**TOWN COUNCIL SPECIAL MEETING**

**May 22, 2017**

## **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

Chris Costa, Building/Zoning Official

Peter D. Ruggiero, Town Solicitor

Cheryl A. Fernstrom, Town Clerk

## **CALL TO ORDER**

Council President Trocki called the special meeting of the Jamestown Town Council to order at 6:04 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue.

Joan Dupee of Narragansett Avenue, on behalf of the Holy Ghost Society, invited the Town Council to the dedication of the statute commemorating the 100th Anniversary of the Fatima appearance of the Blessed Mother before three children in Portugal in 2017. The event will take place on Sunday, June 11th, at 11:00 a.m. in the courtyard at Saint Mark’s Church. A luncheon reception will follow in the Church Hall.

1. **NEW BUSINESS**
   1. House Bill 6172 “An Act Relating to Agriculture and Forestry – Right to Farm”; review, discussion and/or potential action and/or vote to support or oppose this legislation

President Trocki announced this item is on the agenda as our next regular meeting is not until June 19th and it is important to make our objections known to the General Assembly prior to close of the legislative session. The Resolution was drafted by Solicitor Ruggiero with factual information and its affect on the community if the legislation passes. President Trocki read the Resolution. Copies of the Resolution will be forwarded to the leadership of the House and Senate in addition to our State Representative.

**A motion was made by Councilor Mihaly with second by Councilor Meagher to adopt the Resolution.**

Discussion.Council members noted they are in favor of managing their own zoning. The turnaround on this issue was noted, as the legislative session is ending shortly.

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

* 1. Process to invoke a Voter Initiative, Non-Binding Resolution, Ordinance, or All-day Referendum regarding recreational target shooting and firearms discharge in the Town of Jamestown; review, discussion, and/or potential action and/or vote

President Trocki stated she wants to go on record that she doesn’t think this item should be on this evening’s agenda. It was brought up by Councilor Dickinson at the May 15th meeting at the end of discussion just before adjournment. It is her opinion it should be on the June 19th agenda and not on this agenda, which was set to address items that needed immediate Council attention. In addition Councilor Dickinson noted he was not concerned about the timing of this issue. Any discussion should be open, transparent, with notice, and not placed on an agenda on Friday.

Councilor Dickinson stated it was brought up at the appropriate place in the meeting under future agenda items. As a privileged member he has the option to place this on an agenda, and there is a Charter provision which he plans on exercising. He doesn’t believe it is challenging to ask the Council to put this before the voters. Whether the Council adopts what he proposes and places this on the vote for the Senate seat, he still has the right to put this on the agenda. Any resolution would be non-binding and very benign.

Councilor Meagher asked what Resolution. President Trocki stated there is no Resolution and this was on the agenda for process. Solicitor Ruggiero stated he forwarded a resolution to Councilor Dickinson today, and it was his error in not instructing him to forward it to the other Council members. As it was drafted for Councilor Dickinson he (Solicitor) could not forward it, and he apologizes for the confusion.

Councilor Dickinson stated the Resolution was asking the Council to vote whether to put this item on a referendum to seek legitimate feedback from the community on the matter. He realizes there is no support for this item and he wanted to get this finalized so that he would understand what the next steps are.

Councilor Meagher stated she cannot vote on something not before us or submitted just before the meeting. She was prepared to talk about what is involved with a referendum and did not say she is against this. If you want this on the June 19th agenda with a resolution she is prepared to vote on that. The rules of our Town Council describe the agenda as the way we communicate and any Councilor can put an item on the agenda without a vote. A five-day submission is required, and there is nothing in front of us to discuss or vote on.

Councilor Dickinson stated his intentions were clear at the last meeting. President Trocki stated she is not clear on his intentions and could not discuss it at the last meeting as it was not an agenda item. In order to do this properly it needs to be an agenda item with proper notice to the public on June 19th or after so that all can speak. She has no idea of his intentions and it did not have five days notice. Councilor Dickinson noted his request to the Clerk that he hoped his item would be placed on this agenda.

President Trocki stated it was agreed this would appear on the June 19th meeting. Councilor Meagher stated she listened to the recording of the meeting, and it was stated this would be on the next meeting, and it was referenced by the Solicitor as the next regular meeting. This meeting was changed from Thursday to Monday to address the legislation (H 6172) and solar array. The discussion took place during the Agenda Items for the Next and Future Meetings and this topic was noted for the next regular meeting, and the next regular meeting is June 19th, and this can be on that agenda. There is nothing to vote on at this time.

## **EXECUTIVE SESSION**

## Pursuant to RIGL §42-46-5(a) Subsection (2) potential litigation (RITBA solar array project); review, discussion and/or potential action and/or vote in executive session and/or open session

President Trocki stated the solar array project was discussed at the May 15th meeting. RITBA is aware of this evening’s executive session, that no one from that agency would be in this executive session, the solar array matter would be discussed with the Solicitor and Building Official, and once we had advice and additional information from the Solicitor, Building Official, and Town Administrator, any additional information needed would be conveyed through the Solicitor or Town Administrator and addressed to Mr. Croft. The Council does not expect to vote, but if we do, it would be done in open session.

**A motion was made by Vice President White with second by Councilor Meagher to enter into Executive Session at 6:24 p.m. pursuant to RIGL §42-46-5(a) Subsection (2) Potential Litigation.**

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

The Town Council reconvened the special meeting at 7:11 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

1. **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 special meeting was adjourned at 7:12 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Town Solicitor

Finance Director