



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, October 2, 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

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.

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 request to address
- B) Non-scheduled request to address

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

VIII. UNFINISHED BUSINESS

For past discussion documentation, please visit <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2017-meetings-minutes/2017-meetings>

- A) Upcoming Meetings and Sessions – dates and times

IX. NEW BUSINESS

- A) Review of Town, School and Combined Budgets and Warrant items exceeding \$50,000 through paper ballot, electronic ballot, FTM or Referendum; review, discussion and/or potential action and/or vote
- B) Financial Town Meeting: Rules and Procedures; review, discussion and/or potential action and/or vote
- C) Amendment of the Jamestown Zoning Ordinance related to Marijuana Uses as recommended by the Jamestown Planning Commission and authorization for preparation of an Ordinance amendment and/or Zoning Use Table amendment by the Town Solicitor and Town Administrator; review, discussion and/or potential action and/or vote

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

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) September 18, 2017 (interview session)
 - 2) September 18, 2017 (special meeting)
 - 3) September 18, 2017 (special executive session)
 - 4) September 18, 2017 (regular meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Philomenian Library Board of Trustees (08/08/2017)
 - 2) Jamestown Traffic Committee (08/17/2017)
 - 3) Jamestown Zoning Board of Review (08/22/2017)
- C) Abatements/Addenda of Taxes
 - Total Abatements: \$2,426.67 Total Addenda: \$3,804.73
 - 1) Motor Vehicle Abatements to 2017 Tax Roll
 - Account/Abatement Amount**
 - a) 02-0623-83M \$ 272.05
 - b) 03-0480-05M \$ 265.89
 - c) 04-0166-80M \$ 48.57
 - d) 08-0559-15M \$ 406.15
 - 2) Real Estate Abatements to 2017 Tax Roll
 - Account/Abatement Amount**
 - a) 18-0604-82 \$1,434.01
 - 3) Motor Vehicle Addenda to 2017
 - Account/Abatement Amount**
 - a) 01-0035-50M \$ 404.99

- 4) Real Estate Addenda to 2017 Tax Roll
- | | <u>Account/Abatement</u> | <u>Amount</u> |
|----|--------------------------|---------------|
| a) | 07-0665-00 | \$ 57.13 |
| b) | 19-1252-50 | \$1,754.59 |
| c) | 20-0544-20 | \$1,093.78 |
| d) | 22-0309-77 | \$ 494.24 |
- D) One Day Event/Entertainment License Application
- 1) Applicant: Jamestown Parks and Recreation
 Event: 11th Annual Skatefest
 Date: October 20, 2017
 Location: Jamestown Skate Park
- E) One Day Peddler License Application
- 1) Applicant: Eddie's BBQ
 Event: Skatefest
 Date: October 20, 2017
 Location: Jamestown Skate Park
- 2) Applicant: Haven Brothers Mobile
 Event: Wheels 'n Steele
 Date: October 8, 2017
 Location: Fort Getty

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

- A) Resolutions and Proclamations from other Rhode Island Cities and Towns; review, discussion and/or potential action and/or vote
- 1) Resolution of the Foster Town Council Opposing House Bill 6022 Relating to Animal Husbandry – Unlawful Confinement of a Covered Animal

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) RI Office of Energy Resources/RI Infrastructure Bank Presentation (October 16)
- B) Golf Course Design Discussion (October 16)
- C) Fort Getty Discussion re: future planning (October 16)
- D) Wind Turbine Legislation Bond Authorization - repeal

XIV. EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation (Susan J. Early v Town of Jamestown Zoning Board of Review, C.A. No. NC2017-0323); review, discussion and/or potential action and/or vote in executive session and/or open session
- B) Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation (John R. Connors v Town of Jamestown Zoning Board of Review, C.A. No. NC2017-0340); review, discussion and/or potential action and/or vote in executive session and/or open session

- C) Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation (Currie v Town of Jamestown, C.A. No. 103702-WC-01); review, discussion and/or potential action and/or vote in executive session and/or open 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.

ALL NOTE: This meeting location is accessible to the physically challenged. If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to cfernstrom@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website September 28, 2017

INTEROFFICE MEMORANDUM

TO: HONORABLE JAMESTOWN TOWN COUNCIL
FROM: TOWN CHARTER REVIEW COMMITTEE
SUBJECT: REPORT TO COUNCIL
DATE: APRIL 6, 2016

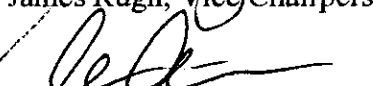
The Town Charter Review Committee would like to thank the Jamestown Town Council for the opportunity to review the Town Charter. We ask that the Council review and consider the recommendations made by the Town Charter Review Committee in the attached report.


The Town Charter Review Committee would also like to thank the individuals that assisted us in our deliberations; most notably, Mary Meagher, Vice President of the Jamestown Town Council and ex-officio member of the Town Charter Review Committee, the Town Administrator, Town Solicitor, and Town Clerk and members of her office, and other interested parties that gave their suggestions and encouragement.

Respectfully submitted,



Arlene Petit, Chairperson

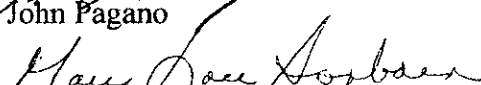

James Rugh, Vice Chairperson


Edward Gromada, Secretary


Anthony Antine


Blake Dickinson


John Pagano


Mary Lou Sanborn

JAMESTOWN HOME RULE CHARTER

Town Charter Review

2015 – 2016

The TCRC consisted of the following voting members:

Arlene Petit, Chairperson
James Rugh, Vice Chairperson
Edward Gromada, Secretary
Anthony Antine
Blake Dickinson
John Pagano
Mary Lou Sanborn

Ex Officio member, Mary E. Meagher, Town Council Vice President

This Town Charter Review Committee (TCRC), being a diverse and dedicated group was charged by the Town Council to complete a review of the Charter solely for the purpose of determining if there were any changes necessary. Any recommendations for changes to the Charter were to be submitted to the Town Council for their consideration. This ad hoc committee was given a nine month term to complete their task

The TCRC held sixteen (16) meetings beginning on August 11, 2015 and ending on April 6, 2016. All meetings were held at the Jamestown Town Hall, all were properly posted and open to the public.

There was some Jamestown Press coverage, but it was minimal. Public participation although posted at several locations and on the Secretary of State's website was also minimal.

The TCRC set the process for review of the Charter at their second meeting on August 26, 2015. "The committee would defer voting for two weeks on any recommendations for change." The committee followed that process with the exception of one meeting held on October 28. Four sections were voted on at their first appearance on the agenda; therefore to keep with the set process those specific votes were considered to be null and void and were revisited at the December 2 meeting.

The Jamestown Home Rule Charter was established in 1974 by the people of the Town of Jamestown, in order to secure the right of self-government in all local matters pursuant to the provisions of the State of Rhode Island and Providence Plantations. Since that time there have been several changes to the document; all adopted by the voters of Jamestown. The Charter has continued to be a legal guide to our local Councils in governing and protecting the health, safety and welfare of its citizens.

After much study, research, and due diligence the TCRC recommends the following changes to the Charter. The recommendations are in order of those most significant; however, all should be considered by the Town Council.

Perhaps most significant to the committee was its discussion of the Financial Town Meeting (FTM) and the means by which citizens vote on the Town Budget. The TCRC did review alternatives to the FTM in their charter review, but chose instead to unanimously support the following resolution.

While the FTM voting process is not described in the Charter, it is the Committee's hope that the Town Council will give the budget approval process, whether it be at an FTM or referendum, a thorough review and support this resolution.

Resolution

Article XI. Financial Provisions

The TCRC strongly recommends the implementation of a paper ballot or electronic ballot to approve the Town, School, and combined budgets and any warrant item exceeding fifty thousand dollars (\$50,000), whether through a Financial Town Meeting or through an all-day Referendum.

This change more closely follows the Open Meetings Act:

Article II. The Town Council

Section 206 Special Meetings

The town council may convene a special meeting only by majority consent of the town council. ~~The town council may meet sooner than 48 hours after each member has been notified of a special meeting, but only by unanimous consent of the town council. Any member may waive the requirement of notice of a special meeting, and such waiver shall be entered in the record of the proceedings of such special meeting.~~ Special Meetings shall be subject to and comply with the Open Meetings legislation of the State as set forth in Title 42, Chapter 42-46 of the Rhode Island General Laws. The town council may by a majority vote convene an Emergency Meeting as set forth in § 42-46-6 to address only an unexpected occurrence that requires immediate action to protect the public.

Following discussions with the Town Clerk and the Board of Canvass Clerk it was decided that there was no need for party designation:

Article IV. Administrative Departments

Section 405. Board of Assessment Review

There shall be a board of assessment review consisting of three members and one alternate member who shall sit only when any one of the three members is unavailable. All members shall be qualified electors and residents of the town and shall be appointed by the town council for a term of three years. ~~There shall be no more than two board members belonging to the same political party noninclusive of the alternate member.~~ If a member of such board shall cease to be a qualified elector and resident of the town that office shall thereby become vacant. The board of assessment review shall hear and consider the appeal of any property owner concerning the amount of the assessed valuation as determined by the assessor. The board shall keep an accurate record of its proceedings which shall be available for public inspection. If it shall appear that the valuation of any property has been erroneous or incorrect, the board shall have authority to order a correction. Such determination shall be certified by the board to the tax assessor

whose duty it shall be to make such corrections in the valuation as the board may determine. If the tax roll has been certified by the tax assessor the tax assessor shall transmit the findings of the board to the town council, which may cancel in whole or in part the tax based on such valuation in order to effect a correction. The town council shall provide by ordinance for the organization and procedure of the board of assessment review and for the manner of receiving, considering and disposing of appeals. The taking of an appeal to the board of assessment review of any action thereon shall not be construed to limit or restrict the right of any taxpayer to apply to a court of competent jurisdiction for relief from any assessed valuation or tax.

This section has been changed to reflect the process if there were not a next vote getter:

Section 406. Town Moderator

There shall be a town moderator, who shall be elected at the regular town election and shall have those powers and perform those duties prescribed now or in the future by the constitution and laws of the state not inconsistent with this Charter. In the event the office of the town moderator becomes vacant during the term of office, ~~the next highest vote getter from the most recent election shall be elevated to serve until a replacement is found~~ the Town Council will appoint a replacement until the next regularly scheduled election.

The changes in this section identifies Emergency Medical Services and provides a reporting standard for the Jamestown Fire Department, a 501(c)3 charitable organization:

Article IV. Administrative Departments (continued)

Section 418. Fire and Emergency Services

There shall be a Jamestown volunteer fire department and emergency medical services, the organization of which shall be consistent with its current operating Charter of incorporation and the fire department ordinance established by the town council.

- (1) *Budget.* The fire and emergency medical services departments shall submit budget estimates in the same manner as other departments. The fire department shall operate under the same budget constraints as every other department.
 - (2) *Annual report.* The ~~volunteer fire~~ department shall make a written annual report to the town council of the condition of all fire stations, ~~fire~~-apparatus, fire alarm systems and of all matters and property relating thereto and such other matters as the town council may request.
 - (3) *Jamestown Fire Department.* The Jamestown Fire Department, a 501(c)3 charitable organization, shall make a written annual report to the town council on the condition of its financial position. This report may be in the form of its current year Form 990 filing statement with the IRS or other audited financial statement.
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This section was changed to correctly identify Emergency Medical Services:

Article VIII. Miscellany

Section 805. Elected Officials

For the purposes of this Charter, volunteer firefighters, volunteer ambulance emergency medical service members, town constables, and members of the special police shall not be considered elected or appointed officials of town government nor as town employees.

This change allows the Town Council the ability to retain a key committee member with specific qualifications:

Article X. Boards,

Commissions and Committees

Section 1002. Membership and Terms

(3) Unless otherwise mandated by state law or regulations, all terms of board, commission and committee membership shall be limited to three years. With the exception of the zoning board of review alternate members, no person shall serve more than three consecutive terms on the same committee and that person shall not be reappointed to that body for one year thereafter, unless the person has special qualifications required by the board, or for other good reason, with a unanimous vote of the council concurring with the reappointment.

This change allows for expanded notification to the public:

Article II. The Town Council

Section 216. Procedure for Adopting Ordinance

An ordinance or amendment to [an] existing ordinance may be introduced by any member at any regular or special meeting of the town council. Upon introduction of any ordinance or amendment to an existing ordinance, the town clerk shall distribute a copy to each town council member and to the town administrator; shall file a reasonable number of copies in the office of the town clerk and shall publish the ordinance. Following the publication by at least seven days, the town council may adopt the ordinance with or without amendment or reject it, but if it is amended as to any matter of substance, the town council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures hereinbefore required in the case of a newly introduced ordinance. As soon as practicable after adoption of any ordinance, the town clerk shall have sufficient printed copies of the ordinance available at the town hall.

As used in this section, the term "publish" means to print in one or more newspapers of general circulation in the town "and to post on the Town's website": (1) the complete ordinance and (2) the places where copies of it have been filed and the times when they are available for public inspection.

This addresses the issue of there being no higher vote getter:
Article V. Schools

Section 503. Vacancies

Any vacancy in the membership of the school committee shall be filled by the town council by the next highest vote getter from the most recent election and so on until someone fills the vacancy until the next regular town election, when the office shall be filled for the unexpired term thereof. Should there be no next higher vote getter or if none of the vote getters be willing to serve then the council shall appoint a member, pursuant to the laws of the State of Rhode Island.

The changes to the following three (3) sections reflect consistency in hiring qualification for all Department Directors (Sections 301, 404 and ~~421~~ 422)

Article III. Town Administrator

Section 301. Appointment and Qualifications

"The town council shall appoint a town administrator for an indefinite ~~term~~ period of time, based solely upon the executive and administrative qualifications of the applicant, as outlined by generally accepted professional standards. The town administrator need not be a resident of the town or state at the time of appointment, but must become and remain a qualified elector and resident of the state within six months after appointment, unless an extension is approved by town council. The relationship between the town and the town administrator shall be contractual and not that between a municipality and a civil officer.

Article IV. Administrative Departments

Section 404. Tax Assessor

There shall be a tax assessor with training and experience who shall be nominated by the town administrator with the approval of the town council, and shall have those powers and perform those duties prescribed now or in the future by town ordinance, the constitution and laws of the state not inconsistent with this Charter.

The Editor's Note has no legal impact on this section and should be removed. It is believed that this is editorial in nature and does not require any other action that removing it.

Section 422. Library Trustees

Editor's note

Proposition 12 submitted to the voters at the November 3, 2009 read as follows: "Shall the Charter be amended to add the phrase "a free and public library for all the inhabitants thereof" after the term Jamestown Philomenian Library? (Amends Article IV, § 422)."

The Town Charter Review Committee would like to thank the Town Council for giving us the opportunity to review the Charter and make recommendations to improve the Charter.


In addition the Committee would like to thank the individuals that assisted in their deliberations; most notably, Mary Meagher, the Town Administrator, Town Solicitor, Town Clerk and members of her office and other interested parties that gave their suggestions.

If the Honorable Town Council finds this report acceptable, please release the TCRC from their charge.


Respectfully submitted,




Arlene Petit, Chairperson



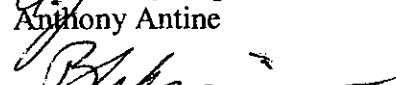
James Rugh, Vice Chairperson



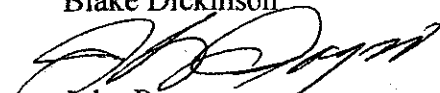
Edward Gromada, Secretary



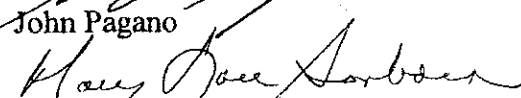
Anthony Antine



Blake Dickinson



John Pagano



Mary Lou Sanborn

TITLE 45

Towns and cities

CHAPTER 45-2

General Powers

SECTION 45-2-1

§ 45-2-1 Charters and special acts.

Every town, city, and district has all the existing powers and privileges, and is subject to all existing duties and liabilities, conferred or imposed upon it by its charter, or by the several acts of the general assembly specially relating to it, until the charter or acts expire by their own limitation, or are revoked or repealed.

History of Section.

(G.L. 1896, ch. 36, § 9; G.L. 1909, ch. 46, § 9; G.L. 1923, ch. 47, § 10; G.L. 1938, ch. 329, § 1; G.L. 1956, § 45-2-1.)

Town Charter Review Committee

(7) Voting Members
(2) Ex Officio Members

Unspecified Term of Appointment
(no longer than 9 months)

Meetings are held as needed.

Charge:

³⁴ The Town Charter Review Committee consists of seven (7) voting members. All voting members shall be qualified electors and residents of the Town of Jamestown. The Town Council Vice President shall be the ex-officio member. As an ad hoc committee, the committee members will begin meeting for a nine month term following the Financial Town Meeting on June 1, 2015 and will be discharged upon the completion of their task.

The Town Charter Review Committee shall complete a charter review solely for the purpose of determining if there are any changes necessary. Any recommendations for changes to the charter will be presented to the Council for their consideration.

Current Voting Members:

Term Ending

Anthony Antine
James Rugh
Mary Lou Sanborn
John Pagano
Arlene D. Petit
Edward Gromada
Blake A. Dickinson

Ex Officio Member:

Mary E. Meagher, Town Council Vice President

³⁴ Pursuant to a vote of the Jamestown Town Council on January 5, 2015

**MUNICIPALITIES WITHOUT
FINANCIAL TOWN MEETING
BUDGET ADOPTION**

Bristol	Town Council adopts the budget; special town meeting may be called to petition to reconsider adopted operating and/or capital budget
Burrillville	Town Council adopts the budget; adopted budget subject to referenda
Central Falls	City Council adopts the budget
Charlestown	Budget adoption by all day referendum
Cumberland	Town Council adopts budget; Mayor approves final budget or returns it to Council with written objections; Council can accept or reject Mayor's objections; revised budget submitted to Mayor until adopted; adopted budget subject to referendum
Hopkinton	Financial Referendum determines budget
Johnston	Town Council enacts budget
Middletown	Town Council enacts final budget
Narragansett	Town Council adopts final budget
North Kingstown	Town Council approves budget; subject to referendum
North Providence	Town Council may amend Mayor's budget then return to Mayor for approval; Mayor approves budget or vetoes; Town Council may override Mayor's veto by 5/7 vote or adopt as resubmitted by Mayor
North Smithfield	Town Council adopts budget; subject to petition signed by at least 500 qualified electors for special town meeting

Portsmouth	Town Council adopts; subject to referendum
South Kingstown	Town Council approves; subject to referendum
Tiverton	Adopted by Financial Town Referendum; Referendum Runoff occurs if no budget proposal receives a majority of votes
Westerly	Town Council proposes final budget; may be amended by referendum

**BUDGET ADOPTION
PROCEDURES**

FOR

**RHODE ISLAND
MUNICIPALITIES**

BARRINGTON

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedure for Adopting Town Budget:

1. Town manager prepares proposed budget.
2. Town manager submits proposed budget to the town council.
3. Town council may revise the budget as submitted by the town manager.
4. Town council adopts a recommended budget which it presents to the committee on appropriations.
5. Committee on appropriations reviews the budgets of the town council and the school committee. It develops a recommended consolidated town budget for presentation at a public meeting.
6. Following the preliminary public meeting, the committee on appropriations prepares a town budget which it submits to the financial town meeting.
7. Financial town meeting adopts town budget.

2010 Census: 16,310

Year Charter was Adopted: 1958

BRISTOL

Form of Government: Administrator-Council

Legislative Body: Town Council

Chief Executive: Town Administrator

Procedures for Adopting Town Budget:

- 1. Each department head, including town clerk, the school committee, and boards and agencies submit estimates of proposed expenditures to the town treasurer.*
- 2. Town treasurer prepares and submits budget recommendations to the town council.*
- 3. Town council may alter budget recommendations as submitted by town treasurer.*
- 4. Town council holds public hearing on the proposed budget.*
- 5. Town council may alter proposed budget and then adopt final budget.*
- 6. A special town meeting may be called, by petition, to reconsider any item for expenditure in the operating budget or capital budget as finally approved by town council.*

2010 Census: 22,954

Year Charter was Adopted: 1970

BURRILLVILLE

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedures for Adopting Town Budget:

1. *Budget board receives estimates of expenditures from town departments and offices.*
2. *Budget board holds hearing on departmental requests.*
3. *Budget board submits its recommendations to town manager.*
4. *Town manager submits budget to town council.*
5. *Town council must hold at least two public hearings on proposed budget.*
6. *Town council adopts final budget.*
7. *Budget as finally adopted by town council may be subject to referendum.*
8. *Finance director shall amend the budget to reflect election results.*

2010 Census: 15,955

Year Charter was Adopted: 1988

CENTRAL FALLS

Form of Government: Mayor-Council

Legislative Body: City Council

Chief Executive: Mayor

Procedure for Adopting City Budget:

- 1. Finance director compiles budget information for mayor.***
- 2. Mayor prepares and submits budget to city council.***
- 3. City council adopts budget.***

2010 Census: 19,376

Year Charter was Adopted: 1952

CHARLESTOWN

Form of Government: Administrator-Council

Legislative Body: Town Council

Chief Executive: Town Administrator

Procedures for Adopting Town budget:

- 1. Departments, officers, commissions and agencies submit budget requests to town administrator.*
- 2. Town administrator submits budget estimates to the budget commission.*
- 3. Budget commission holds meetings on recommended annual budget.*
- 4. Budget commission submits recommended budget to town council.*
- 5. Town council may revise budget and adopts tentative budget for presentation at financial referendum town meeting.*
- 6. Budget public hearing is held and warrant items submitted.*
- 7. After the budget public hearing, the council makes final revisions to the budget for placement on ballot for all-day referendum.*
- 8. All-day financial referendum determines final budget.*

2010 Census: 7,827

Year Charter was Adopted: 1980

COVENTRY

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedure for Adopting Town Budget:

- 1. Manager prepares and submits the annual budget to the town council.*
- 2. Town council holds public hearings on the budget.*
- 3. After the public hearings, town council may amend the budget.*
- 4. Manager may item veto any increase in the budget proposed by the town council.*
- 5. Town council may override the manager's veto.*
- 6. Town council presents the budget to the financial town meeting.*
- 7. Financial town meeting adopts the final budget.*
- 8. Amendments to adopted budget which exceed specified levels require an all-day referendum.*

2010 Census: 35,014

Year Charter was Adopted: 1972

CRANSTON

Form of Government: Mayor-Council

Legislative Body: City Council

Chief Executive: Mayor

Procedure for Adopting City Budget:

- 1. The head of each department, agency, board, commission or office files with the director of finance an estimate of revenues and expenditures.*
- 2. The mayor, with the cooperation of the director of finance, frames and submits to the city council an operating budget.*
- 3. The city council holds public hearings on the budget.*
- 4. The city council may increase or decrease any items in the budget as submitted by the mayor.*
- 5. The mayor may disapprove of any increase in the budget made by the city council.*
- 6. The city council, by a vote of 2/3 of all its members, may override the mayor's disapproval.*

2010 Census: 80,387

Year Charter was Adopted: 1962

CUMBERLAND

Form of Government: Mayor-Council

Legislative Body: Town Council

Chief Executive: Mayor

Procedures for Adopting Town Budget:

- 1. All estimates for operating and capital expenditures by departments, officials and agencies are submitted to the finance director.*
- 2. Finance director reviews all estimates and submits recommendations to the mayor.*
- 3. Mayor reviews recommendations of finance director and submits budget to town council.*
- 4. Council holds public hearings on the budget.*
- 5. Town council adopts final budget and submits it to the mayor for approval.*
- 6. Mayor approves final budget or returns it to council with written statement of objections.*
- 7. Town council can accept or reject the mayor's objections.*
- 8. Revised budget is submitted to mayor until budget is finally adopted. Adopted budget may be subject to a referendum.*

2010 Census: 33,506

Year Charter was Adopted: 1978

EAST GREENWICH

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedures for Adopting Town Budget:

1. Manager prepares and submits the proposed budget to the town council.
2. Town council holds public hearing on the recommended budget.
3. Town council may revise the budget as submitted by manager.
4. Electors may petition the town council to make changes in the proposed budget.
5. Town council adopts recommended budget for presentation to the financial town meeting.
6. If petition is rejected by town council it may be renewed at financial town meeting.
7. Financial town meeting adopts budget.

2010 Census: 13,146

Year Charter was Adopted: 1972

EAST PROVIDENCE

Form of Government: Council-Manager

Legislative Body: City Council

Chief Executive: City Manager

Procedure for Adopting City Budget:

- 1. City manager obtains from departments and agencies estimates of revenues and expenditures.*
- 2. City manager submits a proposed budget and an explanatory budget message to the city council.*
- 3. City council holds a public hearing on the proposed budget as submitted.*
- 4. City council holds a public hearing on any proposed changes in the budget.*
- 5. City council adopts budget.*

2010 Census: 47,037

Year Charter was Adopted: 1954

EXETER

Form of Government: *Town Council-Town Meeting*

Legislative Body: *Town Council*

Procedure for Adopting Town Budget:

1. *Department and agency heads submit estimates of revenues and expenditures to town council.*
2. *Town council reviews and revises estimates and prepares proposed budget.*
3. *Town council holds a public hearing on recommended budget.*
4. *Town council adopts recommended budget for presentation to the financial town meeting.*
5. *Financial town meeting adopts budget.*

2010 Census: *6,425*

Year Charter was Adopted: *1996*

FOSTER

Form of Government: Town Council-Town Meeting

Procedure for Adopting Town Budget:

- 1. Department heads submit budget requests to the town council.*
- 2. Town council may revise budget requests.*
- 3. Town council holds public hearing on proposed budget.*
- 4. Town council adopts recommended budget for presentation to financial town meeting.*
- 5. Financial town meeting adopts final budget.*

2010 Census: 4,606

Year Charter was Adopted: 1976

GLOCESTER

Form of Government: Town Council-Town Meeting

Legislative Body: Town Council

Procedures for Adopting Town Budget:

- 1. The budget board submits recommended budget to the town council.*
- 2. Town council shall review and revise recommended budget.*
- 3. Town council holds public hearing on recommended budget.*
- 4. Town council adopts recommended budget for presentation to the financial town meeting.*
- 5. Financial town meeting adopts budget.*

Year Charter Adopted: 1990

2010 Census:

9,746

HOPKINTON

Form of government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedures for Adopting Town Budget:

- 1. Town manager prepares budget based on submissions by department heads, etc. and on recommendations of finance board.*
- 2. Town manager submits proposed budget and finance board's recommendations to council.*
- 3. Town council, after a public hearing, may revise, and must adopt budget for submission to financial town assembly.*
- 4. Electors of town may present a petition of warrant items to change the submitted budget.*
- 5. Financial town assembly determines which items are to be included in the proposed budget.*
- 6. Town council adopts the proposed budget and all warrant items to be submitted to the financial referendum.*
- 7. Electors voting in financial referendum determine final budget.*

2010 Census: 8,188

Year Charter was Adopted: 2002

JAMESTOWN

Form of Government: Administrator-Council

Legislative Body: Town Council Chief Executive: Town Administrator

Procedures for Adopting Town Budget:

1. *Town administrator obtains estimates of revenues and expenditures from the head of each office, department and agency.*
2. *Town administrator prepares a proposed budget and submits it to the town council.*
3. *Town council may revise the proposed budget.*
4. *Town council adopts a recommended budget for presentation to the financial town meeting.*
5. *Financial town meeting adopts final budget.*

2010 Census: 5,405

Year Charter was Adopted: 1974

JOHNSTON

Form of Government: Mayor-Council

Legislative Body: Town Council

Chief Executive: Mayor

Procedure for Adopting Town Budget:

- 1. Mayor prepares the budget and budget message.*
- 2. Mayor presents proposed budget to the town council.*
- 3. Town Council holds one or more public hearings on the proposed budget.*
- 4. Town council enacts budget.*

2010 Census: 28,769

Year Charter was Adopted: 1962

LINCOLN

Form of Government: Administrator-Council

Legislative Body: Town Council

Chief Executive: Town Administrator

Procedure for Adopting Town Budget:

- 1. Each department and agency submits requests to town administrator.*
- 2. Town administrator prepares annual budget and submits it to the budget board.*
- 3. The budget board may confer with the town council and shall hold one or more public hearings.*
- 4. Budget board prepares budget recommendations for submission to financial town meeting.*
- 5. Electors may file motion regarding expenditures to be considered at financial town meeting.*
- 6. Financial town meeting adopts the budget.*

2010 Census: 21,105

Year Charter was Adopted: 1958

LITTLE COMPTON

Form of Government: Town Council-Town Meeting

Legislative Body: Town Council

Procedures for Adopting Town Budget:

- 1. Budget requests shall be submitted to budget committee.*
- 2. Budget committee prepares budget.*
- 3. Budget committee holds a public hearing on preliminary budget.*
- 4. Town council causes to be published summary of proposed budget.*
- 5. Financial town meeting adopts the final budget.*

Year Charter was Adopted: 1994

2010 Census:

3,492

MIDDLETOWN

Form of Government: Administrator-Council

Legislative Body: Town Council Chief Executive: Town Administrator

Procedures for Adopting Town Budget:

- 1. Town administrator submits town consolidated budget to town council.*
- 2. Town council gives budget two preliminary readings.*
- 3. Town council holds two public hearings on the budget.*
- 4. Town council enacts final budget.*

2010 Census: 16,150

Year Charter was Adopted: 1968

NARRAGANSETT

Form of Government: Council-Manager

Legislative Body: Town Council Chief Executive: Town Manager

Procedure for Adopting Town Budget:

- 1. Town manager prepares the budget and submits it to the town council.*
- 2. Town council holds two or more public hearings on the entire proposed budget.*
- 3. Town council adopts final budget.*

2010 Census: 15,868

Year Charter was Adopted: 1966

NEW SHOREHAM

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedures for Adopting Town Budget:

- 1. All department heads, boards, commissions and agencies submit requests to town manager.*
- 2. Town manager prepares and submits proposed budget to town council.*
- 3. Town council holds at least one public hearing on proposed budget.*
- 4. Town council may revise budget as submitted by town manager.*
- 5. Town council adopts recommended budget.*
- 6. Financial town meeting adopts budget.*

2010 Census: 1,051

Year Charter was Adopted: 1988

NEWPORT

Form of Government: Council-Manager

Legislative Body: City Council

Chief Executive: City Manager

Procedures for Adopting City Budget:

- 1. City manager prepares and submits a proposed budget to the city council.*
- 2. City council holds a public hearing on the proposed budget.*
- 3. Manager prepares and presents to the city council a revised budget and revenue projection.*
- 4. City council holds a public hearing on the revised budget.*
- 5. City council may make further revisions to the revised budget.*
- 6. City council adopts the final budget.*

2010 Census: 24,672

Year Charter was Adopted: 1952

NORTH KINGSTOWN

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedure for Adopting Town Budget:

- 1. Town manager submits proposed budget to town council.*
- 2. Town council may revise budget as submitted by town manager.*
- 3. Town council adopts a preliminary budget.*
- 4. Town council holds two (2) public hearings on preliminary budget.*
- 5. Electors of the town may circulate a petition requesting changes in the budget.*
- 6. The town council adopts final budget after consideration of any petitions received.*
- 7. Budget as finally approved by town council may be subject to a referendum.*

2010 Census: 26,486

Year Charter was Adopted: 1954

NORTH PROVIDENCE

Form of Government: Mayor-Council

Legislative Body: Town Council

Chief Executive: Mayor

Procedure for Adopting Town Budget:

- 1. Mayor prepares the annual budget with assistance of director of finance.*
- 2. Mayor submits the proposed budget and his message to town council.*
- 3. Town council must hold at least one public hearing on the proposed budget.*
- 4. Town council may amend budget as submitted by mayor, and returns to mayor for approval.*
- 5. Mayor approves the budget or may veto specific items.*
- 6. Town council may override mayor's veto by a five-sevenths vote or may adopt budget as resubmitted by mayor.*

2010 Census: 32,078

Year Charter was Adopted: 1973

NORTH SMITHFIELD

Form of Government: Administrator-Council

Legislative Body: Town Council

Chief Executive: Town Administrator

Procedure for Adopting Town Budget:

1. *Town administrator assembles annual budget requests of all departments and agencies.*
2. *Town administrator submits estimates to budget committee.*
3. *Budget committee submits budget recommendations to town council.*
4. *Town council holds public hearing on budget prior to adoption.*
5. *Town council adopts final budget.*
6. *Upon a petition of at least 500 qualified electors, a special town meeting must be called to reconsider items for expenditure in either the operating or capital budget.*

2010 Census: 11,967

Year Charter was Adopted: 1968

PAWTUCKET

Form of Government: Mayor-Council

Legislative Body: City Council

Chief Executive: Mayor

Procedures for Adopting City Budget:

- 1. Mayor prepares annual budget.*
- 2. Mayor submits annual budget to city council.*
- 3. City council must hold at least one public hearing on proposed budget.*
- 4. City council may revise budget as submitted by mayor.*
- 5. City council must hold public hearing on any budget revisions.*
- 6. City council adopts final budget.*

2010 Census: 71,148

Year Charter was Adopted: 1952

PORTSMOUTH

Form of Government: Administrator-Council

Legislative Body: Town Council Chief Executive: Town Administrator

Procedures for Adopting Town Budget:

- 1. Administrator prepares and submits budget to town council.*
- 2. Town council conducts hearings on the provisional budget.*
- 3. Town council adopts final town budget by ordinance.*
- 4. Final budget as adopted by town council may be subject to a referendum.*

2010 Census: 17,389

Year Charter was Adopted: 1972

PROVIDENCE

Form of Government: Mayor-Council

Legislative Body: City Council

Chief Executive: Mayor

Procedures for Adopting City Budget:

- 1. The finance director obtains revenue and expenditure estimates from each department, office and agency.*
- 2. The mayor prepares and submits an operating budget to city council.*
- 3. City council holds a public hearing on the budget.*
- 4. City council may amend budget as submitted by the mayor.*
- 5. City council adopts budget (appropriation ordinance) and submits it to the mayor.*
- 6. Mayor approves appropriation ordinance or disapproves and vetoes the same.*
- 7. City council may override mayor's veto by two-thirds vote or may adopt budget as resubmitted by the mayor.*

2010 Census: 178,042

Year Charter was Adopted: 1980

RICHMOND

Form of Government: *Administrator-Council*

Legislative Body: *Town Council*

Chief Executive: *Town Administrator*

Procedures for Adopting Town Budget:

1. *Town administrator prepares draft preliminary budget and submits it to the board of finance.*
2. *Board of finance prepares a revised draft budget and submits to town administrator.*
3. *Town administrator prepares final version of proposed budget and submits to town council.*
4. *Town council conducts a public hearing on the proposed budget.*
5. *Town council prepares a budget for submission to the financial town meeting.*
6. *Electors may petition for changes to the submitted budget.*
7. *Financial town meeting adopts budget.*

2010 Census: *7,708*

Year Charter was Adopted: *2008*

SMITHFIELD

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedures for Adopting Town Budget:

- 1. Town manager submits proposed budget and accompanying message to town council.*
- 2. Town council holds public hearing on the proposed budget.*
- 3. Town council adopts budget with or without amendment for presentation to financial town meeting.*
- 4. Financial town meeting adopts the final budget.*

2010 Census: 21,430

Year Charter was Adopted: 1992

SOUTH KINGSTOWN

Form of Government: Council-Manager

Procedure for Adopting Town Budget:

- 1. Town council schedules public hearing to receive public input regarding the budget.*
- 2. Town manager prepares the budget and budget message and submits them to the town council.*
- 3. Town council may revise the budget as submitted by the town manager.*
- 4. Town council adopts a preliminary budget.*
- 5. Town council holds two public hearings on the preliminary budget.*
- 6. Electors of the town may circulate petitions requesting changes in the budget.*
- 7. Town council gives final approval to the budget after consideration of any petitions received.*
- 8. Budget as finally approved by town council may be subject to a referendum.*

2010 Census: 30,639

Year Charter was Adopted: 1968

TIVERTON

Form of Government: Administrator-Council

Legislative Body: Town Council Chief Executive: Town Administrator

Procedures for Adopting Town Budget:

- 1. Budget Committee receives preliminary budget requests.*
- 2. Budget Committee receives final budget requests.*
- 3. Budget Committee approves and submits the Budget Proposal to Town Clerk.*
- 4. Optional Budget Proposals may be submitted by School Committee and Town Council.*
- 5. Elector Budget Proposals may be submitted by elector petitions.*
- 6. Financial Town Hearing scheduled to review all Budget Proposals.*
- 7. Financial Town Referendum adopts Budget Proposal.*
- 8. Financial Town Referendum Runoff occurs if no Budget Proposal receives a majority of votes.*

2010 Census: 15,780

Year Charter was Adopted: 1994

WARREN

Form of Government: Council-Manager

Legislative Body: Town Council

Chief Executive: Town Manager

Procedures for Adopting Town Budget:

- 1. Town manager prepares and submits proposed budget to town council.*
- 2. Town council reviews submitted budget and adopts a preliminary budget.*
- 3. Electors may circulate and submit petitions for budget changes to town council.*
- 4. Town council holds two public hearings: first on the preliminary budget; second on the final budget.*
- 5. Town council approves proposed budget for presentation to financial town meeting.*
- 6. Financial town meeting adopts final budget.*
- 7. Budget as finally approved by financial town meeting may be subject to a referendum.*

2010 Census: 10,611

Year Charter was Adopted: 1994

WARWICK

Form of Government: Mayor-Council

Legislative Body: City Council

Chief Executive: Mayor

Procedures for Adopting City Budget:

1. *Director of Finance obtains estimates of revenues and expenditures from each department, office and agency.*
2. *Mayor submits budget and budget message to city council.*
3. *City council holds a public hearing on the budget.*
4. *City council may amend budget as submitted by the mayor.*
5. *City council adopts a budget.*
6. *Mayor approves budget, but may disapprove any items changed by city council.*
7. *City council may override mayor's disapproval of any changed items, or may adopt budget as resubmitted by mayor.*

2010 Census: 82,672

Year Charter was Adopted: 1960

WEST GREENWICH

Form of Government: Administrator-Council

Legislative Body: Town Council Chief Executive: Town Administrator

Procedure for Adopting Town Budget:

- 1. Town officials, departments and agencies submit budget requests to town administrator.*
- 2. Town administrator submits the budget recommendations to town council.*
- 3. Budget committee may be appointed by town council to assist with recommended budget.*
- 4. Town council holds public hearing on preliminary recommended budget.*
- 5. Town council adopts proposed budget for presentation to the financial town meeting.*
- 6. Financial town meeting adopts budget.*

2010 Census: 6,135

Year Charter was Adopted: 1996

WEST WARWICK

Form of Government: Council-Manager

Legislative Body: Town Council Chief Executive: Town Manager

Procedure for Adopting Town Budget:

- 1. All departments, officials and agencies submit estimates for expenditures to town manager.*
- 2. Town manager prepares budget and submits it to the town council.*
- 3. Town council must hold at least two public hearings on the budget.*
- 4. Town council may revise the budget as submitted by town manager.*
- 5. Town council explains and officially proposes budget at financial town meeting.*
- 6. All-day referendum either approves or disapproves the budget.*

2010 Census: 29,191

Year Charter was Adopted: 1986

WESTERLY

Form of Government: Council-Manager

Legislative Body: Town Council Chief Executive: Town Manager

Procedure for Adopting Town Budget:

- 1. Manager obtains from the head of each town office, department or agency an estimate of its proposed expenditures and anticipated revenues.*
- 2. Manager prepares budget and submits it to the board of finance.*
- 3. Board of finance may revise any of the proposed budget items and must conduct one (1) public hearing on the tentative budget.*
- 4. Board of finance transmits its recommendation to the town council.*
- 5. Town council may revise the budget, in which case no less than two (2) public hearings shall be conducted.*
- 6. The final budget as proposed by the town council may be amended by referendum.*

2010 Census: 22,787

Year Charter was Adopted: 1968

WOONSOCKET

Form of Government: *Mayor-Council*

Legislative Body: *City Council*

Chief Executive: *Mayor*

Procedure for Adopting City Budget:

1. *The finance department obtains from each department, office and agency detailed estimates of revenues and expenditures. The estimates may be revised by the finance department and the mayor.*
2. *The finance department assists the mayor in compiling the budget.*
3. *The mayor prepares and recommends to the city council an annual budget.*
4. *The city council holds a public hearing on the budget.*
5. *The city council may increase or decrease the budget as presented by the mayor.*
6. *The city council adopts the budget.*
7. *The mayor may veto any change in the budget made by the city council.*
8. *The city council, by an affirmative vote of at least five (5) of its members, may override the mayor's veto.*

2010 Census: *41,186*

Year Charter was Adopted: *1952*

Town Moderator's General Rules for Town Meetings

Time of Meeting: The meeting will be called to order at 7:00 p.m.

Structure of Meeting: After the Town Clerk presents the warrants and a vote is taken on them, the Town Council President introduces the Town Government budget and the School Committee Chairperson introduces the School Budget. Public discussion follows: To keep matters on track, there is no open discussion. Public participation is initiated by the presentation of a motion, by either a member of the Council or a voter. The motion must be duly seconded, at which point discussion on the motion may proceed as long as the discussion relates to the merits of the motion under consideration.

Motion and Amendments: Any motion may be amended, by a motion to amend duly seconded, but a motion to amend will not be entertained if it essentially negates the original motion or bears no relation to the original motion. Instead, further discussion

and a vote on the original motion will be completed, and a new motion may then be made. Discussion on an amendment will take place, and a vote on the amendment will be taken, before discussion on the original motion may resume. If an amendment passes, the amended motion replaces the original motion. If the amendment fails, the original motion is then voted upon.

Voting: By voice, hand, or standing count. If the Moderator cannot get a clear count by voice, the count will be performed by hand or standing vote, whichever the Moderator is more comfortable with.

Paper Ballots: Historically, each paper ballot vote takes between 45 minutes and 1 hour to process. For each paper ballot vote taken, all voters must approach the Board of Canvassers table, identify themselves, have their names checked off, receive a paper ballot, submit the voted ballot into the optical scan voting machine, and the paper ballots are (automatically)

tallied. One fifth of the voters must second a request for a paper ballot for it to carry.

Non-registered voters: Will be cordoned off in a separate area.

Speakers and Discussion: A person who wishes to be heard shall have three minutes to speak, with a microphone, before being asked to bring comments to a conclusion. All remarks will be confined to the motion/amendment pending, and addressed to the Town Council and the other voters. The Town Meeting does not present an opportunity for voters to engage in debate and dialogue with other voters. This type of dialogue is appropriate for work sessions only. A motion to call a question and end further discussion is in violation of Rhode Island law, and will be denied.

Thank you for taking your time to review these guidelines before the Financial Town Meeting.

PROPOSAL FOR EXPENDITURES OUTSIDE OF BUDGET

Pursuant to the Jamestown Town Charter, Sec. 1106, no motion which increases or reduces an appropriation recommended by the Town Council by \$10,000 or more, shall be in order at the Financial Town Meeting unless notice of intention to include such motion has been presented to the Town Clerk at least twenty (20) days prior to the date set for the meeting at which such motion is to be considered. The warrant of the Financial Town Meeting shall include notice of any such motion.

DISCLAIMER

The contents of these pages are provided for information only. They are intended to enhance public access to information about the budget. While every effort is made in preparing material for publication, no responsibility is accepted by or on behalf of the Town for any errors or omissions.

**JAMESTOWN TOWN CHARTER
AS AMENDED**

Sec. 406. Town Moderator.

There shall be a town moderator, who shall be elected at the regular town election and shall have those powers and perform those duties prescribed now or in the future by the constitution and laws of the state not inconsistent with this Charter. In the event that the office of the town moderator becomes vacant during the term of office, ~~the next highest vote getter from the most recent election shall be elevated to serve until a replacement is found.~~ The Town Council will appoint a replacement until the next regularly scheduled election.

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-15

§ 45-3-15 Selection of moderator.

At the annual or biennial town meeting of each town, there shall be chosen a moderator to preside in all the town meetings until the moderator's successor is elected and qualified.

History of Section.

(G.L. 1896, ch. 38, § 2; G.L. 1909, ch. 48, § 2; G.L. 1923, ch. 49, § 2; G.L. 1938, ch. 331, § 2; G.L. 1956, § 45-3-15.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-16

§ 45-3-16 Term of moderator and clerk.

The term of office of the elected moderator and clerk commences at the first regular meeting held for the election of officers, and continues until their successors are elected and qualified, unless otherwise provided by law.

History of Section.

(G.L. 1896, ch. 38, § 7; G.L. 1909, ch. 48, § 8; G.L. 1923, ch. 49, § 7; G.L. 1938, ch. 331, § 5; G.L. 1956, § 45-3-16.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-17

§ 45-3-17 Moderator to preside.

In all meetings of the electors or voters in a town, representative district, or voting district, the moderator of the meeting shall preside.

History of Section.

(G.L. 1896, ch. 38, § 8; G.L. 1909, ch. 48, § 9; P.L. 1910, ch. 640, § 37; G.L. 1923, ch. 49, § 8; G.L. 1938, ch. 331, § 6; G.L. 1956, § 45-3-17.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-18

§ 45-3-18 Regulation of meeting by moderator.

Every moderator has the power to manage and regulate the business of each meeting, conforming to law, and to maintain peace and good order at the meeting.

History of Section.

(G.L. 1896, ch. 38, § 11; G.L. 1909, ch. 48, § 12; G.L. 1923, ch. 49, § 11; G.L. 1938, ch. 331, § 9; G.L. 1956, § 45-3-18.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-19

§ 45-3-19 Disorderly conduct at meeting.

If any person conducts himself or herself in a disorderly manner in any town, representative district, or voting district meeting, the moderator may order that person to withdraw from the meeting; and, on the person's refusal, may order the town sergeant, or any town constable present, or any other persons, to take him or her from the meeting and to confine him or her in some convenient place until the meeting is adjourned. The person refusing to withdraw shall, for each offense, be fined not exceeding twenty dollars (\$20.00).

History of Section.

(G.L. 1896, ch. 38, § 12; G.L. 1909, ch. 48, § 13; G.L. 1923, ch. 49, § 12; G.L. 1938, ch. 331, § 10; G.L. 1956, § 45-3-19; P.L. 2015, ch. 260, § 37; P.L. 2015, ch. 275, § 37.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-20

§ 45-3-20 Voting on motions.

The moderator of every town meeting shall, on a motion being made and seconded, relative to any business regularly before the meeting, after having heard all the electors entitled to vote on the motion who desire to be heard, cause the votes of the electors present to be taken on the motion. Whenever any question is pending in any town meeting involving an expenditure of money, or the incurring of liability by the town, or the disposition of town property, the vote shall be taken by ballot, if a ballot is called for and the call is seconded by at least one-fifth (1/5) of the electors present who are qualified to vote on the pending question.

History of Section.

(G.L. 1896, ch. 38, § 13; G.L. 1909, ch. 48, § 14; P.L. 1913, ch. 922, § 1; G.L. 1923, ch. 49, § 13; G.L. 1938, ch. 331, § 11; G.L. 1956, § 45-3-20.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-21

§ 45-3-21 Majority required for action.

All questions relating to town affairs, excepting elections, shall be decided by a majority of the votes of the electors present entitled to vote on the question.

History of Section.

(G.L. 1896, ch. 38, § 15; G.L. 1909, ch. 48, § 16; G.L. 1923, ch. 49, § 15; G.L. 1938, ch. 331, § 12; G.L. 1956, § 45-3-21.)

TITLE 45

Towns and cities

CHAPTER 45-3

Town Meetings

SECTION 45-3-22

§ 45-3-22 Record of proceedings as evidence – Certificate of clerk.

A copy of the record of the proceedings of any town meeting, certified by the town clerk, is evidence of any act or vote of the town in town meeting assembled, and the certificate of the town clerk that no town meeting was held to consider any subject in the certificate mentioned, or that no vote of the town was taken upon the subject, is evidence of the fact, stated in the record of the proceedings.

History of Section.

(G.L. 1896, ch. 38, § 16; G.L. 1909, ch. 48, § 17; G.L. 1923, ch. 49, § 16; G.L. 1938, ch. 331, § 13; G.L. 1956, § 45-3-22.)



Jamestown Planning Commission MEMORANDUM

TO: The Honorable Town Council
Ms. Kristine S. Trocki, Esq., President
FROM: Michael Swistak, Chair, Jamestown Planning Commission
RE: Zoning Ordinance Amendment related to Marijuana Uses
DATE: September 21, 2017

On Wednesday, August 2, 2017, August 16, 2017, September 6, 2017, and September 20, 2017, the Town of Jamestown Planning Commission held public meetings to consider proposed amendments to the Town of Jamestown Zoning Ordinance related the Marijuana Uses (“Zoning Ordinance Amendment”). During these public meetings the Planning Commission heard from Town Planner, Lisa Bryer, Police Chief, Edward Mello, and Town Solicitor, Wyatt Brochu, and reviewed materials and a video presentation from the Office of the Rhode Island Attorney General, and provided an opportunity for members of the public to provide input at all public meetings. After due consideration of this matter, the Planning Commission voted to approve the Zoning Ordinance Amendment related to Marijuana Uses, as attached. The Planning Commission also recommend forwarding the proposed amendment to the Town Council for public hearing and subsequent action.

In their discussions, the Planning Commission noted that state definition of *Compassion Centers* was all inclusive, allowing acquisition, possessing, cultivating, manufacturing, delivery, transfer/transport, supply and dispensing of Marijuana. The Planning Commission noted that if that definition is tightened up in the future, they may wish to revisit this discussion.

In support of approving the Zoning Ordinance Amendment, the Planning Commission made the following findings of fact, and determined the Zoning Ordinance Amendment to be consistent with the Town of Jamestown Comprehensive Community Plan and Rhode Island Zoning Enabling Act as follows:

A. FINDINGS OF FACT

The Town of Jamestown hereby finds that the Town’s present ordinances and regulations regarding medical marijuana cultivation, processing and distribution or marijuana sales do not adequately regulate and/or protect the health, safety and/or welfare of residents, businesses, wildlife and the natural environment from undesirable and damaging external impacts associated with marijuana cultivation, processing, distribution, and sale.

On June 19, 2017, the Town Council adopted a 6 month temporary moratorium on applications and permitting for marijuana cultivation, processing, distribution and sales

and directed the Planning Commission to review the existing Code of Ordinances, including the Zoning Ordinance provisions concerning marijuana cultivation, processing, distribution and sales and to provide the Town Council with any recommended ordinance and/or regulatory amendments for their consideration to address regulating applications, design standards, location considerations and regulatory standards for marijuana cultivation, processing, distribution and/or sales facilities.

Therefore the purposes of these amendments to the Zoning Ordinance is to regulate Marijuana/Cannabis cultivation, processing, distribution and sales uses for the benefit of the residents, businesses, wildlife and the natural environment of the Town of Jamestown.

The Town of Jamestown Planning Commission hereby finds the following evidence in support of the establishment and amendment of regulations in the Zoning Ordinance related to Marijuana/Cannabis cultivation, processing, distribution and sales uses:

1. The character of the Town and the health, safety and welfare of its citizens will be negatively affected by the establishment of marijuana cultivation, processing, distribution and sales facilities that are not subject to thorough or contemporarily appropriate ordinance, regulations and permitting review controls;
2. The Rhode Island General Laws at 21-28.6-et seq. (the "Medical Marijuana Act"), in relevant part, establishes a statutory framework for the establishment and operation of medical marijuana cultivation facilities and operations by licensed cultivators;
3. The Medical Marijuana Act requires all licensed cultivators and cultivation facilities to comply with and abide by all local ordinances, including zoning ordinances;
4. The Rhode Island General Assembly is considering the passage of statutes to permit recreational use and retail sales of marijuana; and,
5. The Town Council recognizes and finds that the existing Town ordinances and regulations do not address marijuana use and require modernization to adequately address current and proposed changes to state law regarding these uses.
6. Testimony was provided by Chief Mello that cultivation of Marijuana is not an agricultural use, similar to any crop fields currently permitted in our ordinance, but a highly regulated commercial/industrial/manufacturing use that is inappropriate in or adjacent to any residential districts.

B. CONSISTENCY WITH THE COMPREHENSIVE PLAN

The Planning Board finds that the proposed amendment is consistent with the Comprehensive Community Plan.

C. CONSISTENCY WITH ZONING

The Town of Jamestown Planning Commission finds that the Zoning Ordinance Amendment recognizes and takes into account the following applicable purposes of zoning as stated in the Rhode Island Zoning Enabling Act of 1991:

- (1) Promoting the public health, safety, and general welfare.
- (2) Providing for a range of uses and intensities of use appropriate to the character of the city or town and reflecting current and expected future needs.
- (3) Providing for orderly growth and development that recognizes:
 - (i) The goals and patterns of land use contained in the comprehensive plan of the city or town adopted pursuant to chapter 22.2 of this title;
 - (ii) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution;
 - (iii) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands;
 - (iv) The values of unique or valuable natural resources and features;
 - (v) The availability and capacity of existing and planned public and/or private services and facilities;
 - (vi) The need to shape and balance urban and rural development; and
 - (vii) The use of innovative development regulations and techniques.
- (4) Providing for the control, protection, and/or abatement of air, water, groundwater, and noise pollution, and soil erosion and sedimentation.
- (5) Providing for the protection of the natural, historic, cultural, and scenic character of the city or town or areas in the municipality.
- (6) Providing for the preservation and promotion of agricultural production, forest, silviculture, aquaculture, timber resources, and open space.
- (7) Providing for the protection of public investment in transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, schools, recreation, public facilities, open space, and other public requirements.
- (12) Promoting implementation of the comprehensive plan of the city or town adopted pursuant to chapter 22.2 of this title.

(14) Providing for efficient review of development proposals, to clarify and expedite the zoning approval process.

(15) Providing for procedures for the administration of the zoning ordinance, including, but not limited to, variances, special-use permits, and, where adopted, procedures for modifications.

Town of Jamestown Zoning Ordinance Amendment related to Marijuana Uses

Use	District												
	P	OS-I**	OS-II**	RR-200	RR-80	R-40	R-20	R-8	CL	CD	CWe *****	CWw	DC
Marijuana growing, processing, cultivating, testing, and sales, including but not limited to: Marijuana Compassion Center; Licensed Marijuana Cultivator; Licensed Marijuana Cooperative; Marijuana Processing and Testing; Marijuana Wholesale and Retail Sales. (Excludes Individual Medical Patient Residential Marijuana Cultivation). *	N	N	N	N	N	N	N	N	N	N	N		N

*Uses as defined in RIGL Section 21-28.6

TOWN COUNCIL INTERVIEW SESSION
September 18, 2017

I. CALL TO ORDER

The interview session for the Jamestown Town Council was called to order at 6:07 p.m. on Monday, September 18, 2017, in the Conference Room of the Jamestown Hall at 93 Narragansett Avenue.

II. ROLL CALL

Town Council members present:

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

III. INTERVIEW SESSION

The following candidates were interviewed:

<u>Name</u>	<u>Committee</u>
John Gillespie	Affordable Housing
Jerome Scott	Affordable Housing
Valerie Molloy	Affordable Housing

IV. ADJOURNMENT

Town Council interviews were concluded at 6:37 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Town Solicitor
 Finance Director

TOWN COUNCIL SPECIAL MEETING
September 18, 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
Peter D. Ruggiero, Town Solicitor
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER

Council President Trocki called the special meeting of the Jamestown Town Council to order at 6:44 p.m. in the Conference Room of the Jamestown Town Hall at 93 Narragansett Avenue.

III. UNFINISHED BUSINESS/EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) Pending Litigation (Tarbox v. Jamestown Zoning Board of Review, C.A. NC-2010-667); review and discussion and/or potential action and/or vote in executive session and/or open session.

A motion was made by Councilor Meagher with second by Councilor Mihaly to enter into Executive Session at 6:45 p.m. pursuant to RIGL §42-46-5(a) Subsection Subsection (2) Pending Litigation.

Pursuant to RIGL §42-46-5(a) Subsection (2) Pending 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 6:56 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

IV. ADJOURNMENT

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

The special meeting was adjourned at 6:57 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Town Solicitor
 Finance Director

**TOWN COUNCIL MEETING
September 18, 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
Lisa W. Bryer, Town Planner
Edward A. Mello, Police Chief
Andrew J. Wade, Parks and Recreation Director
Peter D. Ruggiero, Town Solicitor
Denise Jennings, Water Clerk
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:04 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

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

The Town Council convened as the Board of Water and Sewer Commissioners at 7:05 p.m. and adjourned from sitting as the Board of Water and Sewer Commissioners at 7:10 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

A motion was made by Councilor Meagher with second by Councilor Mihaly to move up Agenda Item No. VIII. A) Jamestown Community Playground Design Presentation to earlier in the agenda. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

VIII. UNFINISHED BUSINESS

- A) Jamestown Community Playground Design Presentation: Parks and Recreation Director Andrew Wade

- 1) Town Council review, recommendation and/or approval of Community Playground Design; review, discussion and/or potential action and/or vote

President Trocki introduced Director Wade who proceeded with a PowerPoint presentation that outlined:

How did we get here?

- 1990 Community Playground and 27 Years of Play

Planning for the Next Generation

- Initial Capital and Grant Funding; Public Workshops; Future Funding Sources

Ryan J. Bourque – Community Playground Fund

- Jamestown Police Officer Bourque killed May 23, 2016 by a wrong way drunk driver on Route 95
- Donations in his memory to benefit the children of Jamestown through renovation of the Community Playground

Next Steps

- Formation of Committee by Town Council February 2017 - Community Members Jen Cloud, Lee Bourque, Dick Trask, Matt Bolles, Michelle Bush, Betty Kinder, Christina Smith, Brad Parsons; Ad-hoc Members Planner Bryer, Police Chief Mello, Sergeant Esposito, Public Works Director Gray
- Overview of Committee Charge and Accomplishments;

Initial Planning & Development

- Review Committee Charge; School Children designs; Presentations from Leading Playground Manufacturers;
- Consultant Presentations; Playground Tours; Interviewed professionals; Remarks from 1990 Committee Member Bolles
- Selection of O'Brien & Sons/Landscape Structures as Playground Consultant/Manufacturer

Presentation by Megan O'Brien, President of O'Brien & Sons, RI Representative for Landscape Structures of Minnesota reviewing:

- Overall Site Plan/Master Plan review, including structures and features
- 3D Renderings of proposed equipment from varying views (including tower, zip line, tall ship, lighthouse, monkey bars & swings)
- Environmentally friendly equipment 99% made in the USA, with high recycled and post-consumer materials; partner with America Forest to plant trees to offset carbon footprint

Director Wade displayed photo simulations of existing and proposed Playground including:

- Phase I with a total cost \$256,708.36; Phase I funding total \$258,000.00
- Demolition and Site Prep by Town staff and installation ready for May 2018
- Phase II – Adding to play value, to include completion of structures and equipment including Creative Corner, with cost estimate at \$93,816
- Planned Fundraising Events include Memory Walk brick sales (\$125), Capital Campaign, Wheels 'N Steel event, 1st Annual Ryan J. Bourque November Neon Night 5K
- Equipment purchased through Massachusetts Higher Education Consortium

President Trocki opened Public Comment. There was no public comment.

A motion was made by Councilor Meagher with second by Vice President White to approve the Playground Design. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye. (Applause)

President Trocki thanked those in attendance and stated everyone looks forward to the new playground.

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

None.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

A motion was made by Councilor Meagher with second by Councilor to convene as the Alcoholic Beverage Licensing Board at 7:48 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board
- 1) **REQUEST** that the applications listed below will be in order for hearing at a meeting of said Licensing Board on Monday, November 6, 2017 at 6:30 p.m. and advertised in the *Jamestown Press*. **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the year December 1, 2017 to November 30, 2018; review, discussion and/or potential action and/or vote:

President Trocki read the Liquor License renewals by Class as follows:

CLASS A (PACKAGE STORE) – RETAIL

Tunstall, Inc.

dba: Grapes & Gourmet

9 Ferry Wharf

Varsha, Inc.

dba: Jamestown Wine & Spirits

30 Southwest Avenue

CLASS B – TAVERN

Bay Voyage, LLC
dba: Bay Voyage
150 Conanicus Avenue

CLASS B – VICTUALER

Islandish, Ltd.
dba: Chopmist Charlies
40 Narragansett Avenue

Jamestown Culinary Partners, LLC
dba: Jamestown Fish
14 Narragansett Avenue

Jamestown Restaurant Group, LLC
dba: Narragansett Café
25 Narragansett Avenue

New England Golf Course Management, Inc.
dba: Jamestown Golf and Country Club
aka: The Cady Shack
245 Conanicus Avenue (lower level rear)

Slice of Heaven, Inc.
dba: Slice of Heaven
32 Narragansett Avenue

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue

KALI, LLC
dba: J Twenty-Two Tap & Table
22 Narragansett Avenue

CLASS B – VICTUALER - LIMITED

Lucky Ridge Co., LLC
dba: Spinnaker's Café
3 Ferry Wharf

PP Jamestown, LLC
dba: Pink Pig BBQ
35 Narragansett Avenue

CLASS D – FULL (CLUB)

Conanicut Yacht Club
dba: Conanicut Yacht Club
40 Bay View Drive

A motion was made by Councilor Mihaly with second by Councilor Meagher to proceed to advertise liquor license renewals for public hearing on November 6, 2017. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

A motion was made by Councilor Meagher with second by Vice President White to adjourn as the Alcoholic Beverage Licensing Board at 7:52 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

B) Licenses and Permits

- 1) **REQUEST** to advertise for extended hours [in accordance with RIGL §5-24-1 (a) and (b)] in the *Jamestown Press* for a public hearing on November 6, 2017: **NOTICE:** Is hereby given that there will be a public hearing by and before the Town Council of the Town of Jamestown on Monday, November 6, 2017 at 6:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI pursuant to §5-24-1 of the General Laws of Rhode Island 1956 and as amended upon the following: **RENEWAL** application; review, discussion and/or potential action and/or vote:

Cumberland Farms, Inc.
dba: Cumberland Farms Store #1108
41 North Main Road
Plat 8 Lot 626

Application of **Cumberland Farms, Inc. dba: Cumberland Farms Store #1108**, for renewal of additional operational hours to open at 5:00 a.m. for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 a.m. to 2:00 a.m. daily (RIGL §5-24-1 allows this establishment to be open from 6:00 a.m. until 2:00 a.m. without additional operating hours).

A motion was made by Councilor Meagher with second by Councilor Dickinson to proceed to advertise the Extended Hours license renewal hearing. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

C) Public Hearing:

- 1) Proposed Amendment of the Jamestown Code of Ordinances,

Chapter 22 Environment, Article VII. Plastic Bag Ban, Sec. 22-350 Legislative Finds and Intent (new), Sec. 22-351 Purpose (new), Sec. 22-352 Definitions (new), Sec. 353 Prohibited Acts (new), Sec. 22-354 Exemptions (new), Sec. 22-355 Enforcement; Violations and Penalties (new), Sec. 22-356 Hardship Variance (new) and Sec. 22-357 Effective Date; duly advertised in the *Jamestown Press* September 7, 2017 edition; review, discussion and/or potential action and/or vote

A motion was made by Councilor Meagher with second by Vice President White to open the Public Hearing at 7:53 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

President Trocki noted procedures and conduct for the public hearing, opened Public Comment, and referenced a short video to be shown by citizens in favor of the ordinance. Councilor Dickinson noted preference to proceed to the public discussion.

Public Comment.

Victor Bell of Ocean Avenue, President of EPI Global Environmental Packaging & Product Stewardship Consultants located on Clinton Avenue, noted his company tracks bag laws for large companies and noted he reviewed the proposed ordinance. He suggested revising the required labeling for “Recyclable Paper Bag” by removing the language ~~or the universal recycling logo on the outside of the bag in green lettering at least one inch in size~~ as it is in conflict with Federal guidelines and standards for labeling as outlined in FTC Part 260 *Guides for the Use of Environmental Marketing Claims*. Mr. Bell noted he is in favor of the proposed ordinance.

Sue Plowden of Calvert Place and Kate Petrie of Ft. Getty Road gave a recap of their support for the proposed Plastic Bag Ban ordinance and thanked the Council for being proactive. They noted 100 Jamestown citizens signed the Clean Ocean Access petition calling for a ban on plastic bags, and local businesses support it - 12 in favor, 1 unsure, and 1 opposed. A Jamestown community reusable bag imprinted with the names of local businesses is in the works. They suggested April 22, 2018, Earth Day, as the effective date of the ordinance. Litter collected along Fort Getty Beach over a four-day period was displayed and the letter of the Barrington Town Council President was read encouraging Jamestown to join Barrington, Middletown and Newport in banning plastic bags. A short video (2 minutes) was shown describing the pollution caused by plastics in our environment. (Applause)

Gay Herud-Green of Howland Avenue commented she is against the plastic bag ban and is against all bans, and gave alternatives to a ban, including public education and collaboration to engage community members to work toward a goal rather than a ban. Various alternatives were noted. She feels Jamestown is too small for a ban.

Meg Myles of Felucca Avenue commented that education is a way to go, which the

Conanicut Island Sailing Foundation teaches in its summer camps and in the schools. She is against bans, but the over-use of single-use plastics require a ban. She suggested banning plastic straws in the future. (Applause)

Marilyn Munger of Knowles Court representing Conanicut Marine commented the ordinance only covers check-out bags for established business and would affect those businesses monetarily, our core businesses that keep the downtown village alive. However, the ordinance exempts non-profit businesses and organizations. The proposed ordinance prohibits bags less than 4 mils in thickness, and the bags used at Conanicut Marine are 2.5 mils, which are reused by customers. Currently they have \$5,000 worth of bags in stock (3 years of inventory) and request the Council reconsider this unfair provision or delay compliance.

Elsa Petrie of Ft. Getty Road (Kate's daughter) stated she grew up with environmental stewardship, asks the Council to take into account the fact this affects our community and the environment, and other reusable options and alternatives should be encouraged along with a ban.

Susanne Leach and daughter Nicole of Whittier Road commented this is a complex problem and the ban could be seen as a benefit, as it would be a cost savings for local businesses over time. In Europe people pay for their single-use bags, and if this were instituted it would show people that using their own reusable bags will save money, help protect the environment, curb pollution of our oceans, and protect sea life. Other alternatives to curb the use of single-use plastics were noted.

Haley Barber, Program Director of the Conanicut Island Sailing Foundation, commented on their mission to record plastic debris picked up at Fort Getty and teaching students about environmental stewardship. It goes beyond recycling, as plastic debris doesn't go away. We need to stop it now if we care about the future of our planet. (Applause)

Wil Tuthill of Stanton Road asked what the town spends clearing plastic debris from storm drains.

Kim Holcombe of Collins Terrace commented she doesn't feel the ban will cause a financial hardship to local businesses and gave examples of other bans, including the non-smoking ban, which appeared to cause hardships and then worked. We need to be positive, change the mindset, and support the ban to protect the planet.

Beth Hatch of Grinnell Street and owner of Jamestown Outdoors commented as a business owner she understands the concern of other businesses. However, they ask their customers if they want a bag rather than automatically putting items in one. More and more of their customers say "no" to bags, their inventory is lasting longer, and they are saving money.

Tom Chaginsky of Collins Terrace commented the \$5,000 inventory quoted earlier amounts to \$4.60 a day, \$138 per month, and the goodwill that could be generated by businesses

getting on board would more than compensate for the loss of \$4.60 per day, and the public would support those businesses that no longer use plastic bags.

Bill Munger of Cole Street and Conanicut Marine commented they are not opposed to the ban. They offer paper bags and many of their customers bring their own bags. Customers do prefer the plastic bags for heavier items. It would be helpful to work with core businesses and consider a phase-in to educate the public, use inventory, and give them time to adapt. Jamestowners are environmentally conscious and he has never seen a Conanicut Marine bag floating in the bay.

Pat Sheehan of Clarke Street expressed support for the ban as it is the right thing to do and it is the right time to do it.

Kathleen Brown of Baldwin Court stated her late husband served on the Conservation Commission and his livelihood was focused around the use of 100% recycled plastics, so this issue is huge to their family. Michael went around to local businesses and felt we could be an example for other communities by voluntary use of reusable bags. Unfortunately, this must be legislated, and she supports passage.

Michelle Owen of Buoy Street commented she and her husband are active members of Clean Ocean Access and as boat owners they always pick up plastic bags in the water. This is a health issue, it must be controlled, and it must be legislated.

Abby Jenkins of Fort Getty Road commented on the amount of plastic debris she removes from the beach. She likes that people use canvas bags and having a town tote bag would be a great idea for a fundraiser. She supports the ban.

Ray Iannetta of Maple Avenue stated he hates a lot of rules and regulations. He remembers when the Johnston Landfill was a hole in the ground, now it is a mountain, and we are running out of space. He referenced banned items that “we could not live without,” and we have survived without them, and companies that produced such items would never voluntarily comply. He supports the ban.

Pem Attaway of Decatur Avenue commented it takes 1,600,000,000 gallons of oil annually to make plastic bags, so let’s cut back on the use of oil by banning the use of plastic bags. They are everywhere, and if education alone worked, we wouldn’t be here this evening. She agrees with a phase-in over time, an exemption for thicker bags, requiring all businesses to comply, and supports the ban.

Dave McLaughlin of Clean Ocean Access thanked the Council for the opportunity to speak and noted that most businesses are not opposed to the ban. The largest impact is the point of sale, and non-profits could be added to the ordinance this evening or added later. He is in favor of a phase-in and 6 to 8 months is appropriate. Reusable bags comply with the spirit of Sustainable Jamestown, it will not be difficult for businesses to comply, and he is interested in working with the Town and Schools to promote education. Plastic bags never

go away and we need to be responsible and protect our environment. Some laws need to be adopted, and eventually it becomes second nature. Over the last four years COA has removed over 210,000 pieces of debris from the shoreline. We all have the responsibility to protect our environment and promote a healthy ocean, and he looks forward to working with the Town to promote a Sustainable Jamestown. (Applause)

Council members support compliance for April 22, 2018, Earth Day.

Councilor Dickinson commented Jamestowners are good stewards and we can all do simple things. He believes a lot of the plastic debris is not from Jamestown and education is the answer. If we are to ban plastic bags, we should ban the use of all single-use plastics. He believes in leading by example and a phase-in would be appropriate.

Councilor Meagher commended Council members for their efforts and we have to start where we can. She doesn't want to hurt anyone's business and a phase-in is appropriate. We all have to be responsible stewards and that is what this ordinance promotes.

Vice President White stated the Council introduced this ordinance to make a statement to protect our environment for the future. We use plastic bags for groceries and then dispose of them. He referenced summer concerts on the Green and the majority of people remove their trash and others clean-up after those who don't. Plastic bags are a problem and we need to make a statement. Mr. White referenced things banned in the past that turned out to be good, we adjusted, and this is a good thing.

Councilor Mihaly commented on serving on a Destroyer and seeing plastic bags floating in the ocean. He hopes the petrochemical industry will produce degrading disposable bags for animal waste. Humanity depends on the ocean, the oceans are stressed, and it is time to start the process and do our bit to turn the tide.

President Trocki noted the many passionate comments made this evening and we are all concerned about our businesses, health, safety, and our oceans. We must weigh the needs of our community and this is a no-brainer. Once this becomes a habit it will be good for all humanity not just Jamestown. She supports this ordinance as proposed with Victor Bell's edits, effective as of April 22, 2018, Earth Day, with amendments if needed in the future.

A motion was made by Councilor Meagher with second by Councilor Mihaly to approve this ordinance with the one amendment which states in the section of the ordinance RECYCLABLE PAPER BAG means a paper bag that is fully recyclable overall and contains a minimum of 40% post-consumer recycled content and contains no old growth fiber. The bag should display the words "Reusable" and "Recyclable" and the next line is crossed out ~~or the universal recycling logo on the outside of the bag in green lettering at least one inch in size~~ and adding the language or other marking in compliance with the Federal Trade Commission (FTC) Part 260 Guides for the Use of Environmental Marketing Claims or as amended with the effective date of April 22, 2018.

Discussion. Sec. 22-356 Hardship Variance states “The Town Administrator may grant a variance from the requirements of this article only after determining that: Application of this article would cause undue hardship based upon unique circumstances” and this point may be pertinent to Conanicut Marine.

Back to the vote on the motion. **President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Nay; Councilor Meagher, Aye; Councilor Mihaly, Aye. Motion passes by a majority vote in the affirmative.**

The public hearing was closed at 9:11 p.m.

VI. OPEN FORUM

- A) Scheduled to address. None.
- B) Non-scheduled to address.

Carol Nelson-Lee asked for follow-up on the memos sent to the Town Council by the Conservation recommending reinstating the Water Resources Protection Committee.

Town Administrator Nota stated he and Town Planner Lisa Bryer met with Conservation Commission Member Dave Reardon at length, and Dave will bring that information back to the Conservation Commission, who will determine whether this should be a full committee or a working group of Conservation Commission members. Also discussed were properties in the Shores that may potentially go on the market and a process for individuals to sell or donate properties and encroachment issues on Rights-of-Way and preserved properties. Mr. Nota stated he would be happy to discuss this with her further.

Ms. Nelson-Lee offered the services of experienced individuals who would like to serve on the Water Resources Protection Committee.

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

- A) Town Administrator’s Report: Andrew E. Nota
Town Administrator Nota would like to have Chief Mello give an update.

1) Coyote Management Update

Chief Mello outlined the four action areas developed from the last meeting to deal with coyote challenges and their status:

Objective 1: Public Education – to educate the public on living with coyotes and reducing food sources

- Produce a poster to be located in public areas throughout town
- Produce long-term signage to be posted at visitor/recreation locations throughout Town
- Use Social media and Website

- Produce 3-minute public service video
- Educate military families about coyotes issues
- Advise farming community on coyote issues and safe disposal of livestock
- Confirm removal of deceased animals with RIDEM and Jamestown Public Works

Objective 2: Tracking and monitoring coyote populations

- Engage professional to monitor coyote populations/packs to determine status, changes and locations; identify unnatural food sources and mitigate
 - Engaged Dr. Numi Mitchell to track populations upon delivery of tracking devices (grant funding)
- Develop method to monitor coyote sightings and interactions reported to Police Department

Objective 3: Train/Equip Police Officers to mitigate coyotes that pose a threat

- Develop and review specific policy to address coyote reports
- Develop internal tracking system of reported coyote contacts
- Identify and procure appropriate weapons to dispatch coyotes
- Provide officer training in safe handling of weapons

Objective 4: Trapping and Removal

- Enter into MOU with RIDEM licensed trapper in cases where other mitigation techniques are not successful and/or practical (challenges noted)

Chief Mello reported information is being standardized and the “Guidance on Living with Coyotes” notice will appear in the *Jamestown Press* (twice). Education is key and informing our citizens will continue. The Council expressed appreciation for Chief Mello’s quick response to the coyote issue. Council members would like more information on coyote habits and how they arrived in Jamestown. Lengthy discussion ensued.

Public comments.

Kerry Clarke of Bay View Drive commended the Police Department and Town Council for their continued efforts and noted families have lost pets to nuisance coyotes. She looks forward to a solution, as this is a public health and safety issue.

Steve Lepre of Wright Lane noted his dog, a 40-pound puggle, attacked by three coyotes and killed. The coyote behavior was frightening, he has concerns for area children, and stressed the urgency for a solution to the coyote problem.

Councilor Dickinson noted the coyotes’ lack of fear of humans as they have become habituated. We need to reinstate nature into the equation and re-instill coyotes’ fear of humans. He commends the Police Department for their pro-active efforts.

2) East Ferry Renovation Project

Town Administrator Nota reported that Town staff made 3 modifications to the final plan based on concerns and discussion at the August meeting as follows:

- One additional pedestrian access on the sidewalk along the water, providing three access points from the parking area

- Widening of the travel way from 60 ft. to 62 ft. while preserving the green space along the water and opening up the travel way
- Provide more safety access from parking spaces onto a hardscape sidewalk

The three amendments leave enough space to accommodate all interests while leaving space for activities on the triangle, including holiday festivities. Bid specs are being developed by Town staff and should be finalized in the coming weeks. Council members thanked the Town Administrator and staff for making the accommodations.

3) Storm Update

Town Administrator Nota reported two EMA Team meetings have taken place, one this afternoon to review Hurricane Jose. Chief Mello is in constant contact with State agencies. Sustained winds of 30 to 50 mph are expected, but this storm does not warrant opening of the Shelter. Hurricane Maria is being tracked and updates will continue, the generator is being brought to Town Hall, Shelter personnel are on alert, and the Code Red system will be used for messages to the community as needed.

4) Statewide School Facility Conditions Assessment

Town Administrator Nota reported on the 2017 RI School Facilities Report released on September 13th. The report assessed a total of \$2.2 billion in needed infrastructure improvements statewide overall, with over \$600 million of critical infrastructure improvements. The findings for Jamestown Schools is estimated at \$16,293,628 - \$6,728,721 for Melrose and \$9,564,907 for Lawn. Our School District has engaged RGB Consulting to conduct an internal district assessment. Governor Raimondo has formed a State Task Force to develop an Action Plan, and Mr. Nota has been appointed to that Task Force. Short-term needs amount to less than \$100,000 to keep our schools open. A local Committee is being formed with a Council appointment later in the agenda. Discussion ensued of State reimbursements, which are expected at 35% for Jamestown. Lengthy discussion ensued of long-term needs and funding for this project. More information will be forthcoming.

5) Local Internet Service

Town Administrator Nota reported on the quality of the internet service for Jamestown. The only provider available for television and internet is Cox, who is operating with 25 to 30 year old copper equipment. Per Jamestown IT Specialist Mike Glier the problem is mostly likely a band with issue, due to the demand for services, increased use of wireless equipment, and age of the equipment. Lengthy discussion ensued. Mike is continuing his research and will have more information available in the near future.

6) RITBA Fall Construction Schedule

Mr. Nota reported on the Newport Bridge deck construction to commence later this week through Thanksgiving. The 2018 work schedule is unknown at this time. Chief Mello is coordinating with RITBA to monitor local traffic challenges due to the bridge construction. The use of signage and a law enforcement presence may be needed to dissuade motorists from detouring through town to gain a faster route to the bridges.

7) Senior Coordinator and Food Service Positions

The lunch program Coordinator, Ernie Anthony, has moved on and Carrie Anderson was hired to fill the position. Councilor Meagher a letter be sent to Butch for his services.

Senior Coordinator Ellen Vietri has stepped down, Recreation Department personnel are filling in at present, a revised job description is being developed, and the position will be advertised.

B) Quonset Development Corporation Board of Directors Report: Jamestown Member Job Toll

Job Toll gave a report on the status of the 3,212 acre Quonset Business Park, with its 200 companies employing over 11,000 people (16-30 from Jamestown). Of the 1,881 developable acres, there are only 260 available acres for development, consisting of 36 parcels, only 2 greater than 30 acres and 7 greater than 10 acres. Over 215,000 vehicles arrive annually by sea to the Port of Davisville, and over 40,000 vehicles arrive by rail. It also served as the port for Deep Water Wind during construction of the Block Island Wind Farm. The Board is comprised of representatives of North Kingstown (2), East Greenwich (1), Jamestown (1), and (6) directors appointed by the Governor. Job invites the Council to visit Quonset.

C) Town Clerk's Office Report: Cheryl A. Fernstrom

The Clerk updated the Council on the Town Clerk's Office, Elections, and Probate Court. The Special Primary and Special Election went smoothly, and Dawn Euer was elected to fill the District 13 Senate seat. The E-Poll Books were used, streamlining the operation and saving time. The Probate Court has the new mandated Probate Forms in operation and working well, ahead of the October 1st deadline. The Town Clerk's Office historical project that began in 2011 to microfilm, index, and image all land evidence documents for Volumes 225 back to Volume 1 into the ACS Land Evidence System is now complete. The total cost of \$36,452.82 was funded through the Historical Records Trust Act established in 1993, and no taxpayer dollars were used. House Bill 6323 passed in the 2017 General Assembly and became law, revising the notice and posting requirements outlined in the Open Meetings Act. All departments and boards, commissions, committees have been notified of the revisions and requirements and are meeting individually with the Clerk to review the new procedures to assure compliance by the January 1, 2018 deadline.

VIII. UNFINISHED BUSINESS

- A) Playground Design – addressed previously
- B) Upcoming Meetings and Sessions – dates and times. None.

IX. NEW BUSINESS

- A) Jamestown School Department Building Committee: appointment of Town Council Member

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

X. ORDINANCES AND APPOINTMENTS AND VACANCIES

President Trocki announced that interviews were conducted earlier this evening and on August 18th. Council is pleased to have so many talented volunteers come forward, including six candidates for Affordable Housing and three for Discover Newport, and a considerable amount of time was given to interview all candidates.

- A) Appointments, Vacancies and Expiring Terms; review, discussion and/or potential action and/or vote
 - 1) Discover Newport (Newport and Bristol County Convention and Visitors Bureau) (One vacancy with a three-year term ending date of September 7, 2020); duly advertised; interviews conducted
 - a) Letter of interest for reappointment
 - i) Frank “Rusty” Sallee
 - b) Letters of interest for appointment
 - i) James Rugh
 - ii) Richard Lynn

A motion was made by Councilor Meager with second by Councilor Dickinson to reappoint Rusty Sallee to Discover Newport. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 2) Jamestown Affordable Housing Committee (One vacancy with an unexpired three-year term ending date of May 31, 2018); duly advertised; interviews conducted
 - a) Letter of interest for reappointment
 - i) Jerome Scott
 - b) Letters of interest for appointment
 - i) Valerie Malloy
 - ii) Lisa Carlisle
 - iii) Edie Flynn
 - iv) John Gillespie
 - v) Richard Lynn

Councilor Meagher recuses on this appointment, files the appropriate form, and leaves the Council table.

Council members noted the importance of the Committee, the excellent candidates, and the need for new energy. Candidates Flynn and Gillespie were of special note. Any candidate not appointed this evening should apply in the next round.

A motion was made by Vice president White with second by President Trocki to appoint Edie Flynn for this spot.

Discussion. It is admirable to have so much interest in the position.

Back to the vote on the motion. **President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Abstains. Motion passes by a majority vote in the affirmative.**

- 3) Jamestown Tree Preservation and Protection Committee (One vacancy with a three-year term ending date of December 31, 2019); duly advertised; interview conducted
 - a) Letters of interest
 - i) Richard Lynn

Discussion ensued of Mr. Lynn's past services and willingness to serve on the Tree Committee.

A motion was made by Vice President White with second by Councilor Meagher to appoint Dick Lynn to the Tree 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 Meagher 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) August 21, 2017 (interview session)
 - 2) August 21, 2017 (special meeting)
 - 3) August 21, 2017 (special executive session)
 - 4) August 21, 2017 (regular meeting)
 - 5) August 21, 2017 (regular executive session)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Community Playground Renovation (03/03/2017)
 - 2) Jamestown Community Playground Renovation (03/10/2017)
 - 3) Jamestown Community Playground Renovation (03/24/2017)
 - 4) Jamestown Community Playground Renovation (04/07/2017)
 - 5) Jamestown Community Playground Renovation (04/28/2017)
 - 6) Jamestown Community Playground Renovation (05/12/2017)
 - 7) Jamestown Community Playground Renovation (05/19/2017)

- 8) Jamestown Community Playground Renovation (06/09/2017)
 - 9) Jamestown Community Playground Renovation (06/22/2017)
 - 10) Jamestown Community Playground Renovation (07/14/2017)
 - 11) Jamestown Community Playground Renovation (07/28/2017)
 - 12) Jamestown Community Playground Renovation (08/04/2017)
 - 13) Jamestown Planning Commission (08/02/2017)
 - 14) Jamestown Planning Commission (08/16/2017)
 - 15) Jamestown Traffic Committee (06/15/2017)
 - 16) Jamestown Zoning Board of Review (07/25/2017)
- C) CRMC Notices
- 1) September 2017 Calendar
 - 2) Letter re: Request for Public Notice Extension End Date for CRMC File No. 2014-12-056 (Joseph & Antonio Pinheiro) granted to September 30, 2017
 - 3) Semi-Monthly Meeting Agenda for September 26, 2017
 - 4) Public Notice for Proposed Rule-Making Public Hearing on October 24, 2017 at 5:00 p.m., RI Department of Administration Cafeteria (basement floor), One Capitol Hill, Providence, RI with written comments due by October 16, 2017
- D) Abutter Notifications
- 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing September 26, 2017 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island at 7:00 p.m. upon the following: Application of David & Marylou Howard, whose property is located at 59 Ferry Street, and further identified as Assessor's Plat 5, Lot 58, for a special use permit from Article 3, Section 82-314 High Groundwater, Table C, Development Within Sub-district A, Article 6, Section 82-601 to construct a 8' x 20' covered front porch. Said property is located in a R40 zone and contains 14,400 sq. ft.
 - 2) Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing September 26, 2017 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island at 7:00 p.m. upon the following: Application of Christina D Scully, whose property is located at 113 Frigate Street, Jamestown, Rhode Island, and further identified as Tax Assessor's Plat 16, Lot 218 for a Special Use Permit granted under Article 6 Section 82-600 and 602, pursuant to Article 3 Section 82-314, High Groundwater Table and Impervious Overlay District Sub-District A. The application also seeks a Variance, pursuant to Article 6, Sections 82-600 and 82-605, from Article 3 Section 82-302, Table 3-2, District dimensional regulations, to repair and remodel the property where the front setback is proposed to be 21' 8" feet where 30 feet is required and from Article 3 Section 82-314 (C) (4), Percent of Maximum Impervious Cover for Sub-District A, where the existing lot

impervious coverage is proposed to be 12.1% where 9.0% is allowable and the existing lot impervious coverage is 12.4%. The application also seeks a Variance from Article 7, Section 82-705, Alteration of a nonconforming structure, in order to perform the requested remodel and repairs as the current structure has a front setback of 21' 8" where 30 feet is required. Said property is located in a R40 Zone and contains 8,385 square feet.

E) Abatements/Addenda of Taxes

Total Abatements: \$126,280.25 Total Addenda: \$122,471.50

1) Real Property/Motor Vehicle/Tangible Abatements to 2017 Tax Roll

	<u>Account/Abatement</u>	<u>Amount</u>
a)	04-0696-05M	\$ 88.15
b)	06-0165-12M	\$ 358.76
c)	07-0694-50M	\$ 41.75
d)	16-0650-05M	\$ 88.91
e)	18-0246-50M	\$ 76.40
f)	01-0025-00	\$ 7,525.99
g)	02-0262-00	\$ 1,164.85
h)	01-0474-72	\$ 4,328.95
i)	02-0126-10	\$ 1,515.58
j)	02-0314-85	\$ 3,842.01
k)	02-0505-50	\$ 1,728.62
l)	02-1059-00	\$ 6,389.43
m)	03-0430-30	\$ 1,002.98
n)	03-0731-25	\$16,666.17
o)	03-1126-05	\$ 387.75
p)	03-1154-40	\$ 2,807.65
q)	04-0016-10	\$ 783.73
r)	04-0632-00	\$ 3,869.85
s)	04-0775-76	\$ 1,028.89
t)	05-0312-10	\$13,354.45
u)	06-0303-00	\$ 5,329.45
v)	07-0035-00	\$ 8,257.76
w)	07-0940-40	\$ 4,043.81
x)	08-1022-01	\$ 2,051.50
y)	10-0262-50	\$ 940.48
z)	11-0573-25	\$ 32.04
aa)	12-0280-26	\$ 6,082.87
bb)	12-0510-25	\$ 4,367.21
cc)	12-1020-00	\$ 3,664.27
dd)	13-0409-03	\$ 1,607.30
ee)	13-0423-00	\$ 2,585.09
ff)	13-1450-00	\$ 3,742.07
gg)	13-1586-60	\$ 2,396.30
hh)	14-0092-25	\$ 3.38

- ii) 16-0286-01 \$ 4,193.25
 - jj) 19-0593-00 \$ 879.01
 - kk) 19-0880-00 \$ 5,940.49
 - ll) 20-0033-75 \$ 1,002.98
 - mm) 22-0002-55 \$ 1,660.12
- 2) Real Property/Motor Vehicle/Tangible Addenda to 2017 Tax Roll

Account/Addenda Amount

- a) 02-0004-25M \$ 332.58
- b) 01-0001-66 \$ 1,515.58
- c) 02-0093-35 \$ 8,257.76
- d) 02-0126-35 \$ 4,328.95
- e) 02-0260-50 \$ 3,742.07
- f) 02-1265-58 \$ 3,905.74
- g) 03-0595-35 \$ 2,501.50
- h) 03-1144-92 \$ 2,807.65
- i) 03-1154-40 \$ 4,043.81
- j) 04-0641-98 \$ 6,389.43
- k) 04-1037-21 \$ 1,660.12
- l) 06-0000-07 \$ 7,525.99
- m) 06-0452-90 \$ 5,329.45
- n) 07-0035-01 \$ 3,842.01
- o) 08-0058-80 \$ 783.73
- p) 08-0063-70 \$16,666.17
- q) 12-0843-00 \$ 3,664.27
- r) 13-0848-40 \$ 5,940.49
- s) 13-0946-00 \$ 4,367.21
- t) 13-1282-19 \$ 2,396.30
- u) 13-1397-18 \$ 6,082.87
- v) 18-0140-07 \$ 2,585.09
- w) 18-0730-83 \$ 1,728.62
- x) 19-1371-70 \$ 1,164.85
- y) 19-1451-80 \$ 4,193.25
- z) 19-1482-50 \$ 1,028.89
- aa) 19-1482-50 \$ 725.37
- bb) 23-0110-76 \$13,354.45

F) One Day Event/Entertainment License

- 1) Applicant: Jamestown Rotary Club
- Event: 42nd Annual Jamestown Classic Bike Race
- Date: October 9, 2017
- Location: Fort Getty/streets of Jamestown/Fort Getty

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

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

The Communications and Resolutions and Proclamations from other RI cities and towns received consists of the following:

- A) Communications; review, discussion and/or potential action and/or vote
 - 1) Email of Lions Club President John Murphy re: newly installed memorial benches at Fort Getty
 - 2) Letter of ACLU and other public service agencies re: protecting Rhode Island's DACA recipients
 - 3) Announcement of RI Division of Statewide Planning Discovery Workshop Series for knowledge and insight on the transportation network September 21, 25, and 28, 2017
- B) Resolutions and Proclamations from other Rhode Island Cities and Towns; review, discussion and/or potential action and/or vote
 - 1) Resolution of the North Smithfield Town Council In Support of Bill H 6204 - An Act Relating to Maintenance of Town Roads
 - 2) Resolution of the North Smithfield Town Council In Opposition to Bills H 5475 and S 0481 – An Act Relating to Cities and Towns – Subdivision of Land
 - 3) Resolution of the Hopkinton Town Council In Opposition to Bills H 5475 and S 0481 – An Act Relating to Cities and Towns – Subdivision of Land
 - 4) Resolution of the Hopkinton Town Council In Support of Bill H 6204 – An Act Relating to Maintenance of Town Roads

Helen O'Grady requests to speak to Communication 2) ACLU letter on the DACA issue, and it was granted.

Helen O'Grady of Schooner Avenue thanked the Council for the opportunity to speak and support Communication 2) to protect Rhode Island's DACA recipients, noted the 17 agencies that signed the letter, and looks forward to hearing the Council's support and institution of steps to protect DACA recipients, including adoption of an ordinance like the example outlined by the ACLU, as this is a human rights issue.

Stefan Gislason of Beavertail Road noted his support and endorsement for Communication 2). Adoption of an ordinance would be public record that DACA recipients know they can come to Jamestown and how they can expect to be treated here.

Richard Hitt of Schooner Avenue expressed support for Communication 2) to protect DACA recipients, as this is a human rights issue.

President Trocki noted Councilor Dickinson's point of order, as this is Communications, but substantive discussion cannot take place as it is not properly on the agenda to take

action. This could be addressed in the future as an agenda item. Solicitor Ruggiero commented this could be put on a future agenda for action or under Open Forum Request to Address with proper backup.

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Golf Course Design Discussion (October 2)
- B) Financial Town Meeting Rules and Procedures (October 2)
- C) Review of Town, School and Combined Budgets and Warrant items exceeding \$50,000 through paper ballot, electronic ballot, FTM or Referendum (October 2, special session)
- D) Fort Getty Discussion re: future planning (October 16)

Council will move the Golf Course Discussion to October 16 along with the Fort Getty Discussion. The Financial Town Meeting Rules and Procedures and Review of Town, School and Combined Budgets and Warrant items exceeding \$50,000 through paper ballot, electronic ballot, FTM or Referendum will be on the October 2 agenda, as part of the regular meeting. Backup information as to process and procedure for the two items will be available to Council and the public prior to the October 2 meeting. Solicitor Ruggiero noted two Executive Session items, which will be on the October 2 agenda. Additional information on the Coyote issue will appear on an agenda as soon as it becomes available.

XIV. EXECUTIVE SESSION

None.

XIV. ADJOURNMENT

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

The Jamestown Town Council adjourned the regular meeting at 10:39 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor

JAMESTOWN PHILOMENIAN LIBRARY
Board of Trustees Meeting Minutes
Tuesday, August 8, 2017

The mission of the Jamestown Philomenian Library is to anticipate the needs of our island community and provide for people of all ages, relevant and appropriate library materials, services and centers for meeting and learning. The library seeks to educate, inform, entertain and enlighten through traditional and new technologies.

- A. Call to order: roll call of members: Board Chair Sanborn called the meeting to order at 5:03 p.m. In attendance were: Peter Carson, Jennifer Cloud, Christian Infantolino, Paul Housberg Marianne Kirby, Mary Lou Sanborn, Chris Walsh, and Donna Fogarty.
- B. Chair's Report: Introduced Lauren McCombs, chair of Friends of Jamestown Library. Friend meetings are first Wednesday of month. Notice from OLS that all public minutes need to be posted on Secretary of State web site beginning January 2018.
- C. Consent Agenda: Board member Kirby made motion to accept consent agenda, seconded by board member Walsh; motion passed unanimously.
- D. Friends of the Library Report: See library director's report. Pot Luck Supper on 23rd; book sale was success raised \$ 4600; membership drive going well with notice going into the Jamestown Press; Friends treasurer to report the current state of finances.
- E. Unfinished Business
1. Board of Trustees sub-committees update:
 - a. Finance/Budget: No Report.
 - b. Policy: First read of Accountability of Library Director. Discussion of meaning of ends and means and the timing of review. Revisions to be sent to members. Member Kirby will share with Chair and Vice Chair goals submitted to her. Next policy to review will be Ends and Means.
 - c. Facilities: Town shared that work will be done as they can get to it as summer does create work gaps with vacations. Mike Gray and Donna Fogarty to help with RFQs for library projects. Grounds maintenance has been irregular and needs more continuity. Town has been mowing the lawn but moving forward LBOT may have to budget garden and landscaping.
 2. Library Renovation Project
 - a. Library Building Change Report: The report was reviewed by board. Discussion around the section Design Considerations for the Renovated Library. The board will review the section and determine how it will be

presented in Report. Comments from LBOT on the report will be incorporated into next edition.

- b. **Building Committee:** No update
- c. **Fundraising/Capital Campaign Committee/Public Relations:** Member Walsh reported feasibility study is moving forward. Interviews are ongoing with a total of up to 20 people. Report to LBOT for September meeting. Chair Sanborn spoke to other libraries regarding use of firms; Barrington and Tiverton were both pleased with using firms. Member Carson spoke to a firm and has a proposal from a firm. Discussion of funding for PR firm coming from the foundation rather than the library monies. Member Carson will contact two other firms to see if they are interested and viable candidates.
- d. **Project update:** On target.

- 3. **Board Process Review:** Member Housberg asked if all members felt they were being heard. All agreed.
- 4. **Playground Renovation Committee:** Member Cloud reported that the committee is meeting on Thursday to finalize the color schematics of playground.
- 5. **2017- 2018 Proposed Operational and CIP Budgets:** State budget passed LBOT should hear about SGA soon.
- 6. **Jamestown Philomenian Library Foundation:** Application form reviewed by LBOT and looking for suggestion for applicants. Bylaws were finalized.

7. **Library Director Evaluation:** Addressed in executive session.

F. New Business:

- 1. 150th anniversary of library 2019 using 1874 as the founding of the library.
- 2. Donations from Wright family in memory of Tom Wright. Discussion about nature of Memoria. Suggestion made to purchase books based Mr. Wright's interests.

G. Future Agenda Items:

- 1. Letter to Town Council regarding LBOT vacancies
- 2. Annual review of Strategic Plan (October 2017)

H. Public Comment: none

- I. **Executive Session - The Library Board of Trustees may seek to go into Executive Session to discuss the following item: Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel - Library Board of Trustees/Town of Jamestown Communication and Memorandum of Understanding**

A motion by board member Member Walsh to adjourn the open meeting at 6:40 and move

into executive session at seconded by Member Cloud. The motion passed unanimously.

A motion was made by Member Infantolino to adjourn executive session and move back into open meeting at 6:50; Member Carson seconded by board member. The motion passed unanimously. No votes were taken in executive session.

J. Adjournment: A motion was made by board member Carson to adjourn open meeting at 7:08; seconded Member Walsh by board member. The motion passed unanimously.

Date of next meeting: Tuesday, September 12, 5:00.

Respectfully Submitted,
Marianne Kirby
Secretary

JAMESTOWN TRAFFIC COMMITTEE
Meeting Minutes
Thursday, August 17, 2017
Approved: September 21, 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 Chairman Tighe.

II. The following members were present:

Thomas Tighe, Chairman
Mary E. Meagher, Vice-Chairman
Vincent Moretti
William Munger
Timothy Yentsch

The following members were absent:

Melissa Mastrostefano
David Cain

Also present:

Kim Devlin, Clerk

III. READING AND APPROVAL OF MIUNTES

A) June 15, 2017 (regular meeting)

Member Munger moved to amend the minutes of the June 15, 2017 meeting under item III. Approval of Minutes as follows:

Member Munger stated that the line of sight at the crosswalks at Hamilton Avenue and Southwest Avenue, and Bryer Avenue and the Bay Voyage appear to be less than the line of sight at the approach to the crosswalk at Conanicus Avenue.

Vice-Chairman Meagher moved to approve the minutes as amended; Chairman Tighe seconded. So voted; 5 ayes, 0 nays.

IV. OPEN FORUM

A) Scheduled Requests to Address

There were no Scheduled Requests to Address.

B) Non-Scheduled Requests to Address

Chairman Tighe asked if there were any issues with parking at Head's Beach that need to be added to the Traffic Committee agenda.

Kim Devlin stated that she would check with Chief Mello.

V. UNFINISHED BUSINESS

A) Crosswalk at Watson Avenue and North Road; obstructed view caused by hedges; review and discussion and/or potential action and/or vote

Chairman Tighe stated he had a conversation with Zoning and Building Official, Chris Costa who stated he is trying to work with the homeowner to resolve the issue of the homeowner's hedgerow blocking the line of sight at the intersection.

Vice-Chairman Meagher stated that, per Town Administrator Andy Nota, Public Works Director Mike Gray and Chief Mello are also working with the homeowner to come up with a solution.

Vice-Chairman Meagher stated that there is a question as to the location of the roots of the hedges and whether they are on town or private property.

Member Yentsch asked if there is anything temporary that can be done until a permanent solution is found.

Chairman Tighe stated that would be a matter for the police chief.

Mr. Jay Bilow, 19 Mizzen Avenue, stated that if you stop at the intersection where you are supposed to stop there is no visibility and that the homeowner has nothing to do with this, the hedges are on town property. It is the town's liability if someone gets hurt and the town should be interested in public safety. The complete hedge is on town property and the hedge should be cut down to one foot so small children are visible.

Ms. Elizabeth Mulligan, Pemberton Avenue, stated that, as a driver, she has to go way out to see and the kids don't stop (before crossing the road) and you can't see.

Ms. Jamie Mulligan, Mast Street, stated that she parks downtown to walk her daughter to school and you can't see at that intersection so she has her daughter and her friend make noise so Jay knows they are coming. Her daughter and her friend feel scared that they are going to get hit by a car.

Member Munger stated that the town is dealing with this matter and there is an ordinance that speaks to this issue. The message is received loud and clear and the town is trying to handle this peacefully.

Vice-Chairman Meagher moved to state that the Traffic Commission appreciates the efforts the town has made on the Watson Avenue and North Road crosswalk issue, but that the commission feels more aggressive efforts are needed. So voted; 5 ayes, 0 nays.

B) Letter of State Traffic Commission re: Conanicus Avenue Crosswalk and request to attend upcoming meeting; review and discussion and/or potential action and/or vote

Member Munger stated he would be willing to go to the state offices to meet with the state officials and that it is important to understand the statute that is not allowing the crosswalk to be moved. Vice-Chairman Meagher stated she would talk to Town Administrator Andy Nota about setting up a meeting with the state Department of Transportation.

Member Munger stated he went to the town council regarding low speed vehicles of town roads and is not sure if it is going to go anywhere. It would require Representative Deb Ruggiero to present a change to the legislature so that the island communities can allow low speed vehicles on town roads.

Chairman Tighe stated that the town council is waiting for information back from Member Munger.

VI. NEW BUSINESS

A. Communications; review and discussion and/or potential action and/or vote

There were no communications to review.

B. Meeting schedule; review and discussion and/or potential action and/or vote

The next meeting is September 21, 2017.

Chairman Tighe stated that the meeting schedule will be determined on a case by case basis.

VIII. ADJOURNMENT

There being no further business before the Committee, a motion was made by Committee Member Munger and seconded by Vice-Chairman Meagher to adjourn the meeting at 6:40 PM. So unanimously voted.

Attest:

Kim Devlin
Clerk

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the August 22, 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, Chair
Joseph Logan, Vice-Chair
Dean Wagner, Member
Richard Cribb, Member
Terence Livingston, Member
Judith Bell, 3rd Alt.

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

MINUTES

Minutes of July 25, 2017

A motion was made by Richard Cribb and seconded by Joseph Logan to accept the minutes of the July 25, 2017 meeting as presented.

The motion carried by a vote of 5 -0.

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

Judith Bell was not seated and Edward Gromada and Marcy Coleman were absent.

CORRESPONDENCE

Nothing at this time.

OLD BUSINESS

Paolino

A motion was made by Dean Wagner and seconded by Terence Livingston to continue the request of Christina Paolino to the September 26, 2017 meeting. This will allow time for the applicant to revisit the setbacks and/or hardships.

The motion carried by a vote of 5 -0.

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

Judith Bell was not seated and Edward Gromada and Marcy Coleman were absent.

Rhodes

A motion was made by Joseph Logan and seconded by Richard Cribb to grant the request of Edmund F. Rhodes, whose property is located at 11 Marcello Dr., and further identified as Assessor's Plat 7, Lot 110 for a variance from Article 6, Section 82.607 (Variances) & Article 3, Section 82-302, Table 3-2 (side yard setbacks) to relocate existing garage westerly, resulting in two side yard setbacks of 5' where 10' is required.

This Variance is granted with the following restriction/condition:

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 R40 zone and contains 10,890 sq. ft.
2. There is a significant taper to the west boundary and an existing well that constraints the 22' wide garage placement to less than the 10' requirement on that boundary.
3. Placing the garage 10' from the south boundary while keeping the 5' setback on the west would create poor alignment within the existing driveway and move the structure closer to the existing well.
4. There were no objectors.

5. The existing garage is extremely difficult to use because of a sharp turn.
6. Moving the garage will reduce the south side encroachment.

The motion carried by a vote of 5 -0.

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

Judith Bell was not seated and Edward Gromada and Marcy Coleman were absent.

NEW BUSINESS

O'Reilly

A motion was made by Dean Wagner and seconded by Joseph Logan to grant the request of Paul O'Reilly, whose property is located at 76 Clinton Ave., and further identified as Assessor's Plat 9, Lot 193 for a variance from Article 6, Section 82-607 Variances and Article 3, Section 82-302 Table 3-2 setbacks to install a 10 x 14 shed 4 ft. from both side yards where 7 ft. is required on a corner lot.

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:

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 R8 zone and contains 11,325 sq. ft.
2. There is no functional basement in the house and there is a need for storage for a family of 4.
3. The north/west corner of the property is the only viable place to put a shed for storage.
4. Complying with the setback requirements would move the shed too close to the existing house and block the flow of the house and emergency access.
5. Abutting neighbors approve of the placement of the shed.

6. No one spoke in opposition to the application.

The motion carried by a vote of 5 -0.

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

Terence Livingston was recused and Edward Gromada and Marcy Coleman were absent.

ADJOURNMENT

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

The motion carried unanimously.



**Town of Jamestown
Tax Assessor**

**93 Narragansett Avenue
Jamestown, RI 02835**

**Phone: 401-423-9802
Email: cbrochu@jamestownri.net**

To: PRESIDENT, JAMESTOWN TOWN COUNCIL

From: JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS/ADDENDA OF TAXES FOR THE **OCTOBER 2, 2017** MEETING

MOTOR VEHICLE ABATEMENTS TO 2017 TAX ROLL

#02-0623-83M Bestermann, Erica Eileen	Motor Vehicle- soldier / sailor exempt	\$272.05
#04-0166-80M Davis, Thomas	Motor Vehicle- soldier / sailor exempt	\$48.57
#03-0480-05M Cavanh, Somchanh	Motor Vehicle- soldier / sailor exempt	\$265.89
#08-0559-15M Hinsvark, Lorelei	Motor Vehicle- soldier / sailor exempt	\$406.15

REAL PROPERTY/TANGIBLE ABATEMENTS TO 2017 TAX ROLL

#18-0604-82 Robin, Richard & Loretta	Plat 11, Lot 3, updated field card	\$1,434.01
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ADDENDA TO 2017 TAX ROLL

#07-0665-00 Goodrow, Richard	Plat 12, Lot 107 –New Construction – Prorated 172 days – New value \$294,000	\$57.13
#19-1252-50 Sommers Family Trust	Plat 2, Lot 97- New Construction-Prorated 160 days – New value \$3,086,800	\$1,754.59
#20-0544-20 Trinque, Brian & Anne	Plat 9, Lot 344- New Construction - Prorated 149 days - New value \$575,100	\$1,093.78
#22-0309-77 Vipperman, Patricia & Joseph	Plat 8, Lot 396 – New Construction-Prorated 142 days – New Value \$1,580,900	\$494.24

ADDENDA TO 2017 MOTOR VEHICLE TAX ROLL

#01-0035-50M Acar Leasing Ltd	Incorrectly sent to Providence	\$404.99
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TOTAL ABATEMENTS	\$ 2,426.67
TOTAL ADDENDA	\$ 3,804.73

RESPECTFULLY SUBMITTED,

Christine Brochu

CHRISTINE BROCHU,
TAX ASSESSOR

TOWN OF FOSTER RHODE ISLAND

RESOLUTION 2017-08

A RESOLUTION TO OPPOSE HB 6023 RELATING TO ANIMAL HUSBANDRY – UNLAWFUL CONFINEMENT OF A COVERED ANIMAL

WHEREAS, at the regular meeting of the Foster Town Council held on Thursday September 14, 2017, in the Foster Town House, at which time a quorum of the Council was present and acting throughout; and

WHEREAS, the Foster Town Council finds that the enactment of proposed legislation HB 6023 will have a detrimental effect on the Town of Foster and Foster residents as the proposed bill would effectively put the largest private employer in the Town of Foster out of business; and

WHEREAS, the Foster Town Council finds that the proposed legislation HB 6023 will place an unfair burden on Little Rhody Farms, a family run business in operation in the Town of Foster since 1955; and

WHEREAS, the Foster Town Council finds that the intent and purpose of the proposed legislation, animal welfare, as it pertains to “shell eggs” has already been addressed by the current Rules and Regulations Governing Livestock Welfare, as adopted and enforced by DEM since 2016. That these rules and regulations were compiled by the Livestock Welfare Council, a council created by the General Assembly, to specifically address animal welfare; and

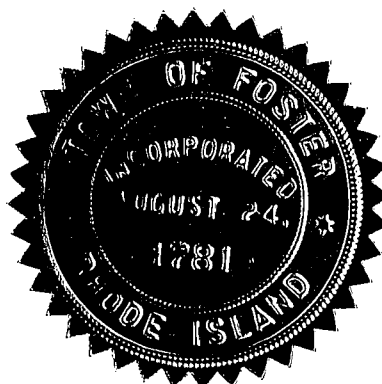
WHEREAS, the Rules and Regulations created by the Livestock Welfare Council and adopted by DEM provide Little Rhody Farms, and other locally owned and operated farms, a reasonable period of time to convert certain industry practices to meet newly imposed standards. This will ensure that local farms are able to remain in business while updating their practices.

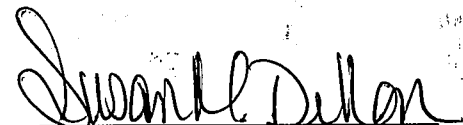
NOW THEREFORE, BE IT RESOLVED, that a copy of this Resolution be forwarded to Senator Kettle and Representative Chippendale respectfully requesting that they oppose the proposed legislation.

BE IT FURTHER RESOLVED, that the Foster Town Council respectfully request that the Rhode Island General Assembly oppose the Proposed Legislation An Act Relating to Husbandry – Unlawful Confinement of a Covered Animal.

This resolution shall take effect upon passage.


Denise L. DiFranco
Town Council President




Susan M. Dillon, Town Clerk
Dated this September 14, 2017