



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Tuesday, January 2, 2018
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/2018-meetings-minutes/2018-meetings>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Presentations

- 1) Swearing-in ceremony for new Jamestown Police Officers - Administration of the Oath, Presentation of Certificates, and Pinning of Badges: Police Chief Edward A. Mello, Town Council President Kristine S. Trocki and Town Administrator Andrew E. Nota
 - a) Nathaniel Schaffer
 - b) Matthew Andrade
 - c) Chad Specht

B) Proclamation

- 1) No. 2018-01 Honoring the Jamestown Fire Department

V. PUBLIC HEARINGS, LICENSES AND PERMITS

All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.

- A) Public Hearing
 - 1) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 82 Zoning, Article 3. Application of District Regulations, Sec. 82-301 Uses and Districts, Table 3-1 Permitted Uses, VI. Commercial Retail; Miscellaneous Retail No. 14 Marijuana growing, processing, cultivating, testing, and sales, including but not limited to: Marijuana Compassion Center; Licensed Marijuana Cultivator; Marijuana Processing and Testing; Marijuana Wholesale and Retail Sales (Excludes State Medical Marijuana Program for Individual Qualified Patient Cardholder, Primary Caregiver, and Licensed Medical Marijuana Cooperative) (new); duly advertised in the *Jamestown Press* December 14th, December 21st, and December 28th editions; review, discussion and/or potential action and/or vote

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
 - 1) Mary Lou Sanborn – Library Renovations update
- B) Non-scheduled request to address

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

- A) Town Administrator’s Report: Andrew E. Nota
 - 1) Coyote Management
 - 2) Budget Development Process
 - 3) Municipal Solar Project Feasibility

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) Jamestown Tree Warden, pursuant to RIGL §2-14-2; annual appointment; review, discussion and/or potential action and/or vote
 - 1) Letter of interest for reappointment
 - a) Steve Saracino
 - 2) Letter of recommendation for reappointment
 - a) Jamestown Tree Preservation and Protection Committee
- B) Town sidewalk obstructions; review, discussion and/or potential action and/or vote
- C) Crosswalk at Mt. Hope Avenue; review, discussion and/or potential action and/or vote

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

- A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote
- 1) Beavertail State Park Advisory Board Member (one vacancy with a three-year term expiring December 31, 2020)
 - a) Term expiring for Suzann Andrews
 - b) Letter of interest for reappointment
 - i) Suzann Andrews
 - 2) Jamestown Conservation Commission Member (one vacancy with a three-year term expiring December 31, 2020)
 - a) Term expiring for Bruce DiGennaro
 - b) No applicants
 - 3) Jamestown Harbor Commission Member (one vacancy with a three-year term expiring December 31, 2020 and one unexpired three-year term expiring December 31, 2018)
 - a) Term expiring for Clifford Kurz (resigned)
 - b) Letter of resignation for the unexpired term
 - i) Joseph McGrady (Commercial Mooring Operator)
 - c) No applicants
 - 4) Jamestown Juvenile Hearing Board (one vacancy with a three-year term expiring December 31, 2020)
 - a) Term expiring for Susan Earley
 - b) Letter of interest for appointment
 - i) Jill Harrison
 - 5) Jamestown Zoning Board of Review (one unexpired five-year term expiring December 31, 2018)*
 - a) Letter of resignation
 - i) Richard Cribb
 - b) Appointment of 1st Alternate to Member
 - i) Edward Gromada
 - c) Appointment of 2nd Alternate to 1st Alternate
 - i) Marcy Coleman
 - d) Appointment of 3rd Alternate to 2nd Alternate
 - i) Judy Bell
 - e) Letters of interest for appointment (3rd Alternate)
 - i) Steven Ceceri
 - ii) James King
 - iii) Lisa Hough

*Zoning Board Members first serve as Alternates and then move up to Member

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 Town Council Minutes

- 1) December 11, 2017 (work session)
 - 2) December 11, 2017 (regular meeting)
 - 3) December 11, 2017 (executive session)
- B) Abatements/Addenda of Taxes
- Total Abatements: \$52,447.81 Total Addenda: \$52,407.44
- 1) Real Property/Motor Vehicle/Tangible Abatements to 2017 Tax Roll

<u>Account/Abatement Amount</u>	
a) 06-0500-29	\$ 5,978.08
b) 07-1024-15	\$ 3,212.08
c) 10-0052-50	\$ 490.37
d) 12-0934-77	\$ 5,981.54
e) 13-0498-51	\$18,494.38
f) 13-1960-50	\$ 3,249.31
g) 15-0221-01	\$ 4,950.14
h) 18-0835-50	\$ 1,548.15
i) 19-0676-49	\$ 3,949.18
j) 19-1509-25	\$ 4,594.58
 - 2) Real Property/Motor Vehicle/Tangible Addenda to 2017 Tax Roll

<u>Account/Abatement Amount</u>	
a) 01-0262-20	\$ 3,212.08
b) 04-0852-00	\$ 4,950.14
c) 07-0614-75	\$ 5,981.54
d) 08-0609-10	\$ 450.00
e) 12-0068-25	\$ 3,249.31
f) 13-1960-50	\$ 3,949.18
g) 13-2281-50	\$18,494.38
h) 14-0410-05	\$ 1,548.15
i) 18-0604-82	\$ 5,978.08
j) 22-0124-50	\$ 4,594.58

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

- A) Communications
- 1) Letter of ACLU re: proposed Zoning Ordinance amendment regulating marijuana sales and uses
 - 2) Memorandum of the Conservation Commission recognizing past Chair Maureen Coleman
 - 3) Letter of Arnold-Zweir Post 22 American Legion and Jamestown VFW Post 9447 expressing appreciation for the Town's efforts on behalf of the two Veterans Day events and acknowledging Town Administrator Nota, Parks and Recreation Director Wade and Recreation Supervisor Hagie for their support
 - 4) Letter of RI Ethics Commission announcing Public Workshop on February 6, 2018 to explore amendments to its procedural regulations and requesting posting of the workshop Notice

- 5) Letter of RIDOT re: proposal to construct and operate toll systems at Toll Locations 3, 4 and 6 through 13 along major highway corridors
- 6) Letter of Beavertail Lighthouse Museum Association thanking the Council for the donation to the Matching Gift Campaign

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Town Council Goals and Objectives Update (January 16)
- B) Public Works Department Report (January 16)
- C) FY 2017 Audit Report
- D) Planning Department/Planning Commission/Affordable Housing Committee Reports (February)
- E) RI Turnpike and Bridge Authority Solar Array Project
- F) Interviews/Appointments/Reappointments/Vacancies for Town Boards/Commissions/Committees

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. In addition, notice also may be posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

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 December 28, 2017



Town of Jamestown

Town Clerk's Office

Town Hall

93 Narragansett Avenue

Jamestown, Rhode Island 02835-1199

401-423-9800 Fax 401-423-7230

Email: cfernstrom@jamestownri.net

Cheryl A. Fernstrom, CMC

Town Clerk/Probate Clerk

PUBLIC HEARING NOTICE TOWN OF JAMESTOWN

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on **January 2, 2018 at 7:00 p.m.** at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Jamestown Code of Ordinances. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study, or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment, Exhibit A, is available for review and/or purchase at the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

Section 1. The Town Council of the Town of Jamestown hereby ordains that the Jamestown Zoning Ordinance, as the same may have been heretofore amended, is hereby amended.

The following is a summary description of the proposed amendment:

To amend Chapter 82 Zoning Ordinance Article 3 Application of District Regulations, Sec. 82-301 Uses and Districts, Table 3-1 Permitted Uses, VI. Commercial, Retail; Miscellaneous Retail No. 14 (new) to regulate marijuana growing, processing, cultivating, testing and sales.

Section 2. This amendment shall take effect upon its passage.

A copy of the entire amendment, Exhibit A, as proposed, is available for review at the Jamestown Philomenian Library, 26 North Road; Jamestown Town Hall, 93 Narragansett Avenue; and online at www.jamestownri.gov.

This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call the Town Clerk at 401-423-9800 or facsimile at 401-423-7230 not less than 3 business days prior to the meeting.

FOR ADVERTISEMENT IN THE JAMESTOWN PRESS: December 14th, December 21st, and December 28th editions.

**PUBLIC HEARING NOTICE
TOWN OF JAMESTOWN**

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on **January 2, 2018 at 7:00 p.m.** at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding Chapter 82 - Zoning. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review and/or purchase at the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

Section 1. The Jamestown Code of Ordinances, Chapter 82, Zoning, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~striketrough~~ are to be deleted from the ordinance; words underlined are to be added to the ordinance.

See Exhibit A, attached hereto and incorporated herein by reference.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 82 of the Town of Jamestown's Code of Ordinances.

Section 3. This Ordinance shall take effect upon its passage.

Ad Date(s): December 14, 21, and 28, 2017

Publication Source: Jamestown Press

Hearing Date: January 2, 2018

Action: _____

Certified: _____

EXHIBIT A

Sec. 82-301. - Uses and districts.

Table 3-1
Permitted Uses

Add the following provisions to Table 3-1, Commercial, Retail

Use	District											
	P	OS-I**	OS-II**	RR-200	RR-80	R-40	R-20	R-8	CL	CD	CWe CWw *****	DC
<u>G. Miscellaneous Retail</u>												
<u>14. 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 State Medical Marijuana Program for Individual Qualified Patient Cardholder, Primary Caregiver, and Licensed Medical Marijuana Cooperative).*</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

*Uses as defined in RIGL Section 21-28.6-3

TITLE 2

Agriculture and Forestry

CHAPTER 2-14

Tree Wardens

SECTION 2-14-2

§ 2-14-2. Appointment by town council or city mayor.

Every town council at its regular meeting in January of each year, and the mayor of every city on or before February 1 each year, shall appoint a tree warden who is, or who within six (6) months of his or her assuming office, becomes an arborist, licensed under chapter 19 of this title, to engage in the business or practice of all phases of tree care, including, but without limiting the generality to the planting, pruning, trimming, spraying, or repairing of fruit, shade, forest and ornamental trees and shrubs.

History of Section.

(P.L. 1931, ch. 1763, § 1; G.L. 1938, ch. 225, § 1; impl. am. P.L. 1952, ch. 2973, § 4; G.L. 1956, § 2-14-2; P.L. 1962, ch. 150, § 1; P.L. 1966, ch. 173, § 1; P.L. 1994, ch. 149, § 1; P.L. 1999, ch. 259, § 1; P.L. 1999, ch. 317, § 1; P.L. 2000, ch. 78, § 1; P.L. 2000, ch. 450, § 1.)

November 30, 2017

Andrew Nota
Town Administrator
93 Narragansett Avenue
Jamestown RI, 02835

RE: TREE WARDEN REAPPOINTMENT

Dear Mr. Nota,

At this time, I would like to respectfully request to be reappointed as Tree Warden for the Town of Jamestown, Rhode Island. I have enjoyed my tenure in the position and look forward to having the opportunity to continue. As Tree Warden, and with assistance from the Tree Preservation and Protection Committee, we have consistently identified and completed important projects that have benefited the Town of Jamestown and its residents. We have also been successful in receiving yearly grant assistance that have funded all of our identified projects to date and continue to be recognized as a Tree City USA Community.

Note-worthy projects to date:

- 1) Designing and re-vegetating areas at the Jamestown Transfer station.
- 2) The designing of proposed areas at Fort Getty for plantings.
- 3) The continued management of Jamestown's sustainable Town Tree Nursery for Jamestown's residential planting program.

Upcoming identified projects include continued Town-wide tree planting projects, comprehensive Town-wide tree management/maintenance programs, and assisting with the development and restoration of areas at Taylor Point and Fort Getty. Potential future grant requests and assistance will be specific to these projects.

In closing, I would welcome the opportunity to be re-appointed as Jamestown's Tree Warden and to continue to meet the Town of Jamestown and its resident's high expectations.

Sincerely,

Steven Saracino
Tree Warden
Jamestown, RI 02835

Jamestown Tree Protection and Preservation Committee

Jamestown Town Council
Cheryl Fernstrom, Town Clerk
Jamestown, RI 02835

December 15, 2017

Dear Members of the Jamestown Town Council:

At the Jamestown Tree Protection and Preservation Committee's meeting on December 12, 2017, the committee voted unanimously to recommend the reappointment of Steven Saracino for the position of Tree Warden for the Town of Jamestown for 2018.

Throughout 2017, Mr. Saracino has worked tirelessly on the committee's issues, and topics of interest and concern. His 2017 accomplishments include, but are not limited to:

- Delivery of progress milestones and goal achievements at Taylor Point necessary to receive the full 2017 America the Beautiful grant funding.
- Diligent collaboration and follow-up with a resident donor regarding a major tree planting and enhancement of the road to Fort Getty.
- Revision of landscaping plans and successful sourcing of trees for the transfer station, at which trees have been planted.
- Prompt follow-up with Jamestown residents regarding questions and requests about tree work and/or permits.
- Enhancing our town tree nursery so that it serves as a valued resource from which townspeople can purchase trees.

On behalf of the Tree Committee, I can say that Mr. Saracino has made himself available at any time the committee has needed his knowledge and input. The Tree Committee applauds Mr. Saracino's professionalism, accountability and timeliness, and feels his continuation as Tree Warden is highly beneficial to the Tree Committee and the town.

Sincerely,

Elaine Peterson
Chairperson

TOWN COUNCIL WORK SESSION
December 11, 2017

I. CALL TO ORDER

The Joint Jamestown Town Council and School Committee Pre-Budget Work Session was called to order at 5:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue by Council President Trocki.

II. ROLL CALL

Town Council Members present:

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

Town Council Members absent:

Kristine S. Trocki, President

School Committee members present:

Bruce J. Whitehouse
Sarah R. Baines
Agnes C. Filkins
Sally F. Schott
Dorothy S. Strang

Also present:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Kenneth A. Duva, School Superintendent
Jane Littlefield, Director of Finance
Erica B. Dickson, Director of Student Services
Nate Edmunds, Lawn School Principal
Carol Peterson, Melrose School Principal
Samira Hakki, Director of Technology
Peter Anderson, Director of Facilities Maintenance
Representative Deborah Ruggiero
Senator Dawn Euer
Cheryl A. Fernstrom, Town Clerk

III. JOINT TOWN COUNCIL AND SCHOOL COMMITTEE WORK SESSION
Review and Discussion of budget issues for the remainder of the current fiscal year (July 1, 2017 to June 30, 2018) and pre-budget review and discussion of issues for the next fiscal year (July 1, 2018 to June 30, 2019) pursuant to RIGL §16-2-21

Town Council and School Committee members and Administrative staffs were referenced. School Committee Chair Whitehouse noted the FY 2019 Preliminary Budget presentation distributed by Superintendent Duva for discussion.

FY 2019 School Department Budget Process

Superintendent Duva reviewed the budget process and noted 65% of the school budget is salaries and benefits and the school district employs zero based budgeting. Discussion involved the areas considered in development of the budget designed to fund the expenses required to provide a high quality education based on academic and social and emotional needs of all students pre-K through 12 as follows:

- Projected enrollment
- Federal and State Mandates
- Achieving Goals
- Curriculum and materials
- Research and support for 21st century learning
- Prioritizing Professional development

Factors Contributing to our Need for Budget Fluidity

- Transient student population
- Enrollment changes
- Specific needs of new students – high schools, special education, charter schools, tuitions

Discussion involved tuitions, contracts and transportation.

Zero Based Budgeting – all expenses must be justified for each new period

- Continual improvements = continual change = need for budget fluidity
- Fluidity – as needs change so may allocations for staffing, program, and instructional materials and technology

Discussion involved the needs for budget fluidity, highlighting the foreign language studies for grades K-4 and use of Chrome books in the classroom.

Education Reform and Revisions – mandates

- New guidelines from the Every Student Succeeds Act (Federal)
- Increasing requirements for data collection, analysis and reporting
- Continuing status as commended schools
- Continuing Common Core State Standards
- Development of effective teaching of guaranteed and viable curricula
- New State assessments/RI Science Assessment
- Integration of Technology

Discussion involved mandated programs, required teachers and salaries, grants, and upcoming mandated requirements, standards, and grading of achievements with implementation of ESSA. Discussion ensued of Jamestown's proficiency level, regional

approaches to providing services, the cost of services, compliance, and the cost of high standards and reimbursements.

Major Cost Factors

- Mandates – State and Federal
- Tuitions – NK, Narragansett, Charter schools, Out of District
- Transportation
- Salaries and Benefits
- Facility operations
- Capital budget and school construction

Discussion involved the projected high school enrollment of 160 – 30 at Narragansett and Charter Schools, the rest at North Kingstown – and Pre-K to 8 at 190. Discussion involved transportation services, RIDE requirements, and the upcoming contract negotiations with First Student Transportation. Lengthy discussion involved the School Infrastructure Task Force and the Jacobs Report and assessment for Jamestown's Schools estimated at \$16 million, reviewed with our architect (RGB) and reduced to \$8 million, with a goal to keep school facilities safe, warm and dry (infrastructure). Discussion ensued of priorities (asbestos remediation, ADA compliance, energy efficiency) and capital budget funding. The School District Building Committee is reviewing the deficiencies, costs and projects. Jamestown is estimated at a 35% reimbursement from the State for infrastructure improvements outlined in the Jacobs Report. Lengthy discussion continued including the State budget and funding of reimbursements.

Unknowns for FY18-19

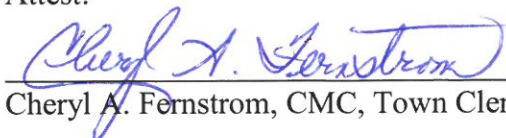
Unknowns for the upcoming school year were noted.

Operating Budget History

Superintendent Duva reviewed the budget history and increases and decreases for FY 2013 through FY 2018, including operating budgets and capital budgets. Discussion ensued of surplus funds and allocation, OPEB obligations and funding, and pension funding.

Adjournment. There being no further business to discuss, the work session was adjourned at 6:27 p.m.

Attest:


Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor

**TOWN COUNCIL MEETING
December 11, 2017**

I. ROLL CALL

Town Council Members present:

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

Town Council Member absent:

Kristine S. Trocki, President

Also in attendance:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Michael C. Gray, Public Works Director
Edward A. Mello, Police Chief
Lisa W. Bryer, Town Planner
Wyatt A. Brochu, Town Solicitor
Denise Jennings, Water Clerk
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council Vice President White called the regular meeting of the Jamestown Town Council to order at 6:38 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 6:38 p.m. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:47 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

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

A) Acknowledgements

- 1) David J. Long, Jamestown Town Council Member 1999-2007;
Town Council President 1999-2001, 2005-2007

Councilor Meagher reflected on David J. Long who passed away on Thursday, December 7th, and today would have been his 65th birthday. David was a great guy, a genuine friend

to so many people, and so funny. He had been a self-proclaimed “sit-down” comedian, a rock star, and a multi-talented musician. His service to the Town included four terms on the Town Council, 1999-2007, serving as President his 1st and 4th term, and President of the Friends of the Library. David was an effective, decisive Town Councilor and the essential component in resolving the highway barn issue, getting the Town Hall planned and built, the 1st President to preside in this Chamber, and very supportive of Town employees and their initiatives. David was clear and straightforward and hated to waste time, which made the job grueling for him at times, and he was always honest. He loved this Town, knew everybody and everybody knew him, and though we know the position doesn't exist, he was the Mayor of Jamestown long after he stopped being President of the Town Council and until the day he died. He will be sorely missed.

Vice President White asked for a Moment of Silence. Thank you David Long, may you Rest in Peace.

- 2) Letter of Appreciation for Rhode Island Turnpike and Bridge Authority; review, discussion and/or potential action and/or vote

Councilor Meagher read the draft letter of appreciation addressed to Governor Raimondo, Speaker Mattiello and Senate President Ruggiero, with a copy to RITBA to thank them for a job well done.

A motion was made by Councilor Meagher with second by Councilor Dickinson to send the letter to the Governor, House Speaker, and Senate President as well as the folks at Turnpike and Bridge. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

B) Resolutions and Proclamations

- 1) No. 2017-17: Honoring the Jamestown Fire Department; review, discussion and/or potential action and/or vote

Continued to the January 2, 2018 Town Council Meeting agenda.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

A) Public Hearings

A motion was made by Councilor Meagher with second by Councilor Dickinson to move into Public Hearing at 6:54 p.m. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 1) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 82 Zoning, Article 3. Application of District Regulations, Sec. 82-308 Setback from Freshwater Wetlands; duly advertised in the *Jamestown Press* November 16th, November 23rd and November 30th editions; review, discussion and/or potential action and/or vote

Town Planner Lisa Bryer referenced her October 31st memorandum regarding the Planning Commission's October 18, 2017 public meeting to consider a proposed amendment to the Jamestown Zoning Ordinance relating to the Setback to Freshwater Wetlands. The Planning Commission voted to approve the Zoning Ordinance Amendment and forward it to the Town Council for public hearing and action.

Planner Bryer gave the history of Zoning Ordinance Section 82-308 and the 150 foot setback to freshwater wetlands enacted in 2000. In the 2015 Legislative Session Senate Bill 0737 Substitute B was enacted and State law and the Zoning Enabling Act were revised requiring RIDEM and RICRMC to adopt statewide standards for freshwater wetland buffers and setbacks by July 10, 2016. The new law prohibits municipalities from adopting freshwater wetland setbacks in coastal areas that are more stringent than the State requirement. Though not completed, RIDEM has draft regulations under review. The proposed amendment to Section 308 with the language "Unless authorized and permitted by the Department of Environmental Management Office of Water Resources through the RIDEM permitting process" will ensure Jamestown's Zoning Ordinance complies with the amended State law and upcoming regulations. When the law is passed Section 308 will be repealed.

Public Comment. None.

A motion was made by Councilor Meagher with second by Councilor Mihaly to approve this amendment to the Jamestown Zoning Ordinance. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 2) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 82 Zoning, Article 3. Application of District Regulations, Sec. 82-301 Uses and Districts, Table 3-1 Permitted Uses, VI. Commercial Retail; Miscellaneous Retail No. 14 (new); duly advertised in the *Jamestown Press* November 16th, November 23rd and November 30th editions; review, discussion and/or potential action and/or vote

The proposed amendment to Table 3-1 Permitted Uses deals with the commercial retail growing, processing, cultivating, testing and sales of marijuana. The amendment would prohibit the process in any zoning area. Town Planner Lisa Bryer gave a history of the ordinance amendment including the March 20, 2017 presentation by Assistant Attorney General Joe Lindbeck on the State Medical Marijuana Program and lessons learned from other states. On June 19th the Town Council enacted Resolution No. 2017-13 "Establishing a Temporary Moratorium on Applications and Permitting for Marijuana Cultivation, Processing, Distribution and Sales" and directed the Planning Commission to review the Code of Ordinance provisions concerning marijuana and provide recommendations to regulate this activity. The Planning Commission held five public meetings to consider proposed amendments to the Jamestown Zoning Ordinance related to Marijuana Uses. Based on information from the Town Planner, Police Chief, Town Solicitor, public

comment, review of materials and the video of the March 20th presentation, the Planning Commission approved and recommended Town Council adoption of the Zoning Ordinance amendment to Table 3-1 for commercial operations. Discussion ensued of individual use of medical marijuana and the residential cooperative and the December 8th letter to the Town Council from the ACLU objecting to the proposed ordinance. Discussion continued of the marijuana cooperatives and what is allowed. Planner Bryer reviewed revisions to the proposed amendment to Table 3-1 to give more specificity to allow licensed marijuana cooperatives, recognizing the State Medical Marijuana Program. Lengthy discussion ensued.

Town Administrator Nota reflected on the Town departments that would be affected by the regulations. Chief Mello addressed the permitted uses with the amendment proposed this evening. The Medical Marijuana Program is administered through the Department of Health and the patients, cooperatives, and patients are licensed through the Department of Health. The Police Department does background checks on applicants, but does not do inspections. Licensed growers can only grow what patients are going to use and surplus marijuana from coops is no longer allowed to be sold to compassion centers. The intent of this amendment is a commercial wholesale grower who is not associated with specific patients. The ACLU concern was restriction on the growing of medical marijuana.

Town Administrator Nota reflected there is a technicality with the posting language on the agenda. The notice for the public hearing and advertising had specific language detail reflecting the topic, but the agenda posting with the Secretary of State has insufficient content and does not reflect marijuana. Mr. Nota reviewed the options: To take no action this evening and continue the public hearing, correct the posting, and re-post completely with proper notice. The Moratorium expires at the end of December, the next meeting is January 2nd and there are no pending applications or permits. The Council could complete the public hearing and take a vote at the January 2nd meeting. Council members note with the agenda language deficiency and the amendments to the ordinance language suggested this evening, it would be clearer to continue to January 2nd to alleviate any concerns. Solicitor Brochu recommended taking no action and continuing the public hearing to the January 2nd meeting.

A motion was made by Councilor Dickinson with second by Councilor Mihaly to continue the public hearing to the first meeting in January. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

Michael Cochran of North Road, Planning Commission Member, expressed concern that anyone here this evening who wished to make comments and could not attend the January 2nd meeting would have the opportunity to speak. Mr. Cochran was informed that the next agenda item is Open Forum and anyone who wished to comment could do so then.

A motion was made by Councilor Dickinson with second by Councilor Meagher to close the hearing at 7:18 p.m. President Trocki, Absent; Vice President White, Aye;

Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

VI. OPEN FORUM

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

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

- A) Town Administrator's Report: Andrew E. Nota
 - 1) RI School Infrastructure Task Force

Town Administrator Nota stated much of Item 1) was covered during the work session with the School Committee. The last Task Force meeting is on Wednesday, at which time the Task Force will finalize recommendations to be presented to the Governor for consideration by the Legislature in the upcoming session. This is a follow-up to the report prepared by RIDE and advertised statewide dealing with community reimbursement percentages based on school infrastructure ranging from 35% to 96%, with Jamestown slated for 35%. There is a push to bring all school districts facility condition and educational environment up to speed. The recommendations will be forwarded to Council members after Wednesday.

Councilor Dickinson asked if the Legislature has earmarked money in any proposed budget to cover the anticipated reimbursements. Mr. Nota stated no, and the only thing budgeted is the \$80 million in the State budget for pay-as-you-go expenses. The State of RI has a bonding capacity of \$1.2 billion over the next 10 years; the Task Force recommendation is over the next 10 years the State commit \$500 million of that bonding capacity to K-12 infrastructure improvements. That, in addition to the \$80 million, will not cover all our needs but will get us through Priorities 1 and 2 making our school systems safe, warm and dry.

Councilor Dickinson asked if we will be going through this exercise again in another 10 years. Mr. Nota stated yes. Councilor Dickinson asked if we should be looking at other alternatives more prudent for Jamestown over a longer period. Mr. Nota stated yes, and the platform for that discussion will be at the upcoming School Committee meetings.

- 2) CMS East Ferry Improvements

Mr. Nota reviewed the four projects at East Ferry, including relocation of the fuel dock, removal of the fuel tanks in Veterans Square, replacement of finger piers on the North Basin, and installation of floating docks and ADA accessible ramp system to support ferry service along the southern side of the wood pile pier. Some of the projects will require a lease amendment prompting an administrative recommendation from the Town Administrator to the Council. The Planning Commission completed their review and support the enhancements to the ferry service access and this will be heard by the Harbor

Commission on Wednesday, and then back before the Council with a recommendation. Discussion continued.

3) Sheffield Cove

Mr. Nota reported Public Works is completing installation of the experimental water filtering system on Maple Avenue funded through the \$118,200 grant from the Southeast New England Water Quality Grant Program. The concrete panel installation reestablishing the road surface should commence on Wednesday. The local match of in-kind services for the grant amount to \$40,010. Public Works Director Gray reported on the drainage study conducted using capital funding to improve water quality at Sheffield Cove. The main cause for pollution is wildlife bacteria and the potential solution is an innovative storm water treatment to intercept water in the drainage system channeled to the outhaul at Sheffield Cove. The roadway was excavated with sand, stone, and pipe, with surface water passing through the porous slabs, draining into the system, and intercepting the swale so storm water passes through the system, percolates, and passes through the drainage pipe into the Cove. Once installed there will be 30 months of sampling to measure long-term bacteria trends to evaluate the system's effectiveness. Results will be presented to RIDEM to determine if Sheffield Cove can be reopened to shell fishing.

4) Finish Paving Schedule

Mr. Nota reported final road paving for the season was scheduled and completed last week, including the parking area adjacent to the Playground. Questions or concerns of residents can be addressed to Mr. Nota or Mr. Gray.

5) Jamestown Tax Payer Association: State Inquiry regarding possible Legislative change in the Budget Process

Mr. Nota reported a Department of Revenue representative contacted the Town, prompted by a Tax Payer Association inquiry regarding information pertinent to the Charter and Legislation that regulates the Town's budget approval process and seeking alternatives on how an individual or organization could seek independent legislative action to alter the Town budget approval process through an independent legislative action. The Town provided RIDOR with legislative information to be forwarded to the appropriate party. Any such change would require legislative approval to alter the Public Laws. However, it is very unlikely this would go forward if there isn't Council support for such an action. In the near future the Town Administrator will work with Town Moderator Murphy to improve and clarify the process guideline used by the Moderator in managing the FTM.

6) State TIP Inquiry.

Town Administrator Nota and Town Planner Bryer met with a RIDOT Division of Planning representative and consultant Fuss & O'Neill to discuss the design study of the Jamestown Bridge and Ice Road Bike path project included in the Statewide Transportation Improvement Program (TIP). There was no commitment to fund the projects, but a commitment was made to further develop plans associated with a network of cross island paths that may eventually link to the bridge. They will continue to work with RIDOT to see where our request stands to support the development of one or more of the proposed

connectors.

7) Business Licensing

Mr. Nota reported all business licenses in the Town were determined to be in good standing, except for a few Holiday issues, and our businesses are operating.

8) Municipal Police Academy

Mr. Nota announced that the Town's three police candidates are scheduled to graduate from the Municipal Police Training Academy on Friday December 15th at the CCRI Flanagan Campus in Lincoln (11:00 a.m.). They will be partnering with fellow officers for 13 weeks for the last phase of their local training.

9) National Grid Program

Mr. Nota reported he and Engineer Jean Lambert and Public Works Director Gray met with Jerry Drummond of National Grid to review energy efficiency audits, the upcoming electricity rate increase, and street lighting replacement program. Examples of the new street lights will be displayed for the public in the future. When street lights are out it should be reported to the Jamestown Police Department.

B) Jamestown Traffic Committee Report: Chair Thomas P. Tighe and Vice Chair Mary E. Meagher

Councilor Meagher noted the Traffic Committee provides a valuable service by allowing people to express concerns about issues that hit close to home, including the safety of children and crosswalks or traffic problems created by commercial vehicles in neighborhoods or parking problems in the Shores. Under Chairman Tighe's leadership the Traffic Committee reviews concerns and makes recommendations to the Council, providing a thorough review and background information and support to assist the Council with decisions that affect the quality of life for Jamestown residents. The Traffic Committee provides a great service. Council members agreed.

Mr. Nota reported the Playground will be removed next week, as we have the excavator available. The new playground equipment has been ordered, will be delivered in February, and installed in the spring.

VIII. UNFINISHED BUSINESS

A) License Renewal updates. Addressed previously.

B) Upcoming Meetings and Sessions – dates and times

Mr. Nota reports Town Council meetings for January are Tuesday, January 2, 2018 at 7:00 p.m. and Tuesday, January 16, 2018 at 6:30 p.m. Budget hearing dates will be outlined in January. Both January meetings are Tuesdays as they follow Monday holidays.

IX. NEW BUSINESS

A) Award of Bid: For one (1) new 2018 Ford F250 Truck for the Harbor Master

for an amount not to exceed \$31,237.65 as recommended by Police Chief Edward A. Mello; review, discussion and/or potential action and/or vote

A motion was made by Councilor Dickinson with second by Councilor Meagher to award the bid for \$31,237.65. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- B) RI Department of Environmental Management development of a management plan to outline the future use and public access to Dutch Island: Town of Jamestown's potential roll and involvement in the process and future shared management role; review, discussion and/or potential action and/or vote (requested by Councilor Mihaly)

Town Administrator Nota reported staff has been working with RIDEM officials regarding work conducted by the Army Corps of Engineers at Dutch Island over the last two years. Councilor Mihaly reports the work on Dutch Harbor has been mostly completed and this is a case where each party expects the other party to do something. The sooner the Town has access to Dutch Island the better. Mr. Nota reported the Town can wait to move forward or be the initiator of action to promote public access. It will take some time for the State to develop a management program for Dutch Island. If the Council wants to begin discussions, he will put together a group of senior members of Town staff to reach out to RIDEM to begin that process. The Council could then determine how much of a role they would like town staff to take. Discussion continued on potential initiatives and sharing of costs. Councilor Mihaly feels an internal discussion and initiative by the Town would be useful so this does not languish.

A motion was made by Councilor Mihaly with second by Councilor Dickinson to have Town Administration initiate internal and, when appropriate, external discussions pertinent to the utilization of Dutch Island. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

- A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote
- 1) Beavertail State Park Advisory Board Member (one vacancy with a three-year term expiring December 31, 2020)
 - a) Term expiring for Suzann Andrews
 - i) No applicants

Interested citizens are urged to contact the Town Clerk.

- 2) Jamestown Conservation Commission Member (two vacancies with three-year terms expiring December 31, 2020)
 - a) Terms expiring for Bruce DiGennaro and Ken Schadeegg
 - b) Letter of interest for reappointment

- i) Ken Schadegg

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

- 3) Jamestown Harbor Commission Member (two vacancies with three-year terms expiring December 31, 2020
 - a) Terms expiring for J. William W. Harsch and Clifford Kurz
 - b) Letter of interest for reappointment
 - i) J. William W. Harsch
 - c) Letter of resignation
 - i) Clifford Kurz

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

The Clerk will send letters of thanks to Clifford Kurz and Bruce DiGennaro for their service to the Town.

- 4) Jamestown Housing Authority Commissioner (one vacancy with a five-year term expiring December 31, 2022)
 - a) Term expiring for Barbara Szepatowski
 - b) Letter of interest for reappointment
 - i) Barbara Szepatowski
 - c) Letter of interest for appointment
 - i) Steven Ceceri

There is also a letter of support for Barbara from the Housing Authority Chair.

A motion made by Councilor Mihaly with second by Councilor Meagher to reappoint Barbara Szepatowski. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 5) Jamestown Juvenile Hearing Board (two vacancies with three-year terms expiring December 31, 2020)
 - a) Terms expiring for Gary Cournoyer and Susan Earley
 - b) Letter of interest for reappointment
 - i) Gary Cournoyer
 - c) Letter of interest for appointment
 - i) Jill Harrison

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

- 6) Jamestown Philomenian Library Board of Trustees (three vacancies with three-year terms expiring December 31, 2020)
 - a) Terms expiring for Jennifer Cloud, Christian Infantolino and Christopher Walsh
 - b) Letters of interest for reappointment
 - i) Jennifer Cloud
 - ii) Christian Infantolino
 - iii) Christopher Walsh

A motion was made by Councilor Meagher with second by Councilor Mihaly to reappoint Jennifer Cloud, Christian Infantolino, and Christopher Walsh. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 7) Jamestown Planning Commission (three vacancies with four-year terms expiring December 31, 2021)
 - a) Terms expiring for Michael Cochran, Bernd Pfeiffer and Michael Smith
 - b) Letters of interest for reappointment
 - i) Michael Cochran
 - ii) Bernd Pfeiffer
 - iii) Michael Smith
 - c) Letters of interest for appointment
 - i) Ken Schadegg
 - ii) Richard Lynn
 - iii) Steven Ceceri

A motion was made by Councilor Dickinson with second by Councilor Mihaly to reappoint Michael Cochran, Bernd Pfeiffer, and Michael Smith. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 8) Jamestown Traffic Committee (two vacancies with three-year terms expiring December 31, 2020)
 - a) Terms expiring for Mary Meagher and Thomas Tighe
 - b) Letters of interest for reappointment
 - i) Mary Meagher
 - ii) Thomas Tighe

A motion was made by Councilor Dickinson with second by Councilor Mihaly to reappoint Mary Meagher and Thomas Tighe. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 9) Jamestown Tree Preservation and Protection Committee (two

vacancies with three-year terms expiring December 31, 2020)

- a) Terms expiring for Roger Birn and Lois Migneault
- b) Letters of interest for reappointment
 - i) Roger Birn
 - ii) Lois Migneault

A motion was made by Councilor Dickinson with second by Councilor Mihaly to reappoint Roger Birn and Lois Migneault. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 10) Jamestown Zoning Board of Review Alternates (three vacancies with one-year terms expiring December 31, 2018)*
 - a) Terms expiring for Edward Gromada (1st Alternate), Marcy Coleman (2nd Alternate) and Judy Bell (3rd Alternate)
 - b) Letters of interest for reappointment
 - i) Judy Bell (3rd Alternate)
 - ii) Marcy Coleman (2nd Alternate)
 - iii) Edward Gromada (1st Alternate)
 - c) Letters of interest for appointment
 - i) Steven Ceceri
 - ii) James King

A motion was made by Councilor Mihaly with second by Councilor Dickinson to reappoint Edward Gromada (1st Alternate), Marcy Coleman (2nd Alternate) and Judy Bell (3rd Alternate). President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

XI. CONSENT AGENDA

A motion was made by Councilor Meagher with second by Councilor Dickinson to approve and accept the Consent Agenda. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

The Consent Agenda approved consists of the following:

- A) Adoption of Town Council Minutes
 - 1) November 20, 2017 (regular meeting)
 - 2) November 27, 2017 (special meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Library Board of Trustees (10/10/2017)
 - 2) Jamestown Library Building Committee (05/23/2017)
 - 3) Jamestown Zoning Board of Review (10/24/2017)
- C) CRMC Notices
 - 1) December 2017 Calendar

2) Semi-Monthly meeting agenda for November 28, 2017

3) Semi-Monthly meeting agenda for December 12, 2017

D) Abatements/Addenda of Taxes

Total Abatements: \$55,857.23 Total Addenda: \$53,718.73

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

Account/Abatement Amount

a)	01-0565-50	\$ 4,451.21
b)	02-0129-00	\$ 4,213.17
c)	03-1036-52	\$ 3,756.29
d)	03-1610-00	\$ 4,421.01
e)	04-0775-75	\$ 940.48
f)	06-0500-30	\$ 2,721.92
g)	07-0960-00	\$ 2,609.34
h)	10-0250-00	\$10,348.78
i)	13-0971-01	4 9,033.33
j)	19-0305-15	\$10,687.33
k)	23-1090-04	\$ 2,634.37

2) Real Property/Motor Vehicle/Tangible Addenda to 2017 Tax Roll

Account/Abatement Amount

a)	04-0166-77	\$ 2,609.34
b)	04-0755-00	\$ 2,721.92
c)	04-0775-76	\$ 980.48
d)	06-0168-63	\$ 4,213.17
e)	10-0140-12	\$ 4,421.01
f)	11-0577-73	\$ 495.87
g)	13-1200-44	\$ 3,756.29
h)	18-0745-55	\$ 4,451.21
i)	19-1330-90	\$10,687.33
j)	20-0407-00	\$10,348.78
k)	21-1307-00	\$ 9,033.33

E) One Day Event/Entertainment License Application

1) Applicant: Jamestown First Day Plunge Committee/Town of Jamestown

Event: Jamestown Annual First Day Plunge

Date: January 1, 2018

Location: East Ferry Square/East Ferry Beach

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

A motion was made by Councilor Meagher with second by Mihaly 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
 - 1) Letter of Burrillville Town Council re: EFSB disregard for resolutions and letters from RI communities opposing the proposed Invenergy Power Plant in Burrillville
 - 2) Letter of Discover Newport with FY 2017 Annual Audit Report
 - 3) Letter of Secretary of State Nellie Gorbea announcing that all 39 cities and towns will conduct the 2018 elections using e-poll pads
 - 4) Letter of Quentin Anthony requesting release of past Town Council executive session minutes

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Town Council Goals and Objectives Update (January)
- B) Interviews/Appointments/Reappointments/Vacancies for Town Boards/Commissions/Committees
- C) Public Works Department Update (January)
- D) FY 2017 Audit Report (January)

Councilor Dickinson would like to add clearing of Town sidewalks to a future agenda, including tree and shrub trimming for better public access. Vice President White would like to see a sidewalk at Mt. Hope Avenue.

XIV. EXECUTIVE SESSION

- A) Executive Session Minutes of November 6, 2017; review, discussion and/or potential action and/or vote in executive session and/or open session

A motion was made by Councilor Meagher with second by Councilor Dickinson to enter into Executive Session at 7:57 p.m.

Pursuant to correction of the Executive Session Minutes of November 6, 2017 the following vote was taken: President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Councilor Mihaly, Aye.

The Council reconvened the regular meeting at 8:01 pm. Vice President White announced the Minutes were amended in Executive Session.

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

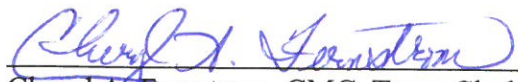
XV. ADJOURNMENT

A motion was made by Councilor Meagher with second by Councilor Dickinson to

adjourn. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

The Jamestown Town Council adjourned the regular meeting at 8:02 p.m.

Attest:



Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor



**Town of Jamestown
Tax Assessor**

**93 Narragansett Avenue
Jamestown, RI 02835**

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

To: COUNCIL PRESIDENT TROCKI, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS/ADDENDA OF TAXES FOR THE **January 2, 2018** MEETING

REAL PROPERTY/TANGIBLE ABATEMENTS TO 2017 TAX ROLL

#06-0500-29 Furtado, Jared & Justina	Plat 11, Lot 60 transferred on 12-15-2017 to Account #18-0604-82	\$5,978.08
#07-1024-15 Grover, Wayne	Plat 12, Lot 61 transferred on 12-15-2017 to Account #01-0262-20	\$3,212.08
#10-0052-50 Jamestown Press	Tangible property tax appeal – lower value after an interior inspection.	\$ 490.37
#12-0934-77 Lutes, Scott A & Coleman, Marcy	Plat 2, Lot 187 transferred on 12-21-2017 to Account #07-0614-75	\$5,981.54
#13-0498-51 Marioenzi, A. Louis	Plat 7, Lot 181 transferred on 12-15-2017 to Account #13-2281-50	\$18,494.38
#13-1960-50 Moorehead, John J & Jennifer A	Plat1, Lot 67, transferred on 12-15-2017 to Account #12-0068-25	\$3,249.31
#15-0221-01 O'Farrell, William & Drexel, Noreen	Plat 11, Lot 44 transferred on 12-8-2017 to Account #04-0852-00	\$4,950.14
#18-0835-50 Ruotolo, Lawrence	Plat 9, Lot 315, Unit F, transferred on 12-7-2017 to Account #14-0410-05	\$1,548.15
#19-0676-49 Sheehan, Kerry L	Plat 9, Lot 100 transferred on 12-15-2017 to Account #13-1960-50	\$3,949.18
#19-1509-25 Stone, Skye & Graziano, Laurel	Plat 9, Lot 268 transferred on 12-15-2017 to Account #22-0124-50	\$4,594.58

ADDENDA TO 2017 TAX ROLL

#01-0262-20 Amsden, Matthew & Ashley	Plat 12, Lot 61 transferred on 12-15-2017 from Account #07-1024-15	\$3,212.08
#04-0852-00 Drexel, Noreen E. M.	Plat 11, Lot 44 transferred on 12-8-2017 from Account #15-0221-01	\$4,950.14
#07-0614-75 Gomez, Francisco M & Barron, James M & Cristina M	Plat 2, Lot 187 transferred on 12-21-2017 from Account #12-0934-77	\$5,981.54
#08-0609-10 Hodrick, Christopher & Diane	Plat 15, Lot 56, received Veteran and Disability exemption in North Carolina	\$450.00
#12-0068-25 Lamachia, Peter J	Plat1, Lot 67, transferred on 12-15-2017 from Account #13-1960-50	\$3,249.31
#13-1960-50 Moorehead, John J & Ayvasian-Moorehead, Jennifer V.	Plat 9, Lot 100 transferred on 12-15-2017 from Account #19-0676-49	\$3,949.18
#13-2281-50 Musco, Lisa M & Paul S	Plat 7, Lot 181 transferred on 12-15-2017 from Account #13-0498-51	\$18,494.38

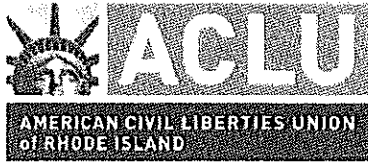
#14-0410-05 Noonan, Brian & Patrice	Plat 9, Lot 315, Unit F, transferred on 12-7-2017 from Account #18-0835-50	\$1,548.15
#18-0604-82 Robin, Loretta	Plat 11, Lot 60 transferred on 12-15-2017 from Account #06-0500-29	\$5,978.08
#22-0124-50 Vezikov, Vladimir & Galina	Plat 9, Lot 268 transferred on 12-15-2017 from Account #19-1509-25	\$4,594.58

TOTAL ABATEMENTS	\$ 52,447.81
TOTAL ADDENDA	\$ 52,407.44

RESPECTFULLY SUBMITTED,

Christine Brochu

CHRISTINE BROCHU,
TAX ASSESSOR



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

December 8, 2017 (via e-mail)

To Members of the Jamestown Town Council:

Re: Proposed Ordinance Amending Jamestown's Zoning Ordinance

On behalf of the ACLU of Rhode Island, I am writing in response to the proposed zoning ordinance you will be considering at Monday's Town Council meeting, designed to significantly restrict the use of medical marijuana in the Town. For the reasons expressed below, we urge that the ordinance be rejected.

First, I note that a *Jamestown Press* article from this week references concerns about the "commercialization of marijuana" and the blossoming of "recreational marijuana" as the impetus for this proposal. However, it appears to us, as the proposed ordinance is currently worded, it would have a significant impact on the rights of medical marijuana patients as well.

The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act establishes detailed standards and requirements for the use and cultivation of medical marijuana. This proposed ordinance, we submit, severely interferes with, and undermines, critical aspects of that law, and is in direct conflict with it. It could appreciably hamper the ability of patients and caregivers to grow and access medication that is critical to their well-being.

Specifically, this proposal would restrict any growing of medical marijuana in the Town in any context except for residential grows by a medical marijuana patient. It would bar patients from growing medical marijuana outside their residence, ban caregivers from growing any medical marijuana for patients, and would also completely prohibit residential co-ops, non-residential co-ops, compassion centers and cultivators. However, these limitations go far beyond the criteria contained in the Medical Marijuana Act.

The crucial importance of caregivers to the medical marijuana program cannot be overstated. They are truly a lifeline for some patients who are too ill to try to grow their own marijuana or who cannot afford to purchase marijuana from a compassion center. Growing medical marijuana can also be extremely expensive and requires an expertise that many patients simply do not have. It is therefore not a surprise that many rely on a caregiver to grow their marijuana for them. Yet this proposal would essentially eliminate caregivers from the program if they live in Jamestown. We do not believe the Town has the right or the authority to make use of its zoning powers to completely undermine an integral component of the state's medical marijuana program.

In addition, the Medical Marijuana Act further explicitly provides for the cooperative cultivation of marijuana in both residential and non-residential locations, and contains standards for such cultivation. R.I.G.L. §21-28.6-14. For similar reasons to those expressed above for caregivers, we do not believe the Town has the power to use a zoning ordinance to render the "co-op" provisions of the law meaningless.

As is the case with some patients' need for caregivers, there are many legitimate reasons the state ensured that cardholders could also cooperatively cultivate medical marijuana. Because of the costs and the proficiency that can be needed to successfully grow marijuana, cooperative cultivation can be an extremely important way for patients and caregivers to actualize their ability to make use of the Act. Many people simply cannot cultivate marijuana on their own.

Further, the ability to grow medical marijuana in both residential and non-residential settings is a necessary option. Residential growing often eliminates the need to rent space elsewhere, which can be costly and burdensome compared to growing in one's own home. On the other hand, some cardholders wishing to grow in a co-op setting may have no choice but to cultivate their medical marijuana in non-residential locations. For example, their landlord may prohibit growing medical marijuana in their apartment or home. In many instances, as noted above, patients may need assistance in growing the marijuana, and cooperative cultivation in a location other than their residences may be the most feasible approach.¹

Finally, and pertinently, only a few months ago the Superior Court issued a detailed ruling striking down, as a violation of the Medical Marijuana Act, a Smithfield ordinance regulating medical marijuana. *Rhode Island Patient Advocacy Coalition v. Town of Smithfield*. C.A. No. PC-2017-2989. (September 27, 2017). This proposed ordinance, we submit, suffers from many of the same defects as the Smithfield ordinance and is just as legally problematic.

Because these proposed zoning restrictions are in conflict with the state's Medical Marijuana Act and have the potential to cause much harm to patients in Jamestown while doing little to protect the Town, the ACLU urges the Town Council to reject this proposal. Thank you in advance for considering our views.

Sincerely,



Steven Brown
Executive Director

cc: Andrew Nota, Town Administrator
Lisa Bryer, Town Planner

¹ As with the attempt to ban all cooperative cultivation, the ordinance's proposed complete ban on compassion centers may also run afoul of the law. The Act rests authority with the Department of Health to license compassion centers. R.I.G.L. §21-28.6-12. Since that section specifically requires the Department to consider the "interests of the city or town where the dispensary would be located" in making its decisions, municipalities do not appear to have the authority to unilaterally decide whether a compassion center can be located in their community. Having said that, our major concern, however, remains with the rights of patients and caregivers to cultivate marijuana for medical purposes.



JAMESTOWN CONSERVATION COMMISSION

MEMO

To: Honorable Jamestown Town Council
From: Anne Kuhn-Hines, Chair *Anne Kuhn-Hines*
Date: December 5, 2017
Subject: Appreciation of Maureen Coleman's JCC service

The Jamestown Conservation Commission would like to extend our recognition and sincere gratitude for the indefatigable energy and nine years of dedicated stewardship efforts by Maureen Coleman, who has worked tirelessly to protect Conanicut Island's landscape, keeping our natural resources healthy, intact and beautiful. Maureen donated countless hours advocating for land conservation, open space, clean water and public access to waters surrounding Jamestown. The JCC especially appreciates Maureen's passionate leadership as Chair of the JCC during her last four years of volunteer service.

Maureen initiated and led many efforts during her nine years of tenure including serving as liaison and coordinating JCC efforts with the Jamestown Tick Task Force, Open Space Protection Planning, Friends of Jamestown Rights of Way, Conservation Moorings and Atlantic Coastal Fish Habitat Project, initiating the reestablishment of the Water Resources Protection Board, and many other restoration and conservation initiatives around the island.

The Jamestown Conservation Commission has decided to commemorate Maureen's stewardship and dedicated service to the JCC by incorporating a brass plaque of appreciation on one of the benches overlooking Narragansett Bay located at the restored High Street right of way on the east side of Conanicut Island.

We invite the Jamestown Town Council to join us in appreciation and recognition of Maureen's dedicated service.

Arnold-Zweir Post 22, American Legion
Jamestown VFW Post 9447
6 West Street
Jamestown, RI 02835

December 15, 2017

Jamestown Town Council
93 Narragansett Avenue
Jamestown, RI 02835

Dear President Trocki and Council Members,

Subject: Town Support for Veterans Day Events

Jamestown's VFW and American Legion posts appreciate the town's efforts on behalf of our two Veterans Day events last month. The Veterans Day Celebration at Veterans Memorial Square and the VFW Luncheon at the Rec Center were a success, thanks in large part to town support.

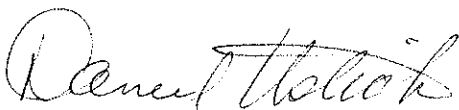
Andy Nota continues to be a dependable supporter of our goals, and similarly Andy Wade, Deb Hagie and their team were receptive and responsive to our planning and set-up needs.

If possible, please convey our appreciation to the people who contributed to a successful Veterans Day.

Respectfully,

Bruce Livingston, COL, USMC (ret)
Commander/VFW Post 9447

Dennis Webster, LCOL, USA (ret)
Commander/Arnold-Zweir Post 22, American Legion



Daniel Ustick, post member
(by direction)

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND ETHICS COMMISSION

40 Fountain Street
Providence, RI 02903
(401) 222-3790 (Voice/TT)
Fax Number: 222-3382

December 20, 2017

Cheryl Fernstrom
Town Clerk
Jamestown Town Hall
93 Narragansett Avenue
Jamestown, RI 02835

Dear Ms. Fernstrom:

The Rhode Island Ethics Commission will be holding a Public Workshop to explore possible amendments to its procedural regulations. To make the best decision possible, we are seeking both written and oral comment. I have enclosed a "Notice of Ethics Workshop" and ask that you please publicly post this notice and, if possible, distribute it to your local elected or appointed officials and employees.

Thank you for your assistance.

Sincerely,

Michelle R. Berg
Financial Disclosure Officer

Encl.

Notice of Ethics Workshop

(Advance Notice of Proposed Rulemaking – R.I.G.L. § 42-35-2.5)

The Rhode Island Ethics Commission is holding a Public Workshop to explore possible amendments to its procedural regulations to help make the Commission's decisions to dismiss a Complaint more transparent to the public and fairer to those accused of violating the Code of Ethics. To help inform its decision-making, the Ethics Commission is soliciting both written and oral comment on two questions:

1. Should the Ethics Commission issue a publicly-available, written decision any time it dismisses a complaint at the Probable Cause Hearing, providing the Commission's rationale and basis for the dismissal?
2. Should the Ethics Commission continue to make public the Prosecutor's Investigative Report after the Probable Cause Hearing, including in cases where the complaint is dismissed because there is not enough evidence to prove a violation of the Code of Ethics?

Background: One of the roles of the Ethics Commission is to hold hearings to adjudicate complaints of alleged violations of the Code of Ethics. The Commission has adopted several procedural regulations to establish a complaint process that is both open to the public and fair to someone accused of an ethics violation.

A properly filed ethics complaint is a public document. The adjudicative hearing to determine whether a public official or employee has violated the Code of Ethics ("the adjudication") is similarly open to the public. After the complaint is filed, but prior to the public adjudication, the Ethics Commission holds a Probable Cause Hearing in closed session to determine whether there is sufficient evidence of a violation to go forward. At this Probable Cause Hearing, a Prosecutor presents an "Investigative Report" that details the evidence gathered during the investigation and presents the Prosecutor's theory of the case. The Ethics Commission considers the Prosecutor's Investigative Report, and hears from the accused, before making an independent determination to either proceed to an adjudication or to dismiss the complaint.

When a complaint is dismissed by the Ethics Commission at the Probable Cause Hearing, there is currently no requirement that the Commission issue a written decision, available to the public, explaining the basis for the dismissal. While in recent years the Commission has released a copy of the Prosecutor's Investigative Report, that report is not authored by the Commission itself and does not explain the basis for the Commission's decision to dismiss the complaint. Rather, it only reflects the Prosecutor's view of the evidence and arguments. Nevertheless, as the only publicly available document relative to the Probable Cause Hearing, the Investigative Report often shapes the public's view of the merits of the complaint. Some subjects of ethics complaints believe that releasing the Investigative Report is misleading to the public and prejudicial to the accused, and that the investigative facts discussed in the report should remain confidential until there is a public adjudication.

WRITTEN COMMENT: You may provide the Ethics Commission with written comment as to the above questions via email (preferred) or regular mail any time before January 30, 2018:

Via Email: ethics.comment@ethics.ri.gov

Mailing Address: Attn: Ethics Workshop
Rhode Island Ethics Commission
40 Fountain Street, 8th Floor
Providence, RI 02903

PUBLIC WORKSHOP: The Ethics Commission will hold a public workshop to discuss these issues, and to review any written comments submitted, at the above address on **February 6, 2018 at 10:00 a.m.** An official agenda will be posted prior to the workshop. You are also welcome to attend and, if you wish, orally address the Commission with your comments or ideas. If you plan to attend the workshop, it would be helpful if you would RSVP at the above email address so that we can ensure necessary accommodations for everyone. You may also call us at (401) 222-3790.



Department of Transportation
Two Capitol Hill
Providence, RI 02903

Office 401-222-2450
Fax 401-222-3905

December 14th, 2017

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

Re: Toll Locations 3, 4 & 6 through 13
I-95, I-195, and I-295, US Route 6, and RI Route 146, Rhode Island
NEPA Project Notification

Dear Ms. Trocki,

The Rhode Island Department of Transportation (RIDOT) proposes to construct and operate toll systems at Toll Locations 3, 4 & 6 through 13 (Project) along five major highway corridors (I-95, I-195, and I-295, US Route 6, and RI Route 146 (Table 1 and Figure 1).

RIDOT is preparing an Environmental Assessment (EA) for the Project. The Federal Highway Administration (FHWA) is the lead federal agency. The EA will evaluate the direct, indirect, and cumulative impacts of construction and implementation of the toll systems at Toll Locations 3, 4 & 6 through 13.

This correspondence is being sent in accordance with the National Environmental Policy Act of 1969 (NEPA) regarding project notification and early coordination. Project Notification is being sent to Federal and state resource agencies, Tribal government entities, communities with toll locations and/or diversion routes, and non-governmental entities. RIDOT solicits any initial comments or information you wish to submit regarding the Project. The information you provide will assist in preparing the EA for the Project.

The proposed toll systems would be used to collect toll revenue from a tractor or truck tractor as defined in 23 CFR 658.5, pulling a trailer or trailers travelling across select bridges associated with the toll locations. RIDOT established each tolling location to collect revenue to support reconstruction and maintenance of bridge(s). Tolls will be charged as mandated by "The Rhode Island Bridge Replacement, Reconstruction and Maintenance Fund Act of 2016" which includes policies which identify specific maximum daily tolls and daily limits charged per tolling location. Revenue collection will be accomplished via electronic means only (no cash option) using Radio Frequency Identification (RFID) and video capture.

Implementation of tolling can sometimes result in a shift of travel behavior wherein some drivers of trucks subject to tolls will travel on a different route to avoid paying a toll. The potential shift of vehicles away from the toll locations is referred to as a "toll diversion." Potential diversion routes are identified on Figure 2.

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Department of Transportation
Two Capitol Hill
Providence, RI 02903

Office 401-222-2450
Fax 401-222-3905

Table 1 Tolling Locations

Toll Location ^{1, 2}	Community	Roadway
3	Warwick	I-95
4	Providence	I-95
6	Pawtucket	I-95
7	Cranston	I-295
8	Johnston	I-295
9	Cumberland	I-295
10	Providence and East Providence	I-195
11	Lincoln	RI Route 146
12	North Smithfield	RI Route 146
13	Providence	US Route 6

1. Toll Locations 1 and 2 on I-95, in Hopkinton, Richmond and Exeter have been reviewed under a previous EA.
2. Toll Locations 5 and 14 are not included in this EA and will be subject to their own environmental review process in the future.

The toll system at each tolling location will be located within the existing operational right-of-way and approximately 15-20 feet from the existing edge of pavement. Each tolling location will consist of one or more gantries, conduit for both communication and electrical connections, a roadside cabinet on a concrete pad and installation of additional guardrail. The cameras and detectors will be on the gantry that will span the roadway.

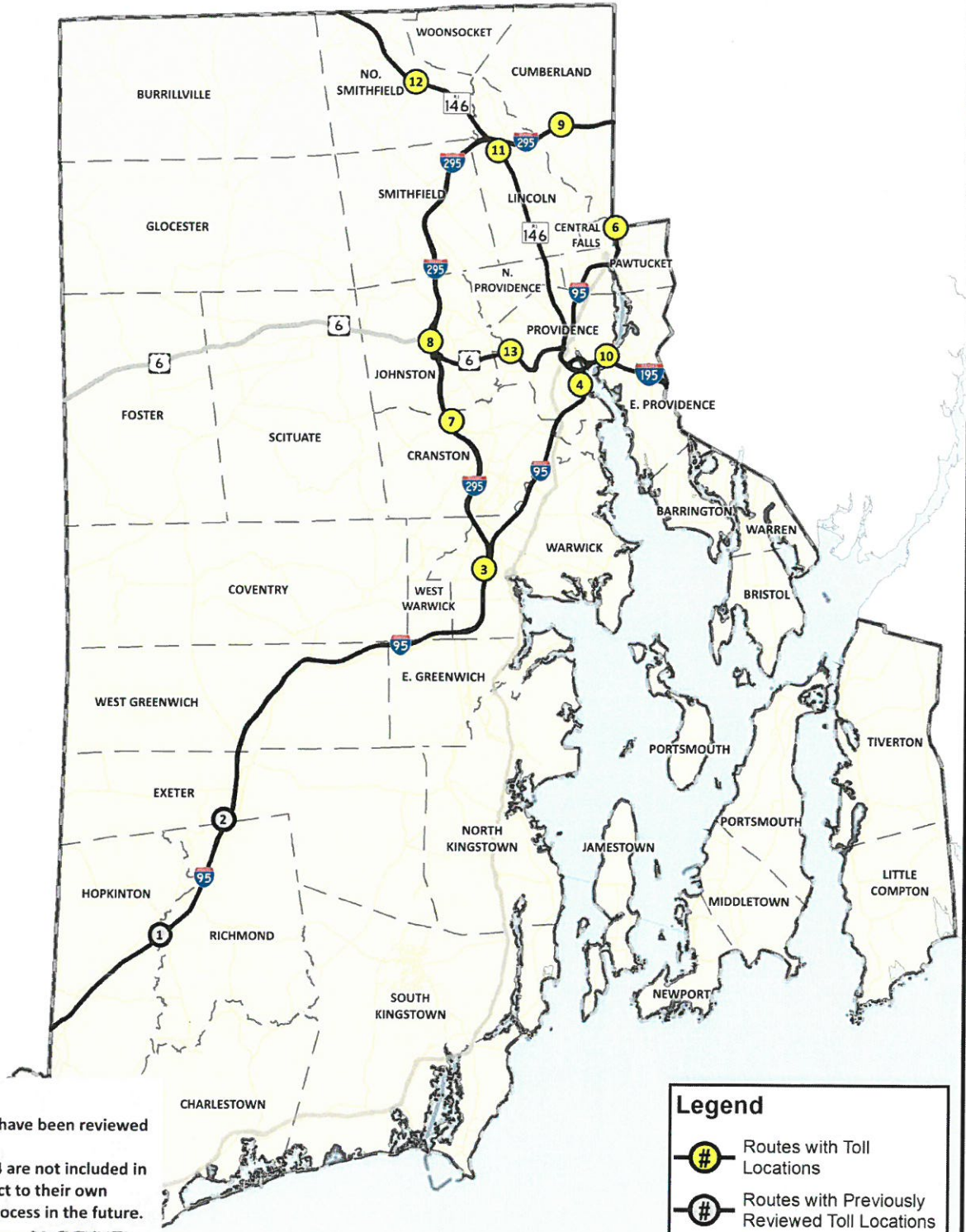
If you have any questions or comments regarding the Project please contact Daniel Waugh, Project Manager, at 401-222-2023, ext. 4331 or daniel.waugh@dot.ri.gov.

Sincerely,

Melanie Jewett Army, AICP
Assistant Chief of Planning

Attachments: Toll Locations Figure 1, Potential Diversion Routes Figure 2.

cc: C. Padilla-Freese-FHWA RIDOT: Army, Rocchio, Waugh, McGinn, and file







Note:

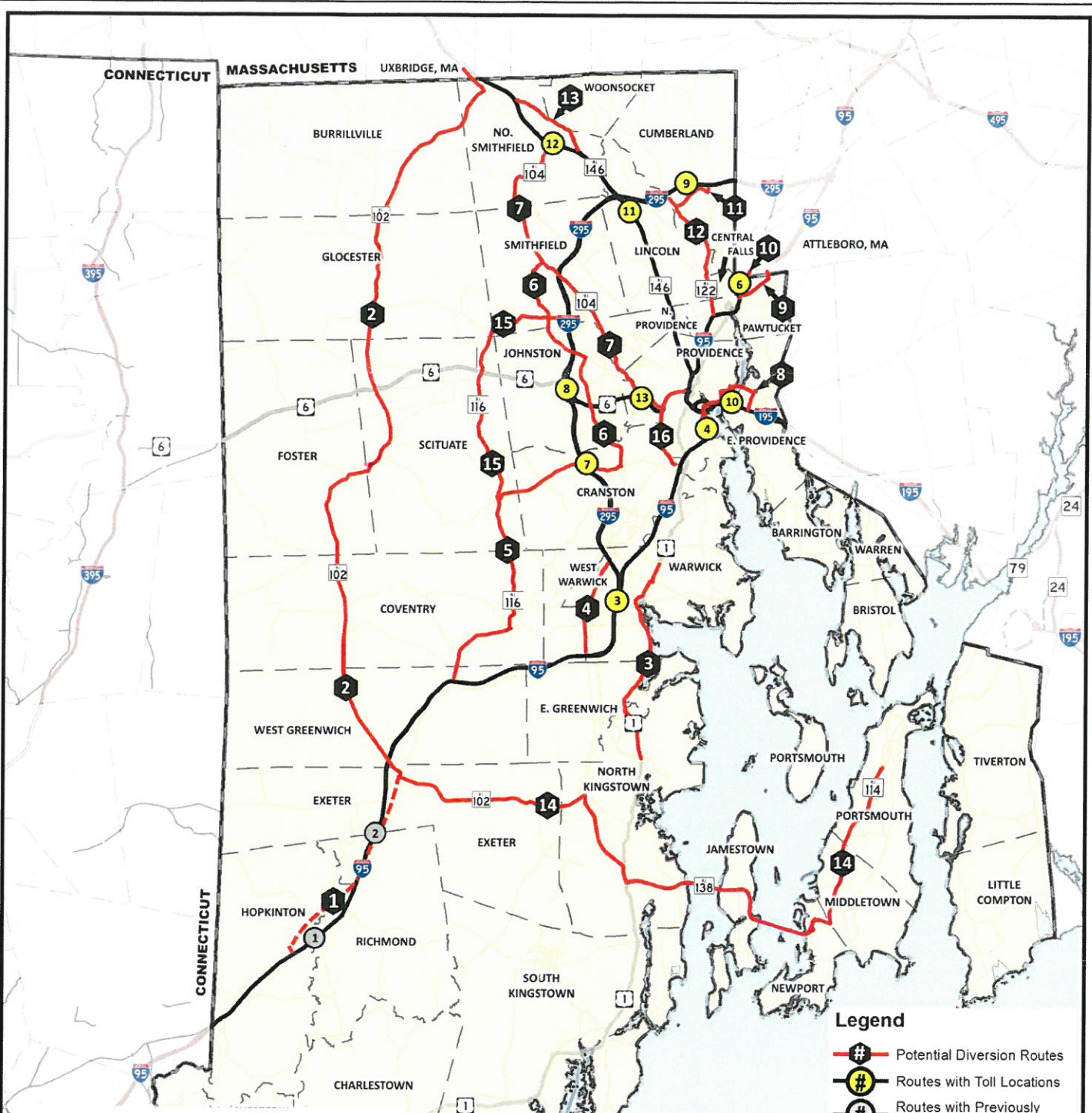
- 1. Toll Locations 1 and 2 have been reviewed under a previous EA.
- 2. Toll Locations 5 and 14 are not included in this EA and will be subject to their own environmental review process in the future.

Legend

- Routes with Toll Locations
- Routes with Previously Reviewed Toll Locations

Prepared For: 	<h3 style="margin: 0;">TOLL LOCATIONS 3, 4 & 6-13</h3> <p style="margin: 0;">WARWICK, PROVIDENCE, PAWTUCKET, CRANSTON, JOHNSTON, CUMBERLAND, EAST PROVIDENCE, LINCOLN, NORTH SMITHFIELD, RHODE ISLAND</p>	<h2 style="margin: 0;">PROJECT LOCATION</h2>
Prepared By: 	Data Sources: RIDOT, RIGIS, ESRI <div style="display: flex; align-items: center; justify-content: center; margin-top: 10px;"> 0 2.5 5  Miles </div> <div style="text-align: right; margin-top: 10px;">  </div>	<h2 style="margin: 0;">FIGURE 1</h2>

P:\RIDOT\2016\WXT\19300 - RIDOT Tolling Facilities Consultant\600 Discipline Files\607 GIS - Enviro\Tolling Program EA Figures\Diversion Routes



Note: Toll Locations 5 and 14 are not included in this EA and will be subject to their own environmental review process in the future.

- Legend**
- Potential Diversion Routes
 - Routes with Toll Locations
 - Routes with Previously Reviewed Toll Locations
 - Potential Diversion Route Included in Previous EA for Toll Locations 1 & 2

Prepared For:



Prepared By:
JACOBS

TOLL LOCATIONS 3, 4 & 6-13

WARWICK, PROVIDENCE, PAWTUCKET, CRANSTON,
JOHNSTON, CUMBERLAND, EAST PROVIDENCE, LINCOLN,
NORTH SMITHFIELD, RHODE ISLAND

POTENTIAL DIVERSION ROUTES

Data Sources:
MassGIS, RIDOT, RIGIS, ESRI

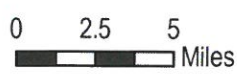


FIGURE 2



Beavertail Lighthouse Museum Association
Site of the Third Oldest Lighthouse in America
Dedicated to Preservation and Education
P.O. Box 83, Jamestown, RI 02835

December 22, 2017

The Town Council of Jamestown
P. O. Box 377
Jamestown, RI 02835

Dear Honorable Council Members:

We are most grateful for your contribution to the Matching Gift Campaign of the Beavertail Lighthouse Museum Association in the amount of \$25,000. A longtime Jamestown resident, Jim Buttrick, has generously offered to match all donations up to \$500,000 which are received by Dec. 31, 2017. An endowment fund will be set up for maintenance of the buildings and lighthouse.

The buildings are beautifully sited at the tip of Beavertail, but at the same time this also exposes them to the severe weathering effects of strong winds, salt water spray and precipitation. Just keeping up with maintenance is a real challenge. Your support will distinctly help with this work.

Thank you for helping to ensure the Lighthouse will be well maintained. It has provided significant assistance to seafarers for more than 260 years, and about 35,000 visitors from all over the world come each year.

Most sincerely yours,

A handwritten signature in cursive script that reads "Suzi Andrews".

Suzi Andrews, President

SA/cw