission will discuss and finalize the scope of Phase 2 on April 19. The Town Planner is reviewing and amending the draft scope for the consultants.
- **Affordable Housing** – Formal letters have been sent out to residential lots in the village eligible for subdivision for affordable housing. The 4 responses received thus far have not been in favor of considering the program as an option.
- The Planning Director is in the process of working with a property owner on the potential of the lot for affordable housing. In addition the Planner has been working with Judith Sutphen of the Affordable Housing Committee to find other affordable housing developers to work with in Jamestown in addition to Church Community Housing Corporation.
- **RI Foundation Centennial Grant - Native American Memorial and Signage:** The Director is working with Tribal representatives to find a location for a possible Native American memorial and interpretive signage. Sites have narrowed down to a possible four locations, that will be presented to the Town Council, once a final review is conducted by the Tribal Historical Preservation Officer of the Narragansett Tribe. The Director is also working on a request for proposal for the Memorial; the details of which will be made available to the Town Council for review. This is an ongoing .
- **Safe Routes to School Grant:** The 90% plans are with the State for additional review. The grant is for a total of \$450,000 and the last cost estimate on the proposed enhancement total, was approaching \$700,000-\$750,000. The Town will be seeking direction on this program in the coming months once the design is completed, approvals are in place and we are prepared to bid specific elements of the project. This is an ongoing program.

Public Works Department:

As the department transitions from winter conditions into spring we take this time to complete general maintenance of various town properties, buildings, roadways, and Town Rights-of-Way before beginning projects for the construction season. The following is a list of accomplishments through March.

- Catch basin cleaning has been ongoing from West Passage, East Passage and into Jamestown Shores;
- Grading was conducted on gravel roads as needed;
- Street Sweeping began in March. Roads are complete in West Passage, East Passage and off of East Shore Road. We will begin sweeping roads in the village the first week of April;
- Crews have been working on hazardous tree removals for the past several weeks. Trees were identified by the DPW working with our Tree Warden. Trees have been removed at the Transfer Station, Anthem Street, High Street, Green Lane, Lincoln Street, Highland Drive, West Ferry Maple Street, Ocean Avenue, and Garboard Street;

- Surplus gravel and fill materials were trucked to Drybridge sand and stone for disposal to make room for materials that will be generated from construction projects during the 2017 season;
- Work continues on the construction of the new bathroom and life guard building for Mackerel Cove. The DPW has been working on the building for a number of weeks at the highway garage. The project will be ready for the 2017 summer season;
- The DPW has been working at the transfer station property removing the old chain link fence along North Main Road. We will continue with our tree planting program this spring focusing on the area along North Main Road and on either side of the entrance to the transfer station;
- The water department staff completed the installation of the controls for the raw water pumps at the treatment plant. The pumps are now operated out of the new treatment plant building;
- The Water Department is preparing to begin our hydrant flushing program the first week of April.
- Sewer Department staff worked with Green Mountain Pipeline services to clean and inspect the collection system piping that is scheduled for slip line this spring;
- Our Phase II stormwater annual report was completed and submitted to RIDEM. The Capacity Management Operation and Maintenance (CMOM) and Tier II annual reports were submitted to the EPA.

Library:

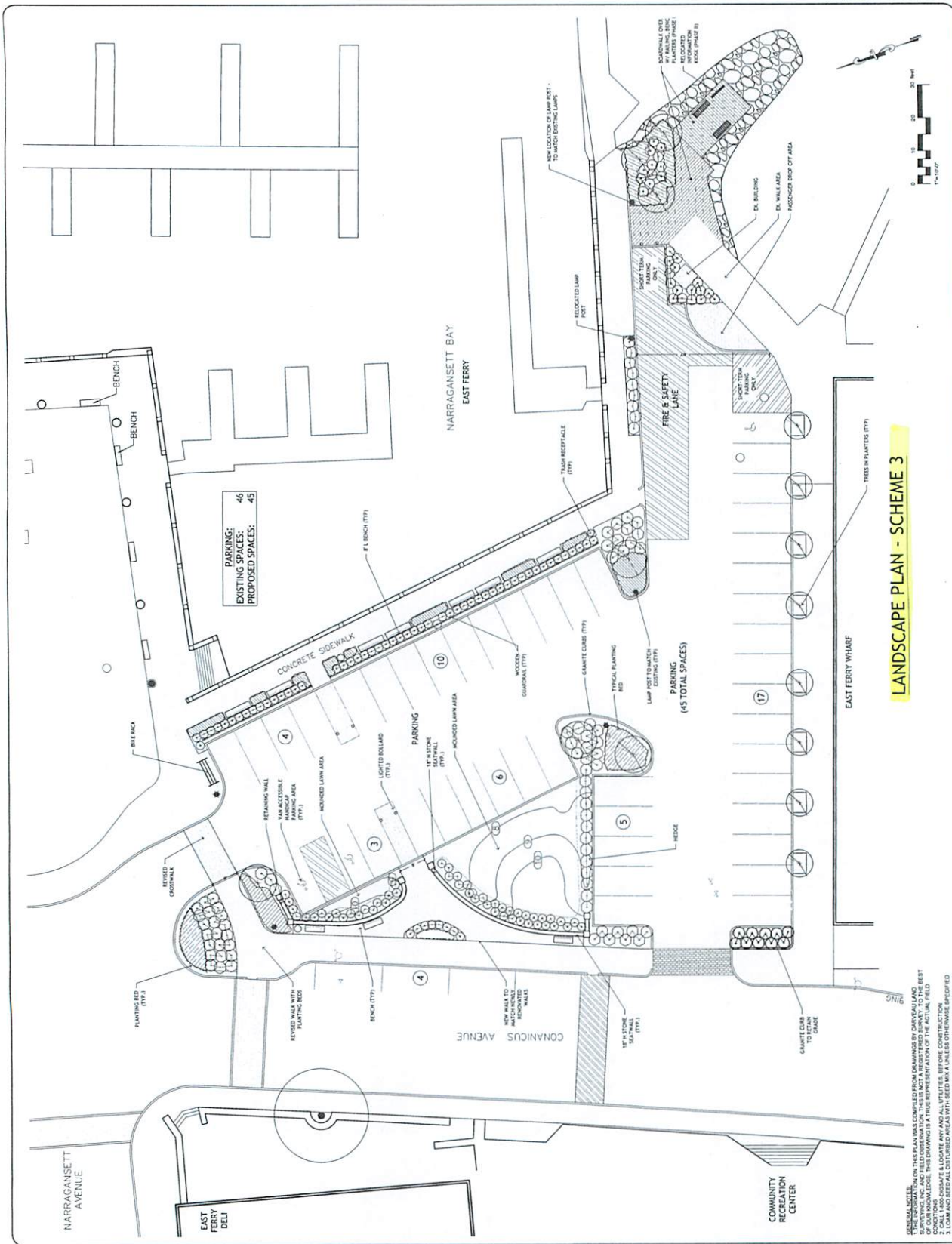
- The Library has been collaborating with the Senior Center and Parks and Recreation on some new programming including the very successful Tuesday matinee program. This has been such a great success that the seniors have asked to reserve a room following the film to share their thoughts on the film. The Cyber Seniors program was also a collaboration that was well attended.
- Lisa Sheley will be meeting with Carole L. Petersen and School Librarian, Lisa Casey to formulate a Summer Reading Program between the library and the school.
- The LBOT has approved a "Cost Estimator" for a possible plan/design renovation of the library. The Library Director is working with the Board on a plan to revise the outdoor lighting of the library and a diseased tree was removed from the south side of the building this past week.

Parks and Recreation:

- Spring Programs begin Week of April 5 with Summer Program Planning already having begun;
- Seasonal Work Applications being accepted for:
 - Fort Getty
 - Mackerel Cove
 - Summer Playground
 - Maintenance Staff
- RecDesk Online registration training is ongoing for all full-time staff;
- Playground Renovation Committee meeting weekly on Fridays;
- Teen Center Annual Dodgeball Tournament to be held in conjunction with Jamestown Police – April 14;
- Lawn Avenue Project: Final consultations being held with Landscape Architectural Firms to begin work on a master plan and bid documents;
- Outdoor athletic field preseason work has begun, working closely with Softball Association and Cal Ripken baseball to ensure fields are playable and support to the leagues are given as needed;
- Opening Day Parade for Baseball & Softball Scheduled for April 29;
- Early season preparation is being made by the Parks Dept. at Fort Getty and at various park locations;
- Coordination efforts and support for Taylor Point Restoration;
 - Removal of damaged guard rails in parking area
 - Identifying Invasive species to remove/trim
 - Identifying area for new tree placement

- Supporting Efforts for Earth Day Cleaning on April 29;
- Recreation Center 75th Anniversary Celebration with Jamestown Historical Society “Dance of the Decades” scheduled for May 13.

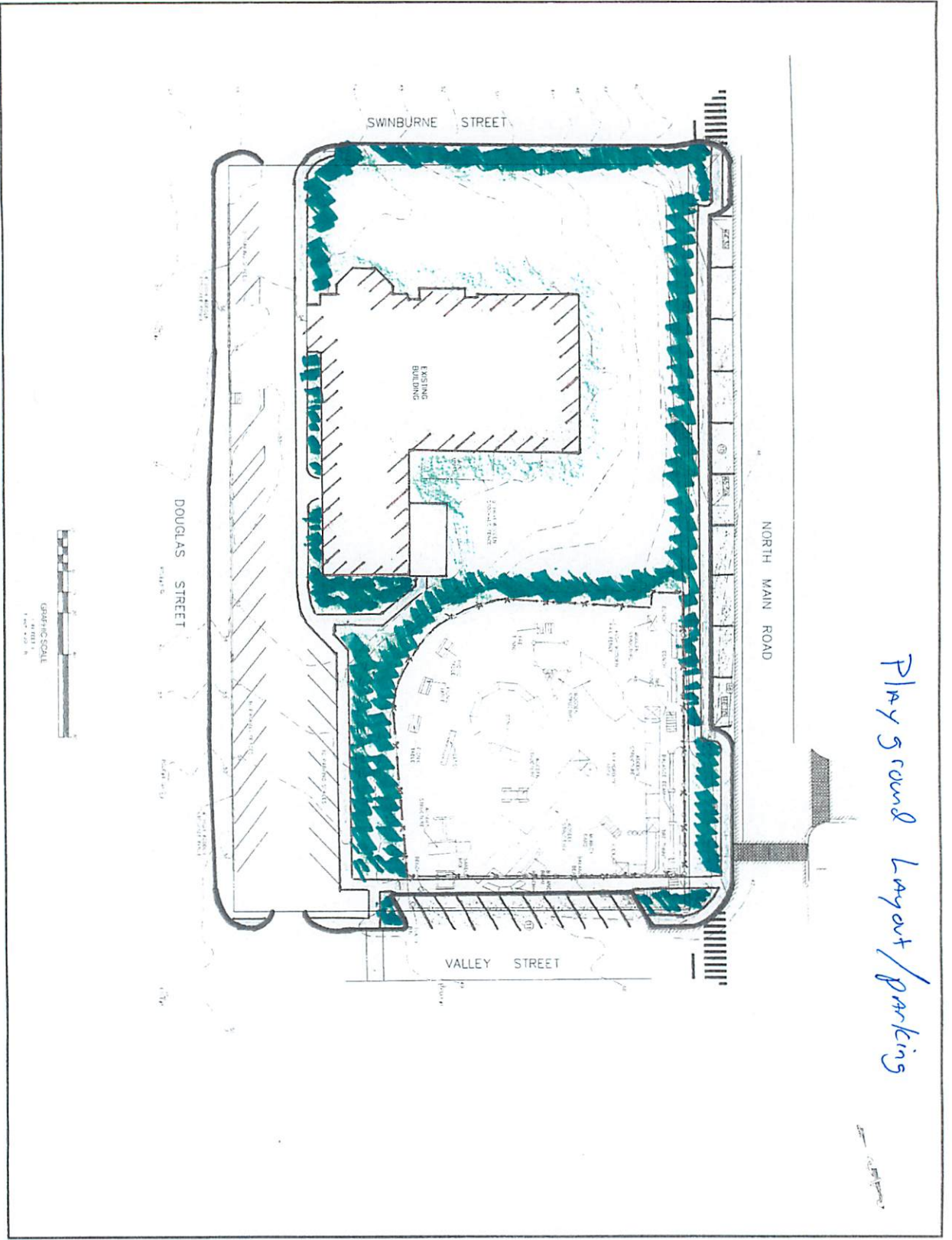
If you have a question regarding any of the above items, please contact me at your earliest convenience.
Thank you.



LANDSCAPE PLAN - SCHEME 3

GENERAL NOTE: THIS PLAN WAS COMPILED FROM DRAWINGS BY CARROLL AND SURVIVAL, INC. AND FIELD OBSERVATION. THIS IS NOT A REGISTERED SURVEY. TO THE BEST OF OUR KNOWLEDGE, THIS DRAWING IS A TRUE REPRESENTATION OF THE ACTUAL FIELD CONDITIONS. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING. THE CLIENT HAS REVIEWED AND APPROVED THIS DRAWING.

Playground Layout/Parking



TOWN OF JAMESTOWN
Jamestown, Rhode Island 02835
Phone: (401) 423-2000 FAX: (401) 423-1226
Web Page: www.jamestownri.gov

PARKING PLAN
JAMESTOWN
PLAYGROUND
PARKING
LAYOUT

NORTH ROAD AND
VALLEY STREET
JAMESTOWN, RHODE ISLAND

TOWN OF JAMESTOWN
P.O. BOX 377
JAMESTOWN, RHODE ISLAND
02835

PROPOSED PARKING
LAYOUT PLAN

NO.	DATE	REVISION

C-1

NOT FOR CONSTRUCTION

TOWN OF JAMESTOWN

TAX ASSESSMENT BOARD OF REVIEW

March 23, 2017

Honorable Members of the Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, Rhode Island 02835

Dear Council Members:

This letter is to inform you that the Tax Assessment Board of Review has finished hearing tax appeals for the fiscal year ending June 30, 2017.

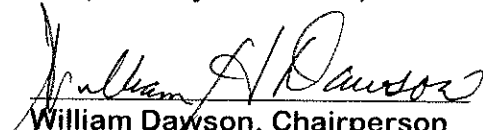
For the 2016 – 2017 fiscal year the Tax Board elected the following officers:
Chairperson William Dawson, Secretary, Karen Gabriele; and, Member Frank Sallee.

Following is a quick summary of the Board's deliberations:

Total properties appealed to Tax Board:	13
Number of assessments unchanged:	7
Number of properties granted reduction in assessed value:	6
Reduction in assessment granted by the Tax Board:	\$382,200
Total tax abatements issued:	\$2,157.01

A statistical report of the Tax Board's appeal results and an Attendance Report covering the current fiscal year are enclosed. If there are any questions pertaining to our decisions, please feel free to contact William Dawson or Tax Assessor, Kenneth Gray.

Respectfully submitted,


William Dawson, Chairperson
Tax Assessment Board of Review

**JAMESTOWN TOWN COUNCIL
UPCOMING MEETINGS, SESSIONS AND EVENTS
APRIL/MAY 2017**

April	3	7:00 p.m.	Town Council Regular Meeting
April	6	6:00 p.m.	Town Council Budget Review Work Session, if needed
April	10	7:00 p.m.	Town Council Target Shooting Ordinances Public Hearing
April	12	12:00 noon	Town Council Agenda and Bills deadline
April	13	6:00 p.m.	Town Council Budget Review Work Session, if needed
April	17	6:30 p.m.	Town Council Regular Meeting with Water and Sewer FY 2018 Budget Adoption Calendar for Board/Commission/Committee Sessions Affordable Housing Committee
April	26	12:00 noon	Town Council Agenda and Bills deadline
April	28	1:00 p.m.	Arbor Day Tree Planting
May	1	7:00 p.m.	Town Council Regular Meeting
May	10	12:00 noon	Town Council Agenda and Bills deadline
May	15	6:30 p.m.	Town Council Regular Meeting with Water and Sewer
May	31	12:00 noon	Town Council Agenda and Bills Deadline

3/31/2017



JAMESTOWN CONSERVATION COMMISSION

MEMO

To: Jamestown Town Council

From: Maureen Coleman, Chair *Maureen Coleman*

cc: Andrew Nota, Town Administrator

Date: March 6, 2017

Subject: Technical Review Committee for Water Resources Protection

The Jamestown Conservation Commission respectfully requests the Town Council's support in convening a Technical Review Committee of volunteers to address growing concerns about water resources on the island.

Periodic drought conditions have placed pressure on drinking water supplies on the island, as reduced precipitation levels contribute to lower water levels at the town reservoirs and in individual homeowner's wells. At the same time, increases in development on the island are resulting in "more straws" making use of the same finite sources of groundwater. Increases in land development have also replaced vegetated land with impervious surfaces, which in turn increases storm-water runoff—concentrating pollutants in our waterways and reducing the volume of precipitation that is retained on the land to recharge groundwater. Much of our island's rainwater is literally washing away.

In 1999, the Town Council established an independent Water Resources Protection Committee, charged with preserving and protecting Jamestown's water resources. After more than a decade of success in land conservation, the WRPC asked the Town Council to abolish the group, and the Town Council voted in 2011 to transfer the Water Resources Protection Committee's role to the Conservation Commission. Copies of the resolution and related meeting minutes are enclosed for reference.

Now, as water resources remain a primary conservation concern, the Conservation Commission would like to convene a Water Resources Technical Review Committee as outlined in the Town Council's February 2012 resolution. As an advisory group to the Conservation Commission, the group's charge would include:

- 1) Gather information to help better understand current conditions as well as factors influencing both water quality and the supply of drinking water on the island;
- 2) Make recommendations and coordinate logistics for land purchases for conservation purposes;
- 3) Assist in the solicitation of funds from outside sources;
- 4) Make recommendations for best practice in water conservation and protection;
- 5) Develop educational initiatives to build awareness of best practice in water conservation and protection for residents, including homes with private wells as well as those with town-supplied water and sewer.

As a first step in convening the Water Resources Technical Review Committee, the Conservation Commission looks forward to making recommendations to the Town Council for committee appointments.

The Conservation Commission commends the former Water Resources Protection Committee's accomplishments in land protection, including more than 80 conservation lots in the Jamestown Shores, which are helping to protect wetland functions and increase groundwater recharge in a densely-populated area with a history of compromised private wells.

We look forward to partnering with town staff and the Town Council to help protect Jamestown's precious water resources.



TOWN OF JAMESTOWN

Parks & Recreation Office

P.O. Box 377

41 Conanicus Ave.

JAMESTOWN, RHODE ISLAND 02835

Recreation Office (401) 423-7260

Teen Center (401) 423-7261

Fort Getty (401) 423-7211

Fax (401) 423-7229

TO: Andrew E. Nota, Town Administrator
FROM: Andrew J. Wade, Parks & Recreation Director
SUBJECT: Vendor Bids
DATE: 3/29/17

On Friday January 27th, bid proposals for vending at East Ferry and Mackerel Cove were opened by Christina Collins at Town Hall. The results of the bids were as follows:

East Ferry: Del's Lemonade \$3,350.00, Johnny Angel's Clam Shack \$1,007.00

Mackerel Cove: Del's Lemonade \$3,250.00, Johnny Angel's Clam Shack \$1,007.00

It is my recommendation that the Town Council award the bid to vend at Mackerel Cove to Del's Lemonade to vend frozen lemonade from a truck as per the details of the RFP. There will be no change in service to the public at Mackerel Cove as this vendor has sold his product at the beach for many seasons. In East Ferry however, there has not traditionally been a vendor selling products in this fashion. Being that there is such a strong bid before the town from a known vendor, and that the Town Council asked that the town staff to explore the possibility of awarding a bid to a vendor in this area, we should have an open conversation at the next Town Council Meeting to discuss this option and its potential impact on the downtown village district as well as East Ferry. I have attached copies of the RFP packets for your convenience.



Invitation to Bid

DETAILED SPECIFICATIONS FOR PROFESSIONAL TRADE SERVICES

Mackerel Cove Beach 15 Beavertail Road Jamestown, RI

1. The bidder shall not withdraw his/her bid within ninety days (90) after the scheduled closing time of the bid.
2. The Town seeks to award municipal work to qualified concession CONCESSIONAIRES, licensed by the State of Rhode Island, to provide one of, or any combination of the following; food and non-alcoholic beverages, frozen lemonade and novelty ice cream items at Mackerel Cove, located at 15 Beavertail Road. No other items, i.e. apparel, jewelry may be sold by the CONCESSIONAIRE at this location.
3. The bidder shall present his/her bid.
4. The bidder shall be aware that the hours of operation are from 9:00AM through 5:00 PM Monday through Sunday, seven days per week and is expected to provide service to the public during the hours of 9:00 AM through 5:00 PM daily during the Beach Season, as specified in the bid specifications Paragraph five (5).
5. One (1) parking spaces will be provided to the CONCESSIONAIRE within the parking area only and the license plate number of the vehicle associated with the deployment of services by the CONCESSIONAIRE are required. No other personnel shall be permitted to park in these designated spots.
6. The bidder may provide Concession Services at Mackerel Cove Beach between the following dates: May 15 – October 15; the bidder is required to provide Concession Services at Mackerel Cove Beach on weekends and holidays between the last Saturday in June and Labor Day each year.
7. The CONCESSIONAIRE must comply with all local and state laws governing the handling and dispensing of foods. Also, all state and federal tax regulations and laws must be complied with. All food vending shall be performed according to recognized industry standards, in accordance with all Federal, State, and Local laws, regulations and codes to insure the safety of the general public and the Concessionaire. Regular Rhode Island State Health (RIDOH), inspections are required at the beginning of the summer season. Full adherence to Rhode Island Health Department regulations is required and notification of the results of the evaluations must be given to the Parks and Recreation

Director and filed as Public Record within ten (10) days of receipt from RIDOH. Failure to comply with this regulation will result in immediate forfeiture of the rights to provide concessions at the site on Town owned property.

8. All bidders shall be insured for general liability, motor vehicle liability and workers compensation in amounts sufficient to satisfy Town requirements for the duration of the contract period. The bid award winner shall provide a certification of Insurance listing the Town of Jamestown as additional insured prior to issue of contract, proof of motor vehicle liability insurance and proof of workers compensation compliance.
9. The CONCESSIONAIRE shall comply with all provisions, conditions and stipulations of RHODE ISLAND GENERAL LAW as applicable.
10. The CONCESSIONAIRE shall provide adequate statutory Workman's Compensation Insurance for all labor employed on the Project who may come within the protection of such laws and shall provide EMPLOYERS GENERAL LIABILITY INSURANCE in the amount of One Million Dollars (\$1,000,000.00) for the benefit of his employees **not** protected by such compensation laws and will provide proof of this insurance prior at the start of the vending season at the time of acceptance of the contract.
11. The CONCESSIONAIRE shall carry Comprehensive General Liability Insurance with broad form of Contractual General Liability Endorsement attached, providing a limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to or death of one (1) person, and subject to that limit for each person, a total limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to or the death of two (2) or more persons in any one accident; and CONCESSIONAIRE'S Comprehensive Property Damage Liability providing for a limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of injury to or destruction of property during the policy period.
12. The CONCESSIONAIRE shall provide the Owner an insurance policy written in the name of the OWNER, it's employees, servants and agents, and extended to include the interests of the Engineer, it's employees and agents, to protect the OWNER, and the Engineer from any liability which might be incurred against them as a result of any operations of the CONCESSIONAIRE or his subcontractors, or their employees. Such insurance shall provide a limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to or the death of two (2) or more persons in any one accident; and a limit of not less than One Million Dollars (\$1,000,000.00) for all damages out of injury to or destruction of property in any one accident, and subject to a limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of injury or destruction of property during the policy period.
13. The CONCESSIONAIRE shall carry Comprehensive Automobile Liability Insurance covering all owned vehicles, or non-insured vehicles in the amount of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to or the death of any one (1) person, and subject to that limit for each person a total of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to or the death of two (2) or more persons in any accident; and Property Damage in an amount not less than One Million Dollars (\$1,000,000.00) for all damages arising out of injury to or destruction of property.

14. Special hazards shall be covered by a rider or riders to the Public Liability Insurance and Property Damage Insurance policy or policies hereinabove required to be furnished by the CONCESSIONAIRE, or by separate policies of insurance as follows:
 - A. Property Damage Liability arising out of fire a result of CONCESSIONAIRE negligence.
 - B. Property Damage Liability for injury to or destruction of property arising directly or indirectly from alteration of the grounds associated with the operation.
 - C. During the progress of the work the CONCESSIONAIRE shall effect and maintain CONCESSIONAIRE RISK INSURANCE ON COMPLETED VALUE FORM against loss by fire, lightning, windstorm, hurricane, cyclone, tornado, hail, explosion, riot, riot attending strike, aircraft, smoke and vehicle damage, vandalism, and malicious mischief upon all Work in place whether or not covered by partial payment made by the OWNER
15. The successful bidder shall supply phone numbers that allow contact during hours of operation and beyond.
16. The period of this bid award shall be from:
May 15 – October 15

However, the Town reserves the right to extend the period of award for one additional (1) season during the following year 2017, upon agreement to the same by the CONCESSIONAIRE and the Town Council. Nothing herein shall obligate the Town to any such extension. All agreements contained within the accepted proposal must be held for the original and extended term or terms, should said agreement to extend the term or terms take effect. While the CONCESSIONAIRE is not permitted to provide concessions prior to the date of operation as specified above and beyond the conclusion date of operation, he/she will be permitted one week of access to the site for preparation time in advance of the season and one week of break down after the conclusion of the season.

17. Vehicles, CONCESSIONAIRE carts, trailers, grills, refrigerators, umbrellas, chairs and other vending related items may not be stored at the site.
18. There is NO ELECTRICITY OR WATER AVAILABLE at the Mackerel Cove Beach site.
19. CONCESSIONAIRE is responsible for the cleanup of site including grease spills, paper, food products, and is to keep the parking area clean and neat during hours of operation. The Town of Jamestown is a recycling community and recycling is required of the CONCESSIONAIRE. Placement of recyclable materials by the CONCESSIONAIRE in an accessible, mutually agreed upon site between the Parks and Grounds staff and the CONCESSIONAIRE is required as daily removal of recyclable materials will be conducted. Recyclable materials include; cans, aluminum cans, plastic bottles, glass bottles, paper products and cardboard.

20. CONCESSIONAIRE is permitted the placement of two signs no bigger than 3' x 4' on site and may advertise only their products sold on site.

Evaluation Criteria:

1. Based on ability to perform to specifications.
2. Revenue provided to town for the right to provide CONCESSIONAIRE services on site.
3. Historical experience working with the Town of Jamestown.
4. Recognized business reputation.
 - a. Business references. Provide three (3) business references, name, address and telephone number. Note: these references must be business related and not character references. These recommendations are critical to our evaluation process as we rely on this element of the process significantly.
 - b. Previous municipal or group customer references.

**BID PROPOSAL
PRICE SHEET**

**PROFESSIONAL VENDOR SERVICES
Mackerel Cove Beach
15 Beavertail Road
Jamestown, RI 02835**

Licensed/Approved Concession Food and Beverage VENDOR

I, _____ of _____

Name

Company

Propose to furnish the Town of Jamestown the Vendor services at Mackerel Cove Beach to provide food and non-alcoholic beverage services including frozen lemonade and novelty ice cream items of appropriately licensed/approved by the State of Rhode Island Vendor for a one (1) season service period extending from: May 15th – October 15

Bid for right to provide concessions at Mackerel Cove Beach, 15 Beavertail Road, Jamestown, Rhode Island:

Bid Amount: \$ _____ Written Number: \$ _____

Signature and Title

Date



Invitation to Bid

DETAILED SPECIFICATIONS FOR PROFESSIONAL TRADE SERVICES

East Ferry Memorial Park Conanicus Ave Jamestown, RI

1. The bidder shall not withdraw his/her bid within ninety days (90) after the scheduled closing time of the bid.
2. The Town seeks to award municipal work to qualified concession CONCESSIONAIRES, licensed by the State of Rhode Island, to provide one of, or any combination of the following; food and non-alcoholic beverages, frozen lemonade and novelty ice cream items at East Ferry Memorial Park. No other items, i.e. apparel, jewelry may be sold by the CONCESSIONAIRE at this location.
3. The bidder shall present his/her bid.
4. The bidder shall be aware that the hours of operation are from 9:00AM through 5:00 PM Monday through Sunday, seven days per week and is expected to provide service to the public during the hours of 9:00 AM through 5:00 PM daily during the Summer Season, as specified in the bid specifications Paragraph five (5).
5. One (1) parking spaces will be provided to the CONCESSIONAIRE within the parking area only and the license plate number of the vehicle associated with the deployment of services by the CONCESSIONAIRE are required. No other personnel shall be permitted to park in these designated spots.
6. The bidder may provide Concession Services at East Ferry Memorial Park between the following dates: May 18 – September 17; the bidder is required to provide Concession Services at East Ferry Memorial Park Campground on weekends and holidays between the last Saturday in June and Labor Day each year.
7. The CONCESSIONAIRE must comply with all local and state laws governing the handling and dispensing of foods. Also, all state and federal tax regulations and laws must be complied with. All food vending shall be performed according to recognized industry standards, in accordance with all Federal, State, and Local laws, regulations and codes to insure the safety of the general public and the Concessionaire. Regular Rhode Island State Health (RIDOH), inspections are required at the beginning of the summer season. Full adherence to Rhode Island Health Department regulations is required and notification of the results of the evaluations must be given to the Parks and Recreation

Director and filed as Public Record within ten (10) days of receipt from RIDOH. Failure to comply with this regulation will result in immediate forfeiture of the rights to provide concessions at the site on Town owned property.

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3. Historical experience working with the Town of Jamestown.
4. Recognized business reputation.
 - a. Business references. Provide three (3) business references, name, address and telephone number. Note: these references must be business related and not character references. These recommendations are critical to our evaluation process as we rely on this element of the process significantly.
 - b. Previous municipal or group customer references.

**BID PROPOSAL
PRICE SHEET**

**PROFESSIONAL VENDOR SERVICES
East Ferry Memorial Park
Conanicus Ave.
Jamestown, RI 02835**

Licensed/Approved Concession Food and Beverage VENDOR

I, _____ of _____

Name

Company

Propose to furnish the Town of Jamestown the Vendor services at East Ferry Memorial Park to provide any combination of the following: food and non-alcoholic beverage services including frozen lemonade and novelty ice cream items of appropriately licensed/approved by the State of Rhode Island Vendor for a one (1) season service period extending from: May 18 – September 17

Bid for right to provide concessions at East Ferry Memorial Park, Jamestown, Rhode Island:

Bid Amount: \$ _____ Written Number: \$ _____

Signature and Title

Date

Mackerel Cove Beach



Possible Vendor locations:



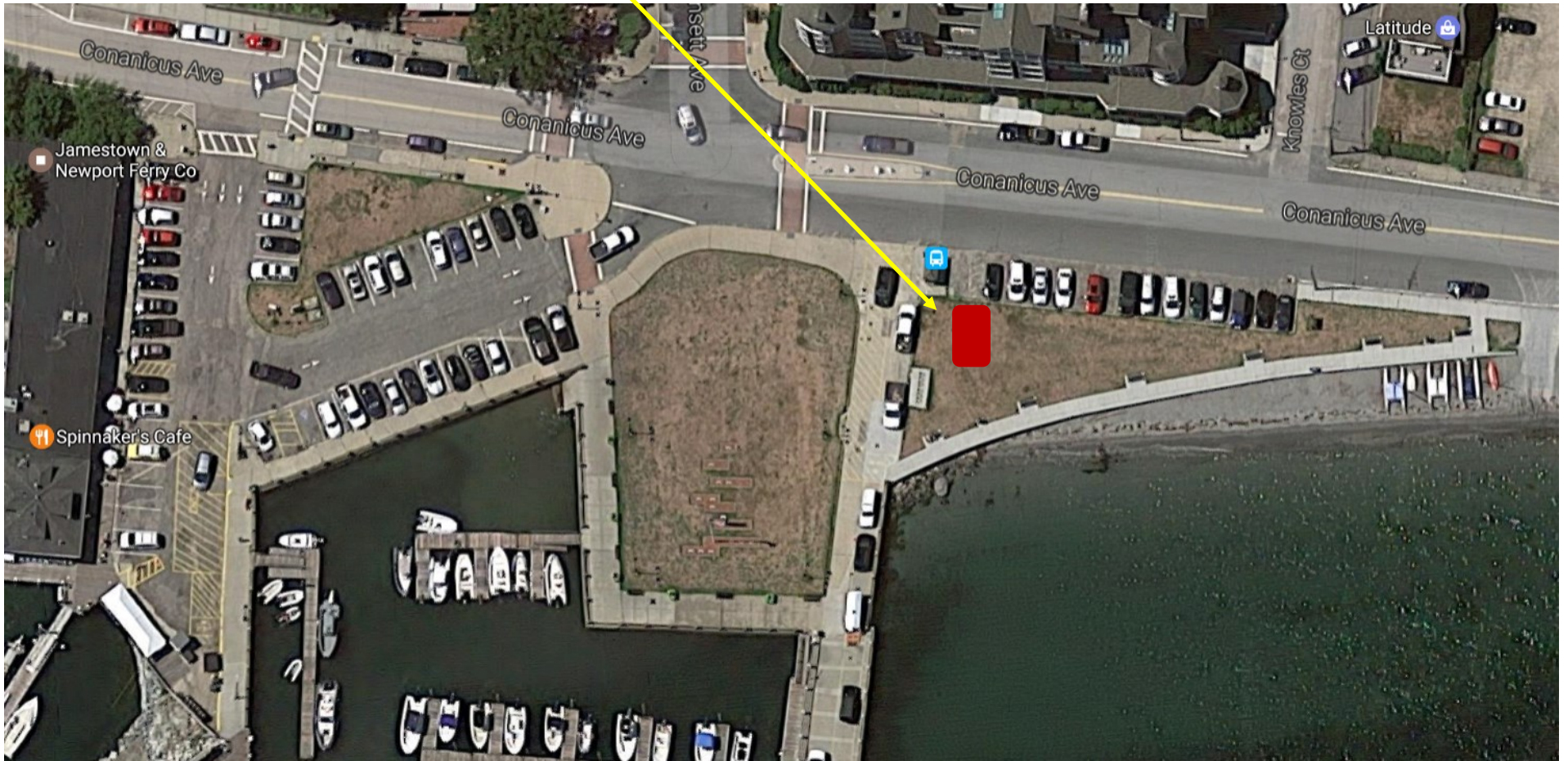
Fort Getty Campground

Possible Vendor location:



East Ferry

Possible Vendor location:



TOWN COUNCIL MEETING
March 20, 2017

I. ROLL CALL

Town Council Members present:

Kristine S. Trocki, President
Michael G. White, Vice President
Blake A. Dickinson
Mary E. Meagher
Eugene B. Mihaly

Also in attendance:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Michael C. Gray, Public Works Director
Edward A. Mello, Police Chief
Andrew J. Wade, Parks and Recreation Director
Wyatt A. Brochu, 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 6:37 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. TOWN COUNCIL SITTING AS THE BOARD OF
WATER AND SEWER COMMISSIONERS**

Meeting convened at 6:38 p.m. and adjourned at 7:06 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

**IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS,
RESOLUTIONS AND PROCLAMATIONS**

A) Presentations:

- 1) Marijuana in Rhode Island: Assistant Attorney General Joee M. Lindbeck, Legislation and Policy Unit

Assistant Attorney General Lindbeck gave a PowerPoint presentation on “Marijuana in Rhode Island.” Her unit is tasked with educating cities and towns on what has been experienced in the eleven years of the Medical Marijuana Program and lessons learned from sister states facing a retail marijuana market in addition to medical marijuana. Ms. Lindbeck explained decriminalized of marijuana in RI and fine of \$150 for possession of less than an ounce of marijuana. The Medical Marijuana legislation has had numerous

revisions since its inception, and the primary concern for regulation is to protect public health and safety. Those authorized to possess and/or distribute marijuana are: compassion centers, caregivers, patients, and cooperative cultivators. Authorized purchasers are allowed to buy 2.5 ounces of marijuana, a patient may grow up to 12 plants, and a caregiver can grow up to 36 plants. Ms. Lindbeck noted there is no restriction on where cardholders may grow marijuana plants. New this year is the inspection, registration, and certification process.

Licensed Compassions Centers are in Warwick, Providence, and Middletown, which have reported electric bills of over \$30,000 per month for marijuana plant cultivation. Butane is also used as it is less costly than electricity, but is odorless, volatile, and extremely dangerous. Discussion ensued of public safety and health hazards resulting from the authorization of marijuana growers, including fires, and one fatality linked to a fire (South Kingstown). Other issues associated related to marijuana growing include greenhouse emissions, mold, and increased break-ins, assaults, and robberies against growers and cardholders.

Ms. Lindbeck noted twelve plants can yield up to 12 pounds of marijuana, and authorized purchases are 2.5 ounces by law. Cultivators are allowed to sell excess product to the compassion centers, but there is insufficient regulation and/or inspection and no regulation for patients or authorized growers. Where does the excess marijuana go? The concern is excess product is sold on the street. Attorney General Kilmartin supports medical marijuana as it helps those who really need it for medical purposes. However, there is insufficient regulation and registration. Lengthy discussion ensued.

Both the Department of Business Regulation and Department of Health are involved in the licensing and regulating of medical marijuana. On the local level enactment of Zoning regulations can provide control over the commercial/retail side of the marijuana market, but there are no guarantees. There are concerns surrounding commercialization, as RI already allows marijuana for medical relief for those individuals who need it and possession has been decriminalized. RI ranks 5th in the country for marijuana use by 12 to 17 year olds and 4th for use by 18 to 25 year olds.

Ms. Lindbeck gave a comparison of the strength and toxicity of the THC component of marijuana available in the 1960's and today. She noted young people use marijuana through a concentrate used in a "vapor cigarette" that resembles a pen, rather than a joint, making its use less detectable. The THC component of marijuana is also available in food products, including brownies, gummy bears, lollipops, and cookies, making its use less detectable. This creates a health hazard for young children who could consume the innocent looking food products. Ms. Lindbeck highlighted the problems experienced by the State of Colorado since legalization of marijuana. Only .5% of the state's total revenues are derived from the billion dollar marijuana industry. Legalization has resulted in increased abuse, treatment, and prevention services and related costs ,as well as increased crime, motor vehicle accidents, deaths, emergency room visits, and calls to poison control centers. Discussion continued.

Ms. Lindbeck referenced resolutions and ordinances adopted by other communities and urged Jamestown to share their concerns for legalizing and commercializing marijuana with their Legislative delegation. Council members commented on the excellent presentation and thanked Ms. Lindbeck for coming this evening.

2) Legislative Update: District 74 Representative Deborah L. Ruggiero
Representative Ruggiero stated she is in attendance to give a legislative update. She will come back for updates at the pleasure of the Council.

a) Motor Vehicle Tax: Proposed legislation

Representative Ruggiero reported on the complicated car tax that varies by municipality and the proposed legislation that is before House Finance tomorrow evening. Jamestown has a \$14.42 motor vehicle tax rate with a \$6,000 exemption, while Middletown (the other town she represents) has a \$16.05 motor vehicle tax with a \$3,000 exemption. Cranston has a \$42.44 tax rate with a \$500 exemption and Providence has a \$60 tax rate with a \$2,000 exemption. Speaker Mattiello proposes a \$25 tax rate statewide. The 2014 Honda valued at \$14,000 would have a \$573 tax bill in Cranston, \$720 in Providence, and \$115 in Jamestown. The cities of Providence, Cranston and Warwick realize \$78,000,000 in revenue from the car tax, and the Town of Jamestown takes in \$525,000 in car taxes. The Governor proposes a car tax based on 70% of valuation, elimination in 2018, and subsidizing municipalities by adding \$57,000,000 in the 2019 budget and \$65,000,000 in 2020. Representative Ruggiero feels the cities and towns, not the State, should regulate car taxes, and she will keep us informed.

b) RI Resource Recovery Corporation: Proposed Tipping Fees
at the Central Landfill and impact on RI communities

RI Resource Recovery Corporation will be before House Finance tomorrow evening on the \$6,000,000 budget reduction. For 25 years the \$32 per ton residential tipping fee at the Central Landfill has not increased, due to pressure from the municipalities, while the commercial rate has increased to \$62 per ton. The tipping fees for the other New England states are \$75 to \$80 per ton. The Central Landfill takes in 1,000,000 tons of trash annually, but needs to take in 750,000 tons annually to reach the estimated capacity level in 2038. At the 1,000,000 tons deposited annually the capacity could be reached in 2034. RIRRC is trying to extend the life of the Central Landfill, and a tipping fee increase is proposed for July 1st. One solution used by Middletown is Pay-as-you-Throw, which lowers costs by increasing recycling.

Councilor Dickinson comments on recycling at the Jamestown Transfer Station resulting from citizens disposing of items that are picked up by other citizens, which is not tracked.

Representative Ruggiero was thanked for her presentation. She will keep the Council informed of developments at the State House.

B) Resolutions and Proclamations

- 1) No. 2017-07 Resolution on Gun Free Schools; review and discussion and/or potential action and/or vote

Robert Rodgers of Clinton Avenue commented on the Legislation that has been before the Council last month and last year. In 2016 8 municipalities and 24 school districts endorsed the legislation that did not make it out of Committee. This year it is endorsed by the League of Cities and Towns. Mr. Rodgers requests Town Council support by adoption of the Resolution.

Councilor Dickinson noted he did not receive the support material until today. He would prefer to receive such information ahead of the session to facilitate proper review by Council and the public. President Trocki noted her preference to receive the information ahead of time. Councilor Dickinson noted his respect for the School Committee in making the decision to adopt the Resolution. Councilor Mihaly feels this resolution is hard to argue against. Councilor Meagher and Vice President White noted their support.

A motion was made by Councilor Meagher with second by Vice President White to adopt the Resolution on Gun Free Schools. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Nay; Councilor Meagher, Aye; Councilor Mihaly, Aye.

A motion was made by Councilor Mihaly with second by Councilor Dickinson to waive reading of the Resolution. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

None.

VI. OPEN FORUM

Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue

- A) Scheduled to address.

None.

- B) Non-Scheduled to address.

Tom Bembenek of Green Lane stated he and his wife have lived here for 34 years. He commented on the policy on detainers adopted at the last Council meeting and House Bill 5515 proposed in the General Assembly, and takes issue with inaccuracies in the Resolution as it pertains to Roger Williams. The Bill and Resolution are an insult to immigrants who came here seeking a better life while being respectful of the national sovereignty and laws of this nation. Sanctuary to transgressors has nothing to do with the rights of legitimate RI residents guaranteed under our Constitution and may open a Pandora's Box for future lawlessness. Mr. Bembenek quoted Professor Borges of Harvard University, America's leading immigration economist, who stated illegal immigration costs the American taxpayers a half trillion dollars per year. This Legislation and Resolution undermine the law and are detrimental to democracy; we must raise our

objections to tying the hands of law enforcement personnel. He those in agreement to send their objections to Council members and State legislators.

Helen O'Grady of Schooner Avenue understands the concern for respect for the law and public safety. We shouldn't follow laws blindly, as laws can be immoral and unjust. Until there is comprehensive immigration reform, H 5515 will ensure humane and just policies and procedures for local law enforcement agencies in dealing with immigration detainees. Lack of information fuels the fires of fear. Immigrants commit less crime than legal citizens, and we need to formulate policies based on facts. H 5515 would set humane standards for law enforcement in dealing with ICE detainees. We don't want people to be afraid of law enforcement or families to be torn apart.

Deborah Murphy of Keel Avenue stated as a practicing attorney dealing with immigration law, criminal defendants, prosecutors, and personal experience, she is not out to get immigrants. Her family came from Portugal and Ireland legally. They worked, learned to speak English, became citizens, and paid taxes. She has dealt with immigrants; one was a client who lied about having a green card, choked his wife and put her in the hospital, stabbed a police officer, and tried to sue her because he was being deported. There are hard-working immigrants who come here, which she supports, but we can't be a sanctuary for people who are committing heinous crimes.

Mr. Bembenek commented he never mentioned deportation of immigrants, and only commented on following the law.

Councilor Meagher noted this item was on the agenda two weeks ago at the request of a group of citizens. Councilor Mihaly stated no one has suggested that criminals charged with serious felonies be exempt from the law. Councilor Dickinson stated he asked the Council not to address this as it is going to inject a fissure into our community. He supports our Police Department, and if people were mistreated we would address it. President Trocki stated the resolution passed is a value statement, has no impact on taxpayer dollars, and would not provide sanctuary for criminal activities.

Mr. Bembenek again commented on the legislation and noted his objections.

President Trocki noted her disagreement with the idea Jamestown would allow criminal behavior.

Mr. Bembenek stated we do not know the history of undocumented immigrants.

President Trocki stated it is time to move on. This has been documented and addressed at two prior meetings. Councilor Mihaly agreed we should let this go. Councilor Meagher noted support for Bill H 5515 that would standardize local interaction and dealing with immigrants statewide and clarify interactions of local police regarding citizenship and immigration enforcement.

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

A) Town Administrator's Report: Andrew E. Nota

1) Fire Station Project update

Town Administrator Nota reported on the Fire Station Project and referenced the report in memorandum form in the Council packet and available on the Town website. The Project background was reviewed, beginning with the Town's Capital Improvement Program in FY 2014-2015, needs assessment, improved facility, and consolidation of Fire and EMS services at one location. Architectural consultant Aharonian & Associates was engaged to facilitate the development of a conceptual design plan and cost estimates.

The RFP was released and bids opened on March 28, 2016, with five qualified bidders. As the five initial bids exceeded the bond amount of \$2,200,000, value engineering practices were engaged to reduce the overall cost. Rebids were opened on May 19, 2016, and the project awarded to Iron Construction Group for \$2,129,500. It was determined the elevator/lift and vehicle exhaust system extension should be purchased directly from the suppliers and installed in-house for additional savings.

The project has proceeded on schedule, despite weather conditions. To date 80% of the project funding has been expended. Eight (8) invoices have been received totaling \$1,675,366.71, with \$1,591,098.37 paid and \$84,268.34 in retainage, with a project balance of \$538,401.63. Mr. Nota commented on the cooperative effort of the contractor, Fire Chiefs and Fire Department, Public Works Director and staff, and architect. The majority of the project should be completed by the end of May and up and running by the new fiscal year.

President Trocki expressed appreciation for the comprehensive update and thorough memorandum, and opened the meeting to questions by the Council and public.

Councilor Dickinson inquired on the amount needed for completion of the project. Councilor Meagher commented on shingles for the roof and siding that were not part of the project that could be part of the capital budget discussion. It was noted \$5,000 was donated by the PAC for shingles and \$20,000 by the Fire Department for replacement of the old garage doors.

Mary Lou Sanborn of Bay View Drive asked for clarification of the 80% noted, whether it was for completion of the project or funds paid to date. Mr. Nota explained the 80% was for both.

2) Town FY 2018 (July 1, 2017 to June 30, 2018) Operating Budget Presentation

Town Administrator Nota reported this presentation should be made part of the budget manual for Tuesday's and Thursday's budget sessions. It is a summary of information the Council has in simpler format, and will be available on the Town website tomorrow.

- B) Taylor Point Restoration Group
 - 1) Annual Report for 2016
 - 2) Taylor Point Restoration Plan, with request for approval and signing by the Town Council; review and discussion and/or potential action and/or vote

Ed Gromada of Melrose Avenue, TPRG President, thanked the Council for the opportunity to review the TPRG actions to date and cover the Project Plan developed. Their vision is to restore the habitat with native vegetation and to provide for safe and convenient public access to the shoreline at Taylor Point. Mr. Gromada summarized what has transpired since their presentation of March 2, 2015, including engagement of experts to assist with the project, applying for and receiving \$38,000 in grants, and TPRG is a 501(c)3 corporation. The Plan has been provided to Town staff for their review.

Dennis Webster of Mt. Hope Avenue, TPRG Vice President, narrated a PowerPoint presentation. The six-point concept as approved by the Council was reviewed as follows:

1. Restore the Taylor Point habitat with native species
2. Improve the existing degrade footpaths
3. Incorporate shoreline erosion control
4. Maintain and improve existing views of the Bay
5. Provide the minimum essential necessities
6. Plan for reliable long-term management and maintenance

The concept was followed and resulted in 50 objectives to be achieved. The first 25 objectives are elimination of invasive vegetation, re-vegetation with natural species. The other 25 subsections (as outlined on the Taylor Point Sub-sections map) provide access to the shore. There are nineteen footpaths at Taylor Point, broken down into ten sub-projects with six objectives. Included are placement of signage, maintenance of three important views, education and community engagement, and maintenance. It was noted wetlands are delineated and invasive plant removal methods have been developed.

Any work at Taylor Point requires CRMC approval, and permitting applications to CRMC will be signed by the Town Administrator. Next steps include Town staff review, approval by Council at the next or future meeting, finalizing of designs, submittal to CRMC in May, and permit approval by CRMC in June.

Council members commented on CRMC involvement and support to date. It was noted CRMC awarded a \$10,000 planning grant to TPRG. Discussion ensued of invasive species removal and replacement by native species. TPRG requests Council approval of the Plan and naming the area the Taylor Point Nature Preserve.

Council members commented on property lines. Mr. Webster noted once the Plan is approved property lines will be reviewed so that contact can be made with RITBA and Newport Overlook. The Conservation Commission has been consulted during this process, which will continue. Council members comment on the completeness of the

comprehensive report from a volunteer group and appreciate the efforts of TPRG. Mr. Webster looks forward to the next phase. Discussion continues.

Conservation Commission Chair Maureen Coleman commented open space comes under Conservation Commission purview, they received a copy of the Plan, are meeting next week, will review the project, will make a recommendation to the Council (which they anticipate will be favorable), and cannot commend this group enough for their planning work.

VIII. UNFINISHED BUSINESS

- A) Town Council Rules and Procedures; review and discussion and/or potential action and/or vote, continued from 03/06/2017

President Trocki noted the underlines, ~~striketroughs~~, and **Solicitor's and Town Clerk's edits** on the revised document and asked for any additional input. Town Administrator Nota referenced Town Planner Lisa Bryer's comments on the language of Section 6.2 regarding the interaction between the Zoning Board, Planning, and Town Council, which reiterates rights and authorities the Town Council already has. Councilor Meagher stated this has been part of the Rules and Procedures for a long time.

A motion was made by Councilor Meagher with second by Councilor Mihaly to pass the rules as presented here with the edits we have all contributed to.

Discussion. President Trocki requested verification from Solicitor Brochu the Solicitor's Office has fully vetted the revised document. Solicitor Brochu could not confirm that all members of the Solicitor's Office have reviewed the revisions.

An amendment to the motion was made by Councilor Meagher with second by Councilor Mihaly to approve the rules as written subject to any additional comments by the Solicitor's Office. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- B) Upcoming Meetings and Sessions – dates and times

President Trocki noted the list of meetings and events for March and April. Town Administrator Nota stated all meetings are posted on the Town website and there are no revisions to the meeting schedule for March and April.

IX. NEW BUSINESS

None.

X. ORDINANCES AND APPOINTMENTS AND VACANCIES

- A) Appointments, Vacancies and Expiring Terms; view and discussion and/or potential action and/or vote
- 1) Jamestown Tree Preservation and Protection Committee (Two

vacancies with three-year term ending dates of December 31, 2019); duly advertised; no applicants

- a) Letter of interest for appointment
 - i) Andrew B. Hunter

President Trocki noted there is an applicant for the Tree Committee. Councilor Dickinson commented he is very familiar with Mr. Hunter's work. The landscaping in front of Baker's Pharmacy was noted, as well as his passion for his craft. Vice President White commented on his fine work and endorsed him. Councilor Meagher commented on his work as well and stated this is an appointment we can make.

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

- 2) Beavertail State Park Advisory Committee (One vacancy with an unexpired three-year term ending date of December 31, 2019); duly advertised; review and discussion and/or potential action and/or vote
 - a) Letter of Resignation
 - i) Barbara Szepatowski
 - b) Letter of interest for appointment
 - ii) Job Toll

Mr. Toll is a long-time Jamestown resident who currently serves on the Quonset Development Corporation Board of Directors.

A motion was made by Councilor Dickinson with second by Vice President White to accept Barbara Szepatowski's resignation with thanks for her services. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

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

XI. 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 Mihaly 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:

- A) Adoption of Council Minutes
 - 1) March 6, 2017 (regular meeting)
 - 2) March 6, 2017 (interview session)
 - 3) March 9, 2017 (budget work session)
- B) Minutes of Boards/Commissions/Committees
- C) CRMC Notices
 - 1) March 2017 Calendar
- D) Abutter Notifications
 - 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing on March 28, 2017 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI 02835 at 7:00 p.m. upon the following: Application of John R. Connors, whose property is located Frigate Street, and further identified as Assessor's Plat 16, Lot 22 for a variance/special use permit from Article 3, Sections 308 & 314 to construct a single family dwelling and install a two bedroom OWTS on a sub district A lot (high groundwater table & impervious layer overlay district) and where the OWTS will be 51' from a forested wetland edge instead of the required 150 ft. Said property is located in a R40 zone and contains 8,332 sq. ft.
 - 2) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing March 28, 2017, at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Conanicut Yacht Club, whose property is located at 24 Whittier Rd., and further identified as Assessor's Plat 8, Lot 627 for a modification of a special use permit from Article 3, Table 3-1 (F) (1) to have tennis courts including a small bocce ball playing area, and including the removal of the existing tennis court hut to be replaced by the proposed 1,130 sq. ft. tennis hut, pursuant to Article 6, Sections 600 & 602 and a variance pursuant to Article 6 Sections 82-600 & 82-605, from the following provisions: (1) Article 3, Table 3-2 for the Village Special Development District, lot coverage, where the maximum allowable lot coverage is 25%, the existing lot coverage on the property 57.4% & the proposed lot coverage is 60.1%; (2) Article 3, Table 3-2 for the Village Special Development District, side setback outbuilding, where the required setback is ten ft. and the tennis court fence is currently located on the property line; (3) Article 3, Table 3-2 for the Village Special Development District, Lot Width, where the required lot width is 100 ft. and the existing lot width is 84 ft; (4) Article 11, Section 82-106, Special Requirements, subsection C-3(a), parking, where parking is required on the rear or side of the house, to allow parking to remain in its existing location. Said property is located in a R20

zone and contains 90,520 sq. ft.

- 3) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing March 28, 2017, at the Jamestown Town Hall, 93 Narragansett Avenue Jamestown, RI at 7:00 p.m. upon the following: Application of JTN, LLC, whose property is located at 13 Narragansett Ave., and further identified as Assessor’s Plat 9, Lot 603 for a Special Use Permit from Article 11, Section 82.1108.6 Use of an Attic shall be ancillary to the use below. Proposed use of the attic as residential where below is a restaurant. Said property is located in a CD zone and contains 13,068 sq. ft.

E) Abatements/Addenda of Taxes

Total Abatements: \$32,557.06 Total Addenda: \$32,885.69

1) Real Property/Tangible Abatements to 2016 Tax Roll

Account/Abatement Amount

a)	02-1325-00	\$ 3,320.85
b)	02-1325-50	\$ 392.82
c)	08-0642-01	\$ 32.17
d)	10-0010-75	\$18,457.56
e)	13-0310-00	\$ 916.34
f)	13-2193-50	\$ 32.18
g)	19-1282-00	\$ 3,245.66
h)	23-1035-00	\$ 6,159.48

2) Real Property/Tangible Addenda to 2016 Tax Roll

Account/Addenda Amount

a)	02-1325-50	\$ 4,020.85
b)	03-1594-00	\$18,457.56
c)	08-0652-01	\$ 3,288.56
d)	13-0309-00	\$ 916.34
e)	13-2193-50	\$ 6,202.38

F) Holiday License Renewal

- 1) PP Jamestown, LLC dba: Pink Pig BBQ
Address: 35 Narragansett Avenue

G) Finance Director’s Report

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

Councilor Meagher noted Conservation Commission Chair Maureen Coleman’s letter in support of funding for the Eastern RI Conservation District, the Council’s support at the March 6th meeting, and Resolution of Support adopted by the Council. Councilor Dickinson noted Melrose School Grade 3 Teacher Phil Capaldi’s letter in support of ERICD.

A motion was made by Councilor Meagher with second by Councilor Dickinson to accept the Communications.

Discussion. Councilor Mihaly commented on Conservation Chair Maureen Coleman's other communication and that he is happy Conservation is addressing the water resources issue.

An amendment to the motion was made by Councilor Meagher with second by Councilor Dickinson to accept the Communications and Resolutions and Proclamations and place the Conservation Commission request for convening a Technical Review Committee on the April 3rd agenda. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

The Communications, Petitions and Proclamations accepted consists of the following:

- A) Communications
 - 1) Letter of Conservation Commission Chair Maureen Coleman encouraging support for the Eastern RI Conservation District request for funds
 - 2) Letter of Conservation Commission Chair Maureen Coleman requesting Town Council support in convening a Technical Review Committee of volunteers to address growing concerns for water resources on the island – on April 3 agenda as an agenda item.
 - 3) Letter of Melrose Grade 3 Teacher Phil Capaldi requesting Town Council support for funding of the Eastern RI Conservation District in the FY 2018 budget cycle
 - 4) Letter of RIDEM Principal Sanitary Engineer Jay Manning re: Project Priority List for State Fiscal Year 2018
 - 5) Letter of the Armenian National Committee of Rhode Island Proclaiming April 24th as Armenian Genocide Remembrance Day in memory of the Armenian Genocide of 1915 to 1923
 - 6) Letter of Conanicut Island Land Trust in support of request for funding for the Eastern RI Conservation District
 - 7) Letter of Evelyn Wheeler of the RI Advisory Commission on Historical Cemeteries requesting the Town of Jamestown adopt an historical cemeteries ordinance, per RIGL §44-3-63
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
 - 1) Resolution of the Narragansett Town Council opposing the legalization of marijuana and creation of a commercial marijuana industry in Rhode Island
 - 2) Resolution of the Burrillville Town Council requesting repeal of the Motor Vehicle Tax and a guaranteed full reimbursement to the Cities and Towns for any lost revenues

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

A) Golf Course Presentation

Town Administrator Nota commented we are waiting for cost estimates that should be here by March 27th, and this will be an agenda item for April 3rd. The Golf Course presentation must be done by April 17th so that we have the option of including it as part of the Financial Town Meeting.

XIV. EXECUTIVE SESSION

None.

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 9:22 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor

TOWN COUNCIL WORK SESSION
March 21, 2017

I. ROLL CALL

Town Council Members present:

Kristine S. Trocki, President
Mary E. Meagher, Vice President
Blake A. Dickinson
Michael G. White
Eugene Mihaly

Also in attendance:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Lisa Bryer, Town Planer
Ken Gray, Tax Assessor
Cheryl A. Fernstrom, Town Clerk
Edward Mello, Police Chief
Andrew Wade, Recreation Director

Absent:

Chris Costa, Zoning Official

II. CALL TO ORDER

President Trocki call the Town Council Operating Budget Work Session to order at 6:06 p.m. on Tuesday, March 21, 2017 in the Rosamond A. Tefft Council Chambers of the Jamestown Town Hall at 93 Narragansett Avenue, Jamestown.

III. TOWN COUNCIL WORK SESSION

Town Administrator Andrew Nota presented the breakdown of the Town and School budgets. The estimated budget represents an increase of 2.36% or \$547,827 of the proposed budget of \$23,717,253. The Town budget is \$10,655,159, an increase of 2.7% or \$281,624. The school budget is \$13,062,094 an increase of 2.1% or \$266,203. The proposed estimated property tax rate is \$8.68 up \$.10 from last year's rate of \$8.58. This rate is the third lowest rate in the state behind Little Compton and Block Island. The Tax Levy would increase from \$18,847,145 to \$19,225,608 an increase of \$378,463 or 2.01%. Review of the town's five-year tax rate history, the average residential property assessed at \$500,000 would result in an estimated tax of \$4,340 an increase of \$50.

The annual Capital Budget is \$1,221,675 a decrease of \$111,070. The unreserved fund balance at the end of FY 2016 was \$4,608,201.

Revenues. Revenues by town departments were reviewed. Total town revenue for FY 2016-17 was budgeted at \$1,591,805 and for FY 2017-18 \$1,564,000. School Department revenue for

FY 2016-17 was budgeted at \$1,092,807 and for FY 2017-18 \$1,124,621. Review of general revenue included interest on late tax payments, motor vehicle tax, and investment income. Anticipated state revenues to town included various state aid, public service corporation tax, meal and beverage tax, and hotel tax.

Expenditure Program. Review of the General Fund distribution proceeded with an increase of 2.02% for the Functional Distribution total of \$439,647.

Review of Expenditures by Department.

Town Council. The salary line item is \$13,800 an increase of \$2,500. Fees, supplies and advertising are decreased, for a total of \$16,050 for an increase of .78%.

Town Administrator. The total proposed is \$195,471 a 0.83% increase.

Probate Court. The total proposed is \$6,964, a 0.45% increase.

Elections and Town Meetings. A total of \$11,215 is proposed, a decrease of 34.35%, because this is a non-election year. One election is always budgeted because of a special election that could be required.

Legal. The proposed budget is \$95,000, level funded.

Clerk and Records. A total of \$198,747 is proposed, a increase of 1.21%.

Planning. A total of \$134,582 is proposed, a 2.18% increase.

Zoning. The proposed budget is \$8,700, level funded.

Personnel. A total of \$1,674,948 is proposed, an increase of 5.91%.

Finance. A total of \$250,660 an increase of 2.13%.

Tax Assessor. A total of \$70,850 is proposed a decrease of 4.11%.

Professional Audit. Proposed is \$22,000 level funded

Police Protection. Proposed budget is \$1,716,823 an increase of .77%. Emergency Management Agency level funding of \$5,000 was proposed. Councilor Dickinson questioned the starting salary, retention and hiring of new Police Officers. Mr. Nota said Jamestown has 3 openings and are challenged, as the whole country is, by hiring new officers. Chief Mello noted the most pressing constraints are general sentiment of police around the country, pay not competitive for advanced education, shift work including long hours, weekend and night hours, the economy, benefits, professional advancement, and the fact that it is currently not a desirable job in the present market. For Jamestown, officers who use the police force as a stepping stone is not reasonable as we invest a lot of money and time for training. Chief Mello spoke of a new idea of using certified officers on a per diem basis to fill in for vacations, shifts and time off.

Protective Services. A total of 283,983 is proposed an increase of 0.80%.

Parks and Recreation. The proposed budget is \$526,465 an increase of 2.45%. This is due to extra skilled staffing and extended programming reflecting the demands of the community. The department also has a new software program for making reservations and signing up for programs, including Senior programming. It is expected to go online in May.

Senior Center. The proposed budget is 73,353 an increase of 1.88%. The program in concert with the Recreation Department has been changing and evolving due to heightened interest, demand and the outreach of the Friends of Jamestown Seniors. Many more program offerings have been supported by the recreation department.

Miscellaneous. This account will be continued to work session #2.

Debt service is \$949,260 an increase of 15.91%.

Capital Improvement Fund, and School. These have already been addressed at a previous work session.

Mr. Nota concluded with a recap of the Total School and the Town Bonds. He ended with a summary of the General Obligation and Anticipated Principal and Interest.

The second half of the Operating Budget workshop will be March 23, 2017.

There being no further business the meeting ended at 8:15 p.m.

Attest:

Karen Montoya
Deputy Town Clerk

Copies to: Town Council
 Town Administrator
 Town Solicitor
 Finance Director

JAMESTOWN TRAFFIC COMMITTEE

Meeting Minutes

Thursday, February 23, 2017

Amended: March 16, 2017

I. A regular meeting of the Jamestown Traffic Committee was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 6:00 PM by Vice-Chairman Mary Meagher.

II. The following members were present:

Mary E. Meagher, Vice-Chairman

Vincent Moretti

William Munger

David Cain

Timothy Yentsch

The following members were absent:

Thomas Tighe, Chairman

Melissa Mastrostefano

Also present:

Chief Edward A. Mello

Andrew Nota, Town Administrator

Michael Gray, Public Works Director

Lisa Bryer, Town Planner

Kim Devlin, Clerk

Member Cain moved to move up item VI A) East Ferry Renovation Project - Design Alternatives; review and discussion and/or potential action and/or vote; Member Moretti seconded. So voted; 5 ayes, 0 nays.

VI. NEW BUSINESS

A) East Ferry Renovation Project - Design Alternatives; review and discussion and/or potential action and/or vote

Public Works Director, Mike Gray, updated the Traffic Commission on the status of the East Ferry project. Mr. Gray stated that the curbing and railing has been updated, along with a retaining wall, a sidewalk and landscaping north of the steel pier. The last item that needed funding was the parking lot renovation. The council decided to move forward with conceptual designs for the area.

A landscape architect was hired, Jean Lambert, who now works for the town. Ms. Lambert went through the exercise of providing the best design ideas for the area. The number one priority was to preserve the number of parking spaces that currently exist, and other considerations were to protect the views

and to improve the green space and signage. The intent was not to just focus on the utility of parking but to improve upon the entire experience of visiting East Ferry.

Town Administrator, Andy Nota, stated that the plan Mike (Gray) is going to present is a result of a charrette that was organized in 2007 by the Town Planner, Lisa Bryer, as a part of the Jamestown Vision project the Planning Department has been working on.

Public Works Director Mike Gray detailed the layout and methodology behind the two different conceptual design options. The first option is to maintain the existing footprint and improve upon the aesthetics of the area by adding greenery, benches, sidewalks and stone walls to direct the pedestrian traffic. One drawback of this option is that the benches will overlook the parking lot. The second conceptual design option, which the Town Council approved, changes the layout of the area so that the green space and benches are adjacent to the waterfront, which would create a more appealing place to sit and enjoy the waterfront.

Vice-Chairman Meagher mentioned that, although the council approved the design option that changes the layout of the parking area, the next step the council will take is to meet with business owners in the area to gather their feedback on the plans. The council also intended to meet with the boards and commissions for their input, as well.

Member Cain stated that he doesn't feel there is enough room for delivery trucks to turn, in the second option.

Public Works Director Mike Gray stated that the existing angle of the turn is sharper than the 90 degree turn in the second option and that they also used turning templates in the design process. There should be no problem with a typical delivery truck making the turn, as emergency vehicle access was considered in the design process. A firetruck will be able to access the area.

Member Yentsch asked Public Works Director Mike Gray about the splash over from the retaining wall onto the vegetation in the second design.

Public Works Director Mike Gray stated that they will choose species that are saltwater tolerant. In the future there may be storms that affect the space, as is a reality for any waterfront community. At times the vegetation may need to be replaced, just as it has been in other waterfront areas.

Vice-Chairman Meagher opened up the meeting to comments from the general public.

Bill Wilson from Grapes and Gourmet stated that his main concern is the flow of traffic in the area and that the way the design is now is the way you want to go. He stated that cars pulling into the parking lot will not be able to see if a parking space is open or not and they will drive down to the end of the parking lot only to have to back up the length of the lot to turn around. And, if there are other cars pulling in behind the first car they will have to back up to let the first car out and it will cause traffic to back up into the street.

Mr. Wilson also stated that this parking arrangement could also cause fights to break out between people that are looking for parking spaces.

Vice-Chairman Meagher stated that her concern is the pedestrian traffic in the area. People walk all over the place and that is equally as dangerous as not being able to see parking spots from a few spaces back.

Town Administrator Andy Nota stated that the priority is maintaining parking spaces, but it is also a community space and has more value than just parking. The balance is to achieve and maintain a functional flow for vehicle and pedestrian traffic, to maintain the 46 parking spots and to create an improved community space.

Town Planner Lisa Bryer stated that the existing design creates a different space than the new design. The new design makes you want to sit and look at water. The way the area is designed now, there is not an appealing place to sit and enjoy the waterfront.

Mike Ridge from Spinnakers Café stated that he supports Bill Wilson's comments and questioned if we even need green space at all. He stated that there is plenty of green space in Memorial Square and that a better use would be to get rid of the green space and add more parking spaces.

Vice-Chairman Meagher stated that they did explore that option, but that it would not add any more spaces even if the entire area was paved.

Mr. Ridge stated that the new design is worse than the existing one.

A discussion ensued.

Member Cain asked about the cost analysis

Public Works Director Mike Gray stated that the costs are the same for either plan.

Member Munger stated that he supports improving the original design and that you could push the sidewalk back further from the retaining wall to make room for benches along the water.

Member Munger also stated that the fenced in refuse are in one of the designs would not work because of logistical issues with dock removal and installation.

Public Works Director Mike Gray stated that the refuse area is no longer a part of the design.

Town Administrator Andy Nota stated that, since the subject was brought up, we do need to figure out a way to deal with trash removal at East Ferry. He stated that the dumpster Conanicut Marine currently uses is not even within their lease area.

Member Munger stated that, while Conanicut Marine finances the refuse removal and recycling, it is for the use of everyone at East Ferry and not exclusive to Conanicut Marine or their customers.

Member Munger suggested connecting the boardwalk in front of Conanicut Marine with the sidewalk by the Wood Pile Pier. This would allow for motorized wheelchair access from one place to the other.

Member Munger moved that the Traffic Commission prefers Design 1 and to widen the sidewalk by the retaining wall to accommodate benches. Chairman Cain seconded. So voted; 4 ayes, 1 nay (Meagher).

III. READING AND APPROVAL OF MIUNTES

A) January 19, 2017 (regular meeting)

Motion was made by Member Munger, seconded by Member Moretti to accept the January 19, 2017 minutes. So voted; 4 ayes, 0 nays, 1 abstention (Meagher).

IV. OPEN FORUM

A) Scheduled Requests to Address

There were no Scheduled Requests to Address.

B) Non-Scheduled Requests to Address

There were no Non-Scheduled Requests to Address.

V. UNFINISHED BUSINESS

A) Conanicus Avenue Crosswalk; review and discussion and/or potential action and/or vote

Vice-Chairman Meagher stated that the Traffic Committee sent a letter to the state traffic commission but we have not heard back from them yet. It is a state road and it is up to them to determine the guidelines.

Chief Mello informed the committee that the State Traffic Commission, or a representative from the commission, is not the one who would attend a Jamestown Traffic Committee meeting. It would be someone from the Department of Transportation (DOT). Steve Pristawa is a representative from

the DOT who also sits on the State Traffic Commission, so the letter is addressed to the right individual.

Chief Mello stated that Mr. Pristawa needs to receive permission from the Director of the DOT to attend a Jamestown Traffic Committee meeting and that he is not sure of where the request is in the process. Chief Mello is certain that he would not seek permission from the State Traffic Commission to attend, but from the Director of the DOT.

Chief Mello stated that he verbally clarified with Mr. Pristawa the nature of the request.

B) Low Speed Vehicles to be permitted on Town roads where speed limit is 35 mph or less; review and discussion and/or potential action and/or vote (continued from 1/19/2017)

Vice-Chairman Meagher stated that Chairman Tighe talked to State Representative Deb Ruggiero and the lowest speed for a state road is 25 mph, which is faster than the low speed vehicles can travel. Ms. Ruggiero informed Chairman Tighe that there was a discussion at the state level regarding the idea of low speed vehicles and a number of police chiefs opposed the idea.

A discussion ensued on the details of changing state legislature to allow for low speed vehicles, which would include the registration and inspection process, as well as the logistics of the change.

By consensus item V (B) will be continued to the next meeting.

VII. CORRESPONDENCE

A) Letter of State Traffic Commission re: Conanicus Avenue Crosswalk and request to attend upcoming meeting

VIII. ADJOURNMENT

There being no further business before the Committee, a motion was made by Committee Member Cain and seconded by Member Munger to adjourn the meeting at 7:34 PM. So unanimously voted.

Attest:

Kim Devlin
Clerk

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the January 24, 2017 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 clerk called the roll and noted the following members present:

Richard Boren
Joseph Logan
Dean Wagner
Terence Livingston
Edward Gromada
Marcy Coleman
Judith Bell

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

MINUTES

Minutes of November 15, 2016

A motion was made by Dean Wagner and seconded by Marcy Coleman to accept the minutes of the November 15, 2016 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Terence Livingston, and Edward Gromada voted in favor of the motion.

Marcy Coleman and Judith Bell were not seated and Richard Cribb was absent.

CORRESPONDENCE

A letter requesting a one year continuance of a previously granted variance for Plat 8, Lot 580.

A motion was made by Joseph Logan and seconded by Dean Wagner to grant the request for a one year continuance 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.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Terence Livingston, and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Cribb was absent.

Edward Gromada recused himself.

NEW BUSINESS

Radesca

A motion was made by Terence Livingston and seconded by Edward Gromada to grant the request of Nicholas & Susan Radesca, whose property is located at 24 Orient Ave., and further identified as Assessor's Plat 2, Lot 28 for dimensional relief granted under Article 6, Special Use Permits & Variances, for a variance from Section 82-302, Table 3-2, District Dimensional Regulations, to construct a detached garage with west side of 7'9" and south side of 10'.

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

[In particular reference to ARTICLE 6, SECTION 82, PARAGRAPH 302]

This Variance is granted with the following restriction/condition(s):

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 RR80 zone and contains 43,996 sq. ft.
2. The proposed garage aesthetically fits to the neighborhood and surrounding property.
3. The property possesses unique characteristics that require the relief requested.
4. The testimony was that the down spouts would direct the water runoff to the east and not affect anything to the north.
5. The hardship is due to the unique character of the subject lot.
6. The relief requested is the least relief necessary.
7. There was one objector Walter Wallace owner of the house to the north. But his issue is unrelated to the petition.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Terence Livingston, Edward Gromada and Marcy Coleman voted in favor of the motion.

Judith Bell was not seated and Richard Cribb was absent.

Dean Wagner recused himself.

Mercer

A motion was made by Joseph Logan and seconded by Dean Wagner to grant the request of R. Peter Mercer, whose property is located at 132 Narragansett Ave., and further identified as Assessor's Plat 8, Lot 78 for a variance from Article 3, Section 82-302, (District Dimensional Regulation), secondary setback of 15', to enclose existing deck with a setback of 2'-6" instead of the required 15'.

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

This Variance is granted with the following restriction/condition(s):

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 7,405 sq. ft.
2. The proposal appears to be the least relief necessary.
3. The hardship is not due to any action by the owner.
4. There were no objectors.
5. There is no additional encroachment into the setback.

The motion carried by a vote of 5 -0.

Richard Boren, Joseph Logan, Dean Wagner, Terence Livingston, and Edward Gromada voted in favor of the motion.

Marcy Coleman and Judith Bell were not seated and Richard Cribb was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 7:55 p.m.

The motion carried unanimously.

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

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

March 21, 2017

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 2017 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,

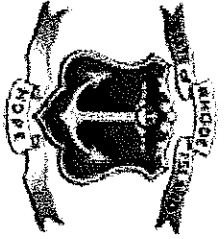


John A. Murphy
General Counsel

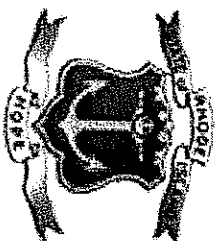
Enclosure: Class G Liquor Licenses
Copy of RIGL 3-7-15

Cc: William S. Munger

RECEIVED
TOWN OF JAMESTOWN, R.I.
17 MAR 22 AM 10:21



*State of Rhode Island and Providence Plantations
Department of Business Regulation
Liquor Section*



Marine Vessel Class G Beverage License

Conanicut Marine Services Inc

MV

Katherine

a corporation of

Rhode Island

has been granted this, a retailer's beverage license Class G, under 3-7-15, Title 3, of the General Laws of Rhode Island, 1956 as amended, authorizing the holder hereof within the State of Rhode Island, to keep for sale and to serve in its passenger carrying marine vessels, beverages for the consumption therein or thereon, but only when actually en route.

This license shall expire one year from its date and be good throughout the State of Rhode Island, and it shall be kept posted in the passenger carrying marine vessel of the licensee where such beverages are sold.

This license is subject to such conditions, rules and regulations of the Department Business Regulation as established, or shall in the future establish, and to the terms and provisions of Title 3 of the General Laws of Rhode Island, 1956, as amended.

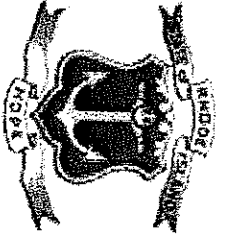
IN WITNESS WHEREOF, the Director has caused this license to be issued and authenticated by his/her signature.

LICENSE NUMBER: CG.0000689-MV

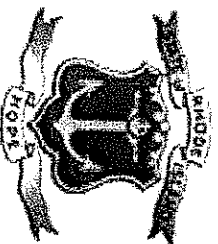
DATE OF ISSUANCE: 03/21/2017

Macky McCleary, Director of Business Regulation

POST THIS LICENSE IN A CONSPICUOUS PLACE



*State of Rhode Island and Providence Plantations
Department of Business Regulation
Liquor Section*



Marine Vessel Class G Beverage License

Conanicut Marine Services, Inc. MV The Jamestown a corporation of Rhode Island
has been granted this, a retailer's beverage license Class G, under 3-7-15, Title 3, of the General Laws of Rhode Island, 1956 as amended, authorizing the holder hereof within the State of Rhode Island, to keep for sale and to serve in its passenger carrying marine vessels, beverages for the consumption therein or thereon, but only when actually en route.

This license shall expire one year from its date and be good throughout the State of Rhode Island, and it shall be kept posted in the passenger carrying marine vessel of the licensee where such beverages are sold.

This license is subject to such conditions, rules and regulations of the Department Business Regulation as established, or shall in the future establish, and to the terms and provisions of Title 3 of the General Laws of Rhode Island, 1956, as amended.

IN WITNESS WHEREOF, the Director has caused this license to be issued and authenticated by his/her signature.

LICENSE NUMBER: CG.0000688-MV

DATE OF ISSUANCE: 03/14/2017

Macky McCleary, Director of Business Regulation

POST THIS LICENSE IN A CONSPICUOUS PLACE

(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.

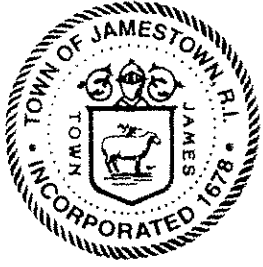
Cross References. Beverages salable, § 3-5-12.

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.



**Town of Jamestown
Traffic Committee**

**93 Narragansett Avenue
Jamestown, RI 02835**

**Thomas P. Tighe, Chair
Phone: 401-423-1713
Email: chiefthomas2@verizon.net**

March 29, 2017

Kristine S. Trocki, President
Jamestown Town Council
Town Hall
93 Narragansett Avenue
Jamestown, RI 02835

Re: Low Speed Vehicles on Town Roads.

Dear Ms. Trocki:

The Jamestown Traffic Commission is forwarding to you and Members of the Town Council the request from William Munger to allow Low Speed Vehicles on town roads where the speed limit is 35 mph or less.

The Committee has determined that this issue doesn't fall under the purview of the Traffic Committee, which is to review existing ordinances as they pertain to Chapter 70 Traffic and Vehicles, Article I. In General, Section 70-1 to 70-20; Article II. Administration and Enforcement, Section 70-21 to 70-50; Article III. Specific Street Regulations, Section 70-51 to 70-75; and Article IV. Stopping, Standing and Parking, Section 70-76 to 70-90.

We believe the request for the use of slow speed vehicles on town roads is a matter for the Town Council. If the Council believes the use of such vehicles would benefit the community, state approval would be required as it is governed by State Law.

Respectfully,

Jamestown Traffic Committee


Thomas P. Tighe
Chairperson

Copy to: Traffic Committee Members
 Town Administrator
 Town Solicitor

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

SESSION LAW 2001-356
HOUSE BILL 1052

AN ACT DEFINING AND REGULATING LOW-SPEED VEHICLES AND OTHERS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-4.01 reads as rewritten:

"§ 20-4.01. Definitions.

Unless the context requires otherwise, the following definitions apply throughout this Chapter to the defined words and phrases and their cognates:

- ~~(12a)~~ (12a) Golf Cart. – A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.
- ~~(12a)~~ (12b) Gross Vehicle Weight Rating (GVWR). – The value specified by the manufacturer as the maximum loaded weight of a vehicle. The GVWR of a combination vehicle is the GVWR of the power unit plus the GVWR of the towed unit or units. When a vehicle is determined by an enforcement officer to be structurally altered from the manufacturer's original design, the license weight or the total weight of the vehicle or combination of vehicles may be deemed as the GVWR for the purpose of enforcing this Chapter.
- ~~(12b)~~ (12c) Hazardous Materials. – Materials designated as hazardous by the United States Secretary of Transportation under 49 U.S.C. § 1803.
- ~~(48c)~~ (48c) Utility Vehicle. – Vehicle designed and manufactured for general maintenance, security, recreational, and landscaping purposes, but does not include vehicles designed and used primarily for the transportation of persons or property on a street or highway."

SECTION 2. G.S. 20-4.01(27) is amended by adding a new sub-subdivision

to read:

"(27) Passenger Vehicles. –

- ~~h.~~ h. Low-speed vehicle. A four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but less than 25 miles per hour."

SECTION 3. G.S. 20-54 is amended by adding a new subdivision to read:

"(8) The vehicle is a golf cart or utility vehicle."

SECTION 4. G.S. 20-87 is amended by adding a new subdivision to read:

"(12) Low-Speed Vehicles. – The fee for a low-speed vehicle is the same as the fee for private passenger vehicles of not more than 15 passengers."

SECTION 5. Chapter 20 of the General Statutes is amended by adding a new section to read:

"§ 20-121.1. Operation of a low-speed vehicle on certain roadways.

The operation of a low-speed vehicle is authorized with the following restrictions:

- (1) A low-speed vehicle may be operated only on streets and highways where the posted speed limit is 35 miles per hour or less. This does not

prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street being crossed has a posted speed limit of more than 35 miles per hour.

- (2) A low-speed vehicle shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts, and a vehicle identification number.
- (3) A low-speed vehicle shall be registered and insured in accordance with G.S. 20-50 and G.S. 20-309.
- (4) The Department of Transportation may prohibit the operation of low-speed vehicles on any road or highway if it determines that the prohibition is necessary in the interest of safety.
- (5) Low-speed vehicles must comply with the safety standards in 49 C.F.R. § 571.500."

SECTION 6. Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, the Town of Lake Waccamaw may, by ordinance, regulate the operation of electric golf carts on any public street or road within the Town that is located south of N.C. 214.

By ordinance, the Town may require the registration of golf carts, charge a fee for the registration, specify the persons authorized to operate golf carts, and specify required equipment, load limits, and the hours and methods of operation of the golf carts.

SECTION 7. This act becomes effective August 1, 2001.

In the General Assembly read three times and ratified this the 1st day of August, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:42 a.m. this 10th day of August, 2001

Low-Speed Vehicles

What is a low-speed vehicle and where can it be operated?

North Carolina General Statutes say:

§ 20-121.1. Operation of a low-speed vehicle on certain roadways.

The operation of a low-speed vehicle is authorized with the following restrictions:

- (1) A low-speed vehicle may be operated only on streets and highways where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street being crossed has a posted speed limit of more than 35 miles per hour.
- (2) A low-speed vehicle shall be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts, and a vehicle identification number.
- (3) A low-speed vehicle shall be registered and insured in accordance with G.S. 20-50 and G.S. 20-309.
- (4) The Department of Transportation may prohibit the operation of low-speed vehicles on any road or highway if it determines that the prohibition is necessary in the interest of safety.
- (5) Low-speed vehicles must comply with the safety standards in 49 C.F.R. § 571.500. (2001-356, s. 5.)

The North Carolina Department of Motor Vehicles says:

Low-speed vehicles may be operated only on streets and highways where the posted speed limit is 35 miles per hour or less. It may cross a road or street at an intersection with a posted speed higher than 35 mph. The low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts and a vehicle identification number. It must be insured and registered.

Requirements for Titling & Registration

- Inspection

An inspector's report confirming that the vehicle is equipped for road use and meets all DOT safety standards.

The U.S. Department of Transportation Federal Motor Vehicle Safety Standards says:

§571.500 Standard No. 500; Low-speed vehicles.

- S1. Scope. This standard specifies requirements for low-speed vehicles.
- S2. Purpose. The purpose of this standard is to ensure that low-speed vehicles operated on the public streets, roads, and highways are equipped with the minimum motor vehicle equipment appropriate for motor vehicle safety.
- S3. Applicability. This standard applies to low-speed vehicles.
- S4. [Reserved.]
- S5. Requirements.
 - (a) When tested in accordance with test conditions in S6 and test procedures in S7, the maximum speed attainable in 1.6 km (1 mile) by each low-speed vehicle shall not more than 40 kilometers per hour (25 miles per hour).
 - (b) Each low-speed vehicle shall be equipped with:
 - (1) Headlamps,
 - (2) Front and rear turn signal lamps,
 - (3) Tail lamps,
 - (4) Stop lamps,
 - (5) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear,
 - (6) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror,

(7) A parking brake,

(8) A windshield that conforms to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205).

(9) A VIN that conforms to the requirements of part 565 Vehicle Identification Number of this chapter, and

(10) A Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of this part, Federal Motor Vehicle Safety Standard No. 209, Seat belt assemblies, installed at each designated seating position.

S6. General test conditions - Each vehicle must meet the performance limit specified in S5(a) under the following test conditions.

S6.1. Ambient conditions.

S6.1.1. Ambient temperature - The ambient temperature is any temperature between 0 °C (32 °F) and 40 °C (104 °F).

S6.1.2. Wind speed - The wind speed is not greater than 5 m/s (11.2 mph).

S6.2. Road test surface.

S6.2.1. Pavement friction - Unless otherwise specified, the road test surface produces a peak friction coefficient (PFC) of 0.9 when measured using a standard reference test tire that meets the specifications of American Society for Testing and Materials (ASTM) E1136, "Standard Specification for A Radial Standard Reference Test Tire," in accordance with ASTM Method E 1337-90, "Standard Test Method for Determining Longitudinal Peak Braking Coefficient of Paved Surfaces Using a Standard Reference Test Tire," at a speed of 64.4 km/h (40.0 mph), without water delivery (incorporated by reference; see 49 CFR 571.5).

S6.2.2. Gradient - The test surface has not more than a 1 percent gradient in the direction of testing and not more than a 2 percent gradient perpendicular to the direction of testing.

S6.2.3. Lane width - The lane width is not less than 3.5 m (11.5 ft).

S6.3. Vehicle conditions.

S6.3.1. The test weight for maximum speed is unloaded vehicle weight plus a mass of 78 kg (170 pounds), including driver and instrumentation.

- S6.3.2. No adjustment, repair or replacement of any component is allowed after the start of the first performance test.
 - S6.3.3. Tire inflation pressure. Cold inflation pressure is not more than the maximum permissible pressure molded on the tire sidewall.
 - S6.3.4. Break-in - The vehicle completes the manufacturer's recommended break-in agenda as a minimum condition prior to beginning the performance tests.
 - S6.3.5. Vehicle openings - All vehicle openings (doors, windows, hood, trunk, convertible top, cargo doors, etc.) are closed except as required for instrumentation purposes.
 - S6.3.6. Battery powered vehicles - Prior to beginning the performance tests, propulsion batteries are at the state of charge recommended by the manufacturer or, if the manufacturer has made no recommendation, at a state of charge of not less than 95 percent. No further charging of any propulsion battery is permissible.
- S7. Test procedure - Each vehicle must meet the performance limit specified in S5(a) under the following test procedure. The maximum speed performance is determined by measuring the maximum attainable vehicle speed at any point in a distance of 1.6 km (1.0 mile) from a standing start and repeated in the opposite direction within 30 minutes.

[63 FR 33216, June 17, 1998, as amended at 68 FR 43972, July 25, 2003]



Antique, Custom-Built, & Replica Vehicles

Needs to be Registered: **Yes**

Antique, custom-built, & replica vehicles are registered in a similar manner as a car. Visit the Titles Section for the steps involved in registering a vehicle.

- [Title & Register a Vehicle](#)

Additional Requirements

Inspection

Antique and custom-built vehicles presented for first-time titling and registration in North Carolina must be **examined and photographed** by a local NC Division of Motor Vehicles inspector.

The report confirms the vehicle is equipped for road use and meets all DOT safety standards.

- **Locations:** [License & Theft Offices](#)
- **Email:** [Contact Us](#)

What is an Antique Vehicle?

- A motor vehicle at least **35 years old** (measured from the date of manufacture)

What is a Custom-Built Vehicle?

- A motor vehicle that is completely **reconstructed or assembled from new or used parts**
- Will be branded as "**specially constructed vehicle**"
- Year of vehicle will be year of assembly.

What is a Replica Vehicle?

- A motor vehicle which is a replica **manufactured from a kit and sold unassembled**
- Titled as the **make and year model** intended to be replicated
- Model listed on title is "**replica**"
- Will be branded as "**specially constructed vehicle**"
- Motorcycles are not titled as replicas.

Low-speed Vehicles

Needs to be Registered: **Yes**

Low-speed vehicles may be operated only on streets and highways where the posted speed limit is 35 miles per hour or less. It may cross a road or street at an intersection with a posted speed higher than 35 mph. The low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, windshield wipers, speedometer, seat belts and a vehicle identification number. It must be insured and registered.

Requirements for Titling & Registration

Inspection

An inspector's report confirming that the vehicle is equipped for road use and meets all DOT safety standards.

- **Locations:** [License & Theft Offices](#)
- **Email:** [Contact Us](#)

Mobile Homes

Needs to be Registered: Yes

Mobile Homes are registered in a similar manner as a car. Visit the Titles Section for the steps involved in registering a vehicle.

- [Title & Register a Vehicle](#)

To register a Mobile Home from a Manufacturer's Certificate of Origin (MCO) or title, the following things are required.

Requirements for Titling & Registration

Documents - [View Documents Needed](#)

When completing forms and documents read and follow the complete set of directions.

Identification will be required for all services that are processed in person. [View Acceptable Identification Documents](#) .

Vehicle Title	Notarization Required
Title Application (MVR-1)	Declare all liens, Notarization Required.
Cancellation of Mobile Home Titles (MVR-46G)	Required if mobile home title is being recorded as real estate

Fees

Accepted payment for transactions at [DMV Offices](#) includes **cash, money order, personal checks**^[?]

Some offices accept Visa, MasterCard and Discover credit and debit cards. **Call ahead to confirm.**

Title Transfer Fees	
Certificate of Title	\$52
Tax, Vehicles ^[?]	3% Highway Use Tax
Tax, Mobile Homes (Collected by Selling Dealers) ^[?]	2% Sales Tax, Max \$300

Vehicle Fees, Contact Information

Email Us: [Contact Us](#)

Visit Us: [License Plate & Registration Renewal Offices](#)

Mopeds

Needs to be Registered: Yes

As of July 1, 2015, mopeds are required to be registered with NCDMV, in accordance with [House Bill 1145](#). State statute defines a moped as having "two or three wheels, no external shifter, with a motor not to exceed 50 cubic centimeters of piston displacement and up to 30 mph propulsion on a level surface."

Requirements for Registration

- The moped's Manufacturer's Certificate of Origin (MCO), along with a [Certification of Plate and/or Address](#) form (MVR-1A) **OR** an [Affidavit of Facts for the Registration of a Moped](#) form (MVR-58).
- A valid [North Carolina driver license](#) **or** [identification card](#).

Requirements for Use

- Operator must be 16 years of age or older to operate on North Carolina highways or public vehicular areas.
- State law requires operators to wear a motorcycle safety helmet when using a moped on North Carolina highways.

Not Required for Use

- A driver license is not required.
- The moped does not have to be inspected or covered by liability insurance.

[Moped FAQ](#)

Motorcycles

Needs to be Registered: Yes

Motorcycles are registered the same way as a car. Visit the Titles Section for the steps involved in registering a vehicle.

- [Title & Register a Vehicle](#)

Trailers

Needs to be Registered: Yes

Trailers are registered the same way as a car. Visit the Titles Section for the steps involved in registering a vehicle.

- [Title & Register a Vehicle](#)

Individuals coming from a state that does not title and register trailers would need to contact us.

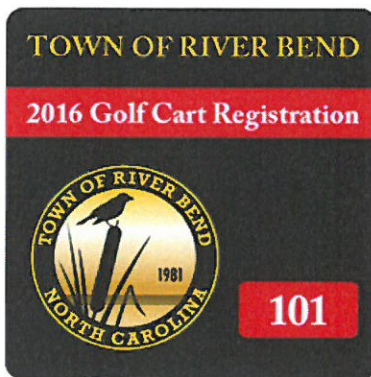
- **Phone:** (919) 715-7000
- **Email:** [Contact Us](#)

Water Craft

Needs to be Registered: See NC Wildlife Resources Commission

Water Craft, such as boats or jet skis, are not registered with the DMV, but they are registered with the North Carolina Wildlife Resources Commission. For more information on registering your water craft visit their website.

- [NC Wildlife Resources Commission](#)



2016 Golf Cart Decals Available Beginning December 1st

Only carts displaying the 2016 decal may legally be operated on Town roads after January 1, 2016.

Golf Carts as Transportation

River Bend residents may drive their properly equipped golf carts on Town streets provided that they are inspected by and registered with our Police Department. Inspection and registration are required annually. The registration fee for each golf cart is \$10.

[Golf Cart Inspection Process](#)

[How to Register a Golf Cart to Operate on Town Roads](#)

- Call the Police Department (638-1108) and request a golf cart inspection.
- A Police Officer will perform the initial inspection at your residence (so as not to require the illegal operation of the cart on Town streets). Subsequent annual inspections of a currently registered cart may be conducted at the Police Department.
- The Police Officer will complete the Golf Cart Registration / Inspection form, provide you a copy of this brochure, and have you sign the Registration / Inspection Form.
- The Police officer will give you the top copy of the Registration / Inspection form and retain the second copy.
- You then must bring the completed Registration / Inspection form to the Town Hall during normal business hours, pay the appropriate fee, and be issued the registration decal and a receipt for the payment of the fee.
- The registration decal, in accordance with the Town Code, must be affixed in a conspicuous place on the lower left windshield on the cart.
- Each registration is valid for a period that runs from January 1st through December 31st. The registration fee will not be pro rated for decals purchased during the registration period.
- Town Hall staff will mail out renewal notices at least 30 days prior to the renewal date of January 1st.

[Ordinance Regulating Golf Carts on Town Roadways](#)

Guidance for Golf Carts

Golf Cart Guidance:

- A model ordinance was established to create uniformity within Municipalities and Counties throughout the State for the use of golf carts on public streets. A city is not required to implement this model ordinance verbatim.
- The municipality or county is only required to follow the statutes "§ 153A-245, "§ 160A-300.6. The statute allows a municipality/county to regulate golf carts on any street with a speed limit 35 mph or less and the operator must be 16 or older.
- The municipality has the legal authority to establish speed limits on municipal streets. General Statute § 20-141 establishes a 35 mph speed limit within the corporate limits. It requires that on state maintained roadways within a municipality that both the Municipality and the State have concurring ordinance to establish a speed limit higher or lower than 35mph.
- If a municipality repeals a concurring ordinance, then by statute § 20-141 it reverts to 35mph. As indicated in § 20-141, if the Department determines on the basis of an engineering and traffic investigation that a higher maximum speed is reasonable and safe under the conditions found to exist upon any part of a highway designated as part of the Interstate Highway System or any part of a controlled-access highway (either inside or outside the corporate limits of a municipality) the Department of Transportation shall determine and declare a reasonable and safe speed limit. Previous rulings have indicated that control of access includes partial and or full.
- Effective December 1, 2009, the speed limit on all state roads that are annexed within the corporate limits will remain at the posted speed limit of the roadway prior to when the road was annexed until both the Municipality and State have concurring ordinances.
- The General Statutes do not require that a municipality complete an engineering and traffic study to modify the speed limits, the Town may use whatever reason they deem appropriate. However, on state maintained roads the statutes require an engineering and traffic study as the basis of the Departments decision to raise or lower the speed limit from the statutory speed limit. The Department has taken the position that the desire to operate golf carts on a roadway is not engineering justification to lowering the speed limit on a state maintained roadway.
- If a municipality/county allows the use of golf carts on public streets, as indicated in the General Statutes, the Department of Transportation will not install signing indicating the presence of golf carts.

GENERAL ASSEMBLY OF NORTH CAROLINA**SESSION 2009****SESSION LAW 2009-459****HOUSE BILL 121****AN ACT TO ALLOW ALL UNITS OF LOCAL GOVERNMENT TO REGULATE GOLF CARTS.**

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-245. Regulation of golf carts on streets, roads, and highways.

(a) Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, a county may, by ordinance, regulate the operation of golf carts, as defined in G.S. 20-4.01(12a), on any public street, road, or highway where the speed limit is 35 miles per hour or less within the county that is located in any unincorporated areas of the county or on any property owned or leased by the county.

(b) By ordinance, a county may require the registration of golf carts, charge a fee for the registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and methods of operation of golf carts. No person less than 16 years of age may operate a golf cart on a public street, road, or highway."

SECTION 2. G.S. 160A-300.5 is repealed.

SECTION 3. Chapter 160A of the General Statutes is amended by adding a new section to read:

"§ 160A-300.6. Regulation of golf carts on streets, roads, and highways.

(a) Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, a city may, by ordinance, regulate the operation of golf carts, as defined in G.S. 20-4.01(12a), on any public street, road, or highway where the speed limit is 35 miles per hour or less within its municipal limits or on any property owned or leased by the city.

(b) By ordinance, a city may require the registration of golf carts, charge a fee for the registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and methods of operation of golf carts. No person less than 16 years of age may operate a golf cart on a public street, road, or highway."

SECTION 4. Section 6 of S.L. 2001-356 is repealed.

SECTION 5. Section 1 of S.L. 2003-124, as amended by S.L. 2004-58, S.L. 2007-204, and S.L. 2007-259, reads as rewritten:

"SECTION 1. Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, the Towns of Beech Mountain, North Topsail Beach, and Seven Devils, and the City of Conover may, by ordinance, regulate the operation of golf carts and utility vehicles on any public street or road within the City or Town. By ordinance, the City or Town may require the registration of golf carts and utility vehicles, specify the persons authorized to operate golf carts and utility vehicles, and specify required equipment, load limits, and the hours and methods of operation of the golf carts and utility vehicles."

SECTION 6. Section 1 of S.L. 2005-11, as amended by S.L. 2007-18, is repealed.

SECTION 7. Section 3 of S.L. 2005-11, as amended by S.L. 2006-149, S.L.

2006-152, and S.L. 2007-18, reads as rewritten:

"**SECTION 3.** Section 1 of this act applies only to the Towns of Benson, Bladenboro, Chadbourn, Clarkton, Elizabethtown, Four Oaks, Rose Hill and Tabor City. Section 2 of this act applies only to Moore County."

SECTION 8. Section 9.4 of the Charter for the Town of Cary, as enacted by Section 1 of S.L. 2005-117, is repealed.

SECTION 9. S.L. 2006-27, S.L. 2006-149, S.L. 2006-152, S.L. 2007-18, S.L. 2007-72, S.L. 2007-336, and S.L. 2008-71 are repealed.

Page 2 Session Law 2009-459 SL2009-0459

SECTION 10. Section 5.2 of the Charter for the Town of Whispering Pines, as enacted by Section 1 of S.L. 2008-105, is repealed.

SECTION 11. This act becomes effective October 1, 2009. A county may adopt an ordinance under G.S. 153A-245, and a city may adopt an ordinance under G.S. 160A-300.6 when this act becomes law, but the ordinances may not become effective prior to October 1, 2009. The repeal herein of any act does not affect the rights or liabilities of a local government that arose during the time the act was in effect, or under an ordinance adopted under such an act. If any county or city had adopted an ordinance under any act repealed by this act, and the ordinance would be permitted under G.S. 153A-245 or G.S. 160A-300.6 as enacted by this act, that ordinance shall remain in effect until amended or repealed by that county or city.

In the General Assembly read three times and ratified this the 30th day of July, 2009.

s/ Marc Basnight

President Pro Tempore of the Senate

s/ Joe Hackney

Speaker of the House of Representatives

s/ Beverly E. Perdue

Governor

Approved 12:26 p.m. this 7th day of August, 2009

RECEIVED
TOWN OF JAMESTOWN, R.I.

17 MAR 17 PM 1:22

14 Holmested Ct.
Jamestown, RI 02835

March 15, 2017

To the Honorable Kristine Trocki,

As President of the Jamestown Town Council, I am writing to you today following the town council meeting of 3/6/17 with regards to the adoption of the resolution in support of the Trust Act Bill H-5515. It has been fascinating to watch the process unfold. I would like to extend my appreciation to each member of the council for their respectful consideration of this issue. It was particularly encouraging to have Ms. Meagher present such an eloquent resolution to the council for a vote.

Thank you for having the courage to validate the voices of so many Jamestown residents. It was quite a proud moment for many in the room. It makes me proud of Jamestown, proud of RI and proud as an American to know that our belief in the sanctity of the 14th Amendment still holds true.

I recognize the vote was 4-0. It would be remiss of me not to take a moment to acknowledge Mr. Dickenson's opinion. We may disagree, but I respect his right to do so. Let me reiterate here that no sanctuary movement that I know of seeks to harbor violent criminals or those with judge issued warrants. The goal is simply not to slip into arbitrary deportation of law abiding residents, regardless of their citizenship status. In doing so, our local and state law enforcement must maintain separate power from federal government. It is the state's right.

Personally, I have been through the laborious process of requesting citizenship and resident visas for four members of my family. It took five years and several thousand dollars for my three adopted children to gain US citizenship. My husband has just recently got a green card. Throughout this process, my one thought was to be able to bring my family home. After nearly twenty years in Europe, where I taught thousands of students about American language, history and culture, shared holidays and customs with the community, taught my children the preamble to the Constitution, I was told at the American Consulate in Brussels that they "had enough children and didn't need to import them from elsewhere." This is not the America I know and love. That's why I care so much about excluding people based on where they happened to be born.

At least now in Jamestown. I know all are welcome, regardless of their heritage or ancestry. So once again I say, thank you.

Sincerely,



Cynthia Long
cc: council members

Subject: Earth Day 2017 - Local Gov Action/Webinar

Greetings,

On behalf of Earth Day Network President Kathleen Rogers and Board Chair Emeritus Denis Hayes, please see the letter below:

As President of Earth Day Network, I am honored to invite you to participate in Earth Day Network's 2017 Global Day of Conversation. Denis Hayes, organizer of the first Earth Day and Board Chair Emeritus of Earth Day Network, joins me in extending this invitation. Local leaders and elected officials are on the frontlines of making our communities healthier, more prosperous, and more sustainable. To assist local leaders in these efforts, Earth Day Network presents the 8th Global Day of Conversation. [Global Day of Conversation](#) aims to create platforms for local leaders to engage with their constituents in a constructive dialogue about environmental issues, either on Earth Day (*April 22*) or around Earth Day and Climate Education Week (*April 22-29*). This year, Earth Day's theme is "*Environmental and Climate Literacy*" – we need to build a global citizenry fluent in the concept of climate change and inspired by environmental education to act in defense of the planet.

In line with this theme, **we ask that your city or town host a roundtable event organized around environmental education and issue a 2017 Earth Day Proclamation.** By using Earth Day to call attention to this subject, Earth Day Network hopes to increase awareness about the importance of environmental education and spur progress towards global environmental and climate literacy. A worldwide discussion of environmental education could also shed light on successful local initiatives that are capable of replication in other cities, states, or countries.

To support the planning and implementation of local government roundtables, we have provided this [toolkit](#) that contains further information about Global Day of Conversation, a draft Earth Day 2017 proclamation, and sample media to introduce and promote your event. In past years, more than a thousand elected officials have participated in Global Day of Conversation around the world. This year, we are excited to see it continue to expand and support efforts to drive environmental education globally.

Earth Day Network is holding an Earth Day 2017 Information Session for Governments next Wednesday, March 22, 2017 at 2 PM EST where we will be walking participants through our toolkits and answering questions in an interactive webinar. Please register [here](#).

Earth Day is the perfect day to engage your constituents and participate in an exchange of ideas about an important environmental topic. As a local government official, are you willing to support Earth Day and host a roundtable event on environmental education this April? If you have any questions or would like to speak to us about planning your event, you can contact Orion Cruz directly at (202) 518-0044 (ext 24) or at cruz@earthday.org. Thank you for your continued support and leadership in the protection of our environment.

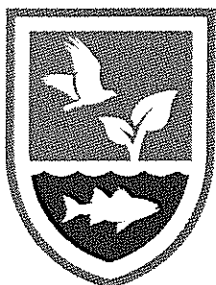
Sincerely,



Dennis Hayes
Founder and Board Chair Emeritus



Kathleen Rogers
President



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF FOREST ENVIRONMENT
235 Promenade Street, Suite 394
Providence, RI 02908

Office: 401.222.2445
Fax: 401.222.2444

March 15, 2017

Ms. Cheryl Fernstrom
93 Narragansett Avenue
Jamestown, RI 02835

Subject: Tree City USA Recognition

RECEIVED
TOWN OF JAMESTOWN, R.I.
17 MAR 22 AM 10:21

Dear Ms. Fernstrom:

On behalf of the Division of Forest Environment and The Arbor Day Foundation, I am pleased to congratulate your community once again for qualifying as a Tree City USA. It is a praiseworthy accomplishment and shows great dedication from the community.

The package of recognition materials from The Arbor Day Foundation regarding this award will be arriving to our office prior to Arbor Day. We would like to make some arrangement to get the package to you before Arbor Day (Friday, April 28).

Sincerely,

Tee Jay Boudreau

Coordinator
RI Urban and Community Forestry Program



March 17, 2017

Ms. Kristine S. Trocki, Town Council President
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

Dear Council President Trocki,

It is with the greatest pleasure that I am able to inform you that the Housing Network of Rhode Island Board of Directors has unanimously chosen the Town of Jamestown as one of the 2017 recipients of the *Housing Innovation Award*. You will be honored at our 25th Anniversary Annual Meeting on Monday, May 15, 2017 from 5:00 – 8:00 PM at the Providence G Ballroom in Providence, RI.

The Housing Innovation Award seeks to recognize innovative thinking and action to advance affordable housing in Rhode Island.

Through this award, the Housing Network wishes to acknowledge the Town of Jamestown's leadership in proactively encouraging the development of housing opportunities for low and moderate income residents in your community. We believe that Town's self-funded \$400,000 bond for the development of affordable housing, the annual inclusion of funding for affordable housing within the Town's budget, and the commitment of community residents to actively engage in the Town's Affordable Housing Commission, is truly an innovative approach to addressing the Town's 10% affordable housing goal. We are honored to be able to recognize your contributions publicly at the annual gathering of our membership and the housing community.

We will provide the Town of Jamestown with two complimentary tickets to the event. Once we open event registration, I can assist in getting you registered. Please feel free to contact me at 401-721-5680 ext. 38 if you have any additional questions.

Congratulations!

Sincerely,

A handwritten signature in cursive script that reads "Melina Lodge".

Melina Lodge
Executive Director



128 DORRANCE STREET, SUITE 400
PROVIDENCE, RI 02903
401.831.7171 (t)
401.831.7175 (f)
www.riaclu.org | info@riaclu.org

March 23, 2017

Dear Members of the Jamestown Town Council:

As you are undoubtedly aware, the issue of immigration has taken center stage in the first two months of the Trump Administration. Nationally, the ACLU has challenged – successfully so far – the President’s travel bans on refugees and Muslims and been deeply critical of other aspects of his immigration agenda, especially with regard to interior immigration enforcement, which is the subject of this letter.

Here in Rhode Island, our organization has seen an outpouring of concern from residents of the state, as well as some public officials, about the Trump Administration’s efforts to encourage, if not compel, local jurisdictions to directly support federal immigration enforcement. In response, with assistance from our National office, we have drafted a comprehensive ordinance that your municipality can adopt to protect your residents from some of those efforts. The ordinance is based largely on model guidance prepared by New York’s state Attorney General.¹

It is important to emphasize that local officials have no obligation under federal law to participate in the enforcement of federal immigration laws. Indeed, on at least one matter that the President has been promoting – local enforcement of Immigration and Customs Enforcement (ICE) detainers² – your municipality faces a clear prospect of legal liability in accepting his invitation.³

In order to preserve the Constitutional rights of all persons in the United States, our draft ordinance includes such provisions as requiring judicial warrants before honoring ICE detainers; assisting victims of crime who may be eligible for special immigration status; rejecting participation in a program, known as 287(g), that essentially deputizes local police to serve as immigration agents; and avoiding other forms of engagement in federal immigration enforcement that can adversely affect public safety and undermine good police-community relations. This model ordinance is fully consistent with federal law. It in no way bars your police officers from continuing to cooperate with ICE in enforcing immigration law *when backed by judicial authority or otherwise properly mandated by federal law*.

There are a number of reasons that an increasing number of states and localities across the nation have opted – even before President Trump announced his mass deportation plans – to leave the immigration enforcement business to the federal government and focus their resources on protecting the community from the negative impact that overzealous federal enforcement can have.

¹ Guidance Concerning Local Authority Participation In Immigration Enforcement And Model Sanctuary Provisions. https://ag.ny.gov/sites/default/files/guidance_and_supplement_final3.12.17.pdf

² An “ICE detainer” is a written request that local law enforcement detain an individual for an additional 48 hours after he/she would otherwise be released, and have been used to provide ICE additional time to examine an individual’s immigration status, decide whether to take the individual into custody, and/or facilitate transfer into federal custody. These detainers are typically issued without a judicial warrant supported by probable cause. In consequence, once the traditional basis for criminal detention has lapsed, continued detention violates the Fourth Amendment’s bar on unlawful detentions.

³ *Morales v. Chadbourne*, 996 F.Supp.2d 19 (D.R.I. 2014); 793 F.3d 208 (1st Cir. 2015); 2017 WL 354292 (D.R.I. 2017).

Perhaps most important of all, ordinances like this one promote public safety by maintaining and encouraging positive police-community relations. Residents serve as witnesses, report crime, and otherwise assist law enforcement. The foundation for this cooperation can often be destroyed when local police are viewed as an extension of the immigration system. Survivors of domestic violence refrain from reporting offenses; individuals with key information about other crimes fail to contact the police.⁴ These outcomes are not limited to the undocumented population, since many of them have U.S. citizen spouses and children who may also think twice about cooperating with police. And because citizens and immigrants with legal status often fall victim to mistakes by ICE, their views toward local officials can sour as well.

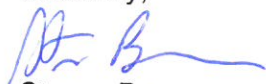
Local enforcement of immigration law can also lead to legal exposure, as it already has in our state. In Rhode Island, we successfully sued on behalf of a Providence resident who was the subject of an unlawful ICE detainer and, consequently, illegally held at the ACI by Department of Corrections' officials.⁵ She was harassed and subjected to a humiliating strip-search while being detained overnight. To add insult to injury, she was a United States citizen, a victim of the type of civil detainer errors that are not infrequent in light of the minimal standards used by ICE bureaucrats in requesting detainer "holds."⁶ Given the Trump Administration's pledge to expand ICE personnel for more immigration enforcement, these types of mistakes are sure to increase.

The Trump Administration has threatened to strip federal funds from jurisdictions that decline to direct their personnel and resources toward federal immigration priorities – a set of jurisdictions the Administration has lumped under the undefined characterization of "sanctuary jurisdictions." However, prior court decisions indicate that the Administration will encounter substantial constitutional hurdles if it attempts to follow through on that pledge. We are prepared to take action to back your immigrant-supportive policies and practices, as needed.

The draft ordinance and a one-page summary of its contents are enclosed. They can also be found on our website, www.riaclu.org. The ACLU also remains a resource for any additional information you may need on immigration-related matters. Please feel free to either call or send an email to immigrants@riaclu.org with any questions.

In closing, we hope you find this model ordinance useful and will take favorable action upon it. We also encourage your police department to adopt substantive policies in accordance with the provisions in the model ordinance. Thank you in advance for considering this, and we look forward to hearing from you.

Sincerely,



Steven Brown
Executive Director

cc: Andrew E. Nota, Town Administrator
Chief Edward A. Mello

⁴ There are already reports across the country about this apparent impact. See, e.g., "L.A. police see drop in Latino reports of crime amid deportation fears," Steve Gorman, Reuters, March 21, 2017. <http://www.reuters.com/article/us-california-immigration-idUSKBN16T07O>

⁵ See fn. 3.

⁶ In discovery conducted during the Morales case, the former field director of ICE's regional office acknowledged that an ICE agent does not have to make a determination that a person is in the country illegally before issuing a detainer.

SUMMARY OF MODEL IMMIGRATION PROTECTION ORDINANCE

The model ordinance consists of eleven key substantive sections, each of which can stand independently, an enforcement provision, a definitions section, and two procedural provisions.

1. LEAs should not stop or interrogate people based solely on their suspected immigration status, and should not inquire about the immigration status of crime victims or witnesses unless necessary to investigate criminal activity unrelated to enforcing immigration laws.
2. Absent a judicial warrant, LEAs should not honor U.S. Immigration and Customs Enforcement (“ICE”) or Customs and Border Protection (“CBP”) detainer requests except in limited, specified circumstances.
3. Absent a judicial warrant, LEAs should generally not honor ICE or CBP requests for certain non-public, sensitive information about an individual.
4. Absent a judicial warrant, LEAs should not provide ICE or CBP with access to individuals in their custody for questioning solely for civil immigration enforcement purposes.
5. LEAs should protect the due process rights of persons as to whom federal immigration enforcement requests have been made, including providing those persons with appropriate notice.
6. Local agency resources should not be used to create a federal registry based on race, gender, sexual orientation, gender identity or expression, religion, ethnicity, or national origin.
7. Municipalities should limit collection of immigration-related information and ensure nondiscriminatory access to benefits and services.
8. LEAs should adopt limits in participating in the surveillance of political or religious groups in the absence of specific criminal investigatory criteria.
9. LEAs should have procedures in place to help undocumented crime victims apply for nonimmigrant visas specifically designated for such victims.
10. Municipal school districts should adopt formal policies on dealing with immigration agency requests for information about students’ immigration status and cooperating with such requests only to the extent required by federal law.
11. LEAs should collect and report data to the public regarding detainer and notification requests from ICE or CBP in order to monitor their compliance with applicable laws.
12. Legal remedies should be available for violations of the restrictions in the ordinance.
13. The ordinance should not be construed to restrict certain information-sharing activity as designated by federal law.
14. Definitions and a routine severability clause are included.

**MUNICIPAL IMMIGRANT PROTECTION ORDINANCE
FOR RHODE ISLAND CITIES AND TOWNS**

PREAMBLE

WHEREAS, [Municipality] is dedicated to providing all of its residents fair and equal access to services, opportunities and protections; and

WHEREAS, [Municipality] respects, upholds, and values equal protection and equal treatment for all of our residents, regardless of immigration status; and

WHEREAS, Fostering a relationship of trust, respect, and open communication between municipal employees and municipal residents is essential to [Municipality's] core mission; and

WHEREAS, Public safety in [Municipality] is best promoted when victims and witnesses of crime feel safe in cooperating with law enforcement officials; and

WHEREAS, The purpose of this Ordinance is to foster respect and trust between law enforcement and residents, to protect limited resources, to encourage cooperation between residents and city officials, especially law enforcement, and to ensure community security and due process for all,

IT IS HEREBY ENACTED AS FOLLOWS:

1. Limitation on activities solely for the purpose of enforcing federal immigration laws.

(a) [The LEA] shall not stop, question, interrogate, investigate, or arrest an individual based solely on any of the following:

(1) Actual or suspected immigration or citizenship status; or

(2) A civil immigration warrant, administrative warrant, or an immigration detainer in the individual's name, including those identified in the National Crime Information Center (NCIC) database.

(b) [The LEA] shall not inquire about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity that is unrelated to the enforcement of civil immigration law.

(c) Neither [the municipality] nor [the LEA] shall enter into any agreements to enforce, or otherwise voluntarily engage in the enforcement of, federal immigration law or to perform federal immigration functions pursuant to 8 U.S.C. § 1357g or any other federal law, regulation, or policy.

2. Conditions for honoring ICE or CBP detainer requests.

(a) Except as provided in subsection (b), [the LEA] may respond affirmatively to a civil immigration detainer from ICE or CBP to detain or transfer an individual

for immigration enforcement or investigation purposes for up to 48 hours only if the request is supported by a judicial warrant.

(b) Notwithstanding subsection (a), [the LEA] may detain a person for up to 48 hours on a civil immigration detainer in the absence of a judicial warrant if there are exigent circumstances preventing ICE or CBP from obtaining a warrant and there is probable cause to believe that the individual has or is engaged in terrorist activity as defined in 8 U.S.C. §1182(A)(3)(B).

3. Limitations on honoring ICE or CBP requests for certain non-public, sensitive information.

(a) Except as provided in subsection (b), [the LEA] may respond affirmatively to an ICE or CBP request for non-public information about an individual, including but not limited to non-public information about an individual's release, home address, or work address, only if the request is accompanied by a judicial warrant or a court order enforcing a subpoena.

(b) Notwithstanding subsection (a), nothing in this ordinance limits [the municipality or LEA] from:

(1) disclosing information about an individual's criminal arrests or convictions, where disclosure of such information about the individual is otherwise authorized by state law or required by court order; or

(2) disclosing information about an individual's juvenile arrests or

delinquency or youthful offender adjudications, where disclosure of such information about the individual is otherwise authorized by state law or required by court order.

(c) [The LEA] shall limit the information collected from individuals concerning immigration or citizenship status to that necessary to perform [the LEA's] agency duties.

4. Limitations on ICE or CBP access to individuals in custody for immigration enforcement questioning purposes.

[The LEA] shall not provide ICE or CBP with access to an individual in their custody or the use of agency facilities to question or interview such individual if ICE or CBP's sole purpose is enforcement of federal civil immigration law, unless such enforcement is pursuant to a federal judicial order.

5. Due process for persons about whom federal immigration enforcement requests have been made.

(a) [The LEA] shall not delay bail and/or release from custody upon posting of bail solely because of

- (1) an individual's immigration or citizenship status,
- (2) a civil immigration warrant, or
- (3) an ICE detainer request or any other ICE or CBP request for the

purposes of immigration enforcement, or for notification about, transfer of, detention of, or interview or interrogation of that individual.

(b) Upon receipt of an ICE or CBP detainer, transfer, notification, interview or interrogation request, [the LEA] shall provide a copy of that request to the individual named therein and inform the individual whether [the LEA] will comply with the request before communicating its response to the requesting agency.

(c) Individuals in the custody of [the LEA] shall be subject to the same booking, processing, release, and transfer procedures, policies, and practices of that agency, regardless of actual or suspected citizenship or immigration status.

6. Ban on use of resources to facilitate a federal registry based on race, gender, sexual orientation, gender identity or expression, religion, ethnicity, or national origin.

[Municipality] shall not use agency or department monies, facilities, property, equipment, or personnel to investigate, enforce, or assist in the establishment, maintenance or enforcement of any federal program requiring registration of individuals on the basis of race, gender, sexual orientation, gender identity or expression, religion, ethnicity, or national origin.

7. Limitation on the collection of immigration-related information; provision of nondiscriminatory access to benefits and services.

(a) [Municipality] personnel shall not inquire about or request proof of immigration status or citizenship when providing services or benefits, except where the receipt of such services or benefits is contingent by law upon verification of one's immigration or citizenship status or where inquiries are otherwise lawfully required by federal, state, or local laws.

(b) [Municipality and LEA] shall have a formal Language Assistance Policy for individuals with Limited English Proficiency and provide interpretation or translation services at no cost consistent with that policy.

8. Limits on Political Surveillance

[LEA] shall not collect or maintain information about the political, religious or social views, associations or activities of any individual, group, association, corporation, business or partnership or other entity unless such information directly relates to an investigation of criminal activities, and there are reasonable grounds to suspect that the particular subject of the information, whether an individual or other entity, is involved in criminal conduct.

9. Protecting Immigrant Victims of Crime

(a) On request from an individual whom a law enforcement officer or agent thereof reasonably believes is a victim who is or has been subjected to a qualifying criminal activity for a nonimmigrant T or U visa under 8 U.S.C. §1101(a)(15)(T) or 8 U.S.C. §1101(a)(15)(U), or for continued presence under 22 U.S.C. §7105(c)(3), the law enforcement officer, as soon as practicable after receiving the request, shall, subject to the presumption in subsection (b), provide to the individual a signed certification Form I-914B or Form I-918B.

(b) There shall be a rebuttable presumption that a victim is helpful, has been helpful, or is likely to be helpful to the detection, investigation, or prosecution of qualifying criminal activity if the victim has not unreasonably refused or failed to assist with the investigation as requested by [LEA].

(c) The [LEA] shall process the appropriate form under this section within 45 days of the request, unless the noncitizen is in removal proceedings, in which case the certification shall be processed within fourteen (14) days of the request.

(d) If [LEA] determines that an individual does not meet the requirements for the issuance of a certification under this section, the [LEA] shall inform the individual in writing of the specific reasons. The written denial shall also advise the individual that he or she may make another request under subsection (a) of this section by submitting additional evidence that he or she has been subjected to a qualifying criminal activity and/or that the presumption established by

subsection (b) has been satisfied or not properly rebutted. The denial shall also include a list of organizations that provide services to immigrants whom the individual may contact for additional assistance.

(e) [LEA] shall provide an annual report to the [Municipal Council] of how many requests were made to the [LEA] under subsection (a) and how many were denied.

10. Protecting the Rights of Students

In order to protect the rights of students, the school district shall, within 120 days of enactment of this ordinance, adopt a policy¹ establishing procedures for handling interactions with immigration officials seeking information about, or requesting to talk with any student about, their immigration status; providing for cooperating with such requests only to the extent required by law; and barring the collection and disclosure of students' citizenship status except to the extent required by federal law.

11. Collection of aggregate data regarding ICE and CBP requests

(a) [The LEA] shall record, solely to create the reports described in subsection (b) below, the following for each immigration detainer, notification, transfer,

¹ In the alternative, if the Council does not have power over the school district, the first sentence can begin: "In order to protect the rights of students, the school district is requested to adopt..."

interview, or interrogation request received from ICE or CBP:

- (1) The subject individual's race, gender, and place of birth;
- (2) Date and time that the individual was taken into [LEA] custody, the location where the individual was held, and the arrest charges;
- (3) Date and time of [the LEA's] receipt of the request;
- (4) The requesting agency;
- (5) Immigration or criminal history indicated on the request form, if any;
- (6) Whether the request was accompanied by any documentation regarding immigration status or proceedings, e.g., a judicial warrant;
- (7) Whether a copy of the request was provided to the individual and, if yes, the date and time of notification;
- (8) Whether the individual consented to the request;
- (9) Whether the individual requested to confer with counsel regarding the request;
- (10) [The LEA's] response to the request, including a decision not to fulfill the request;
- (11) If applicable, the date and time that ICE or CBP took custody of, or was otherwise given access to, the individual; and
- (12) The date and time of the individual's release from [the LEA's] custody.

(b) [The LEA] shall provide semi-annual reports to the [Municipal Council] regarding the information collected in subsection (a) above in an aggregated form that is stripped of all personal identifiers. The reports shall be a public record.

12. Enforcement.

An aggrieved individual or an organization that is chartered for the purpose of combating discrimination, promoting the rights of immigrants, or safeguarding civil rights shall be entitled to seek and obtain injunctive and declaratory relief, damages and attorneys' fees for any violation of this ordinance.

13. Affirmation of Compliance with Federal Law.

Pursuant to 8 U.S.C. §1373 or 8 U.S.C. §1644, nothing in this ordinance is intended, or shall be construed, to prohibit or restrict in any way the [LEA] or [Municipality] from maintaining, exchanging, sending, or receiving information regarding the citizenship or immigration status, lawful or unlawful, of any individual with any federal, State or local government entity.

14. Definitions.

(a) "CBP" means United States Customs and Border Protection.

(b) "Civil immigration detainer" or "civil immigration warrant" means a detainer

issued pursuant to 8 C.F.R. § 287.7 or any similar request from ICE or CPB for detention of a person suspected of violating federal immigration law.

(c) "ICE" means United States Immigration and Customs Enforcement.

(d) "Judicial warrant" means a warrant based on probable cause and issued by an Article III federal judge or a federal magistrate judge that authorizes federal immigration authorities to take into custody the person who is the subject of the warrant. A judicial warrant does not include a civil immigration warrant, administrative warrant, or other document signed only by ICE or CBP officials.

15. Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

3/23/17

**TOWN OF CHARLESTOWN, RHODE ISLAND
RESOLUTION IN SUPPORT OF GOVERNOR GINA RAIMONDO'S RHODE
ISLAND'S PROMISE PROGRAM**

WHEREAS, Governor Gina M. Raimondo has proposed Rhode Island's Promise, a commitment to provide every student with a two year scholarship to attend the Community College of Rhode Island, Rhode Island College or the University of Rhode Island; and

WHEREAS, this program will make it possible for Chariho Regional District High School's graduates to earn an associate degree tuition free at the Community College of Rhode Island and will cut the cost of a four-year degree at Rhode Island College or the University of Rhode Island in half; and

WHEREAS, the cost of college creates a barrier that keeps college-qualified students from applying and enrolling in college; and

WHEREAS, Governor Raimondo's proposal will make it possible for all of Chariho Regional District High School's graduates to go to college, regardless of family income; and

WHEREAS, Rhode Island's Promise is designated to boost enrollment, improve the graduation and retention rates and will encourage and make it possible for more students to complete their degrees on time; and

WHEREAS, a college degree is the surest ticket to the middle class and having a college degree has been shown to increase lifetime earnings, community engagement, and quality of life; and

WHEREAS, the Charlestown Town Council believes that this program is in the best interest of the citizens and voters of the Town of Charlestown.

NOW, THEREFORE, BE IT RESOLVED, that the Charlestown Town Council provides the strongest possible endorsement to Governor Gina Raimondo's Rhode Island's Promise Program and urges Charlestown's delegation to the General Assembly to work diligently for its passage.

BE IT FURTHER RESOLVED that the Town Clerk is hereby instructed to submit a copy of this resolution to the Governor, the Senate President, the Speaker of the House, and the Town of Charlestown's State Senators and State Representative in the Rhode Island General Assembly for consideration of their support.

The **RESOLUTION** shall take effect on March 13, 2017.

By resolution of the Charlestown Town Council
At a meeting held on March 13, 2017

Amy Rose Weinreich, CMC

Attested to by
Amy Rose Weinreich, CMC Town Clerk



TOWN OF CHARLESTOWN, RHODE ISLAND
A RESOLUTION RELATIVE TO THE REGULATION OF EARTH
REMOVAL, EXTRACTION, PROCESSING AND BLASTING

WHEREAS, the Town Council of the Town of Charlestown has received numerous complaints from Bradford area and Charlestown residents concerning earth quarrying, extraction, processing and blasting operations on property located in the Town of Westerly; and

WHEREAS, these residents reported their experience with the undesirable externalities of dust, noise, vibration, truck traffic and other such impacts on their properties located near the Westerly operation's earth quarrying, extraction, processing and blasting; and

WHEREAS, the Town Council has also been aware that the Town currently lacks any meaningful regulation of existing earth quarrying, extraction, processing and blasting operations located in Charlestown; and

WHEREAS, the Town Council believes that the health, safety and welfare of the community requires the reasonable and sensible regulation of existing earth removal, extraction, processing and blasting operations to prevent unnecessary and unreasonable impacts of dust, noise, vibration, truck traffic and other such externalities from occurring unmitigated in the community; and

WHEREAS, six other communities in Rhode Island have been provided special acts of the Legislature to address this public concern; and

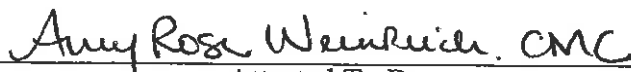
WHEREAS, the Town Council of the Town of Charlestown desires that the General Assembly enact a special act to authorize the Town to reasonably and sensibly regulate existing earth removal, extraction, processing and blasting operations located in the Town.

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Charlestown, Rhode Island, respectfully request that the General Assembly specifically authorize the Town Council of the Town of Charlestown to reasonably and sensibly regulate earth removal, extraction, processing and blasting operations located in the Town; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby instructed to submit a copy of this Resolution to the Governor and the State Senators and State Representatives of Washington County in the Rhode Island General Assembly, in consideration of their support to submit and act to pass this special act.

The RESOLUTION shall take effect upon passage.

By resolution of the Charlestown Town Council at a
meeting held on March 13, 2017



Attested To By

Amy Rose Weinreich, CMC Town Clerk



Town of Charlestown, Rhode Island

Resolution

**In Support of Inadequacies of the Low and Moderate Income Housing Act As
Identified by the Town of Glocester, RI
And Forwarded to the RI Legislative LMIH Study Commission**

WHEREAS: A special legislative study commission was created to study the RI Low and Moderate Income Housing (LMIH) Act through resolution No. 207 proposed by the RI House of Representatives in January 2016 and approved in May 2016; and

WHEREAS: That special legislative commission has asked for input from municipalities that have yet to meet the targeted inventory of LMIH as defined in RIGL 45-53; and

WHEREAS: The Town of Charlestown has conducted and distributed a detailed analysis of the performance of RIGL 45-53 in Charlestown and three nearby towns that, like Glocester, are outside the Urban Services Boundary; and

WHEREAS: Performance of RIGL 45-53 in these four towns indicates a broader spread of eligibility for LMIH than demand can sustain; and

WHEREAS: LMIH income guidelines are adequate for purchase of over half the year-round housing in Charlestown at its assessed value, without subsidy; and

WHEREAS: The expectations of RIGL 45-53 are not compatible with limited access to public transportation, employment, goods, and services, as is common to towns outside the urban services boundary; and

WHEREAS: These findings are consistent with those reported by the Town of Glocester;

NOW THEREFORE BE IT RESOLVED: That the Town Council of the Town of Charlestown declares as unrealistic those expectations of RIGL 45-53 that are incompatible with conditions unique to municipalities outside the urban services boundary, and fully supports the report submitted to the LMIH Study Commission by the Town of Glocester.

BE IT FURTHER RESOLVED that the Town Clerk is hereby instructed to submit a copy of this resolution to the Governor, the Senate President, the Speaker of the House, Representative Robert E. Craven and the Town of Charlestown's State Senators and State Representative in the Rhode Island General Assembly for consideration of their support.

Adopted by the Charlestown Town Council this 13th day of March, 2017.

Attest:

Amy Rose Weinreich, CMC
Amy Rose Weinreich, CMC
Town Clerk

