

TOWN COUNCIL MEETING

February 20, 2018

I. ROLL CALL

Town Council Members present:

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

Also in attendance:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Michael C. Gray, Public Works Director
Edward A. Mello, Police Chief
Andrew J. Wade, Parks and Recreation Director
Jane Littlefield, School Director of Finance
Frank Sallee, Discover Newport Board of Directors
Evan Smith, Discover Newport President and CEO
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 6:37 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

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

The Town Council convened as the Board of Water and Sewer Commissioners at 6:37 p.m. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:46 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

A motion was made by Councilor Meagher with second by Vice President White to move up Public Hearings, Licenses and Permits to the next item. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

- A) Licenses and Permits
 - 1) One Day Event/Entertainment License Applications
 - a) Applicant: Payton Elizabeth Watson Memorial Foundation
 - Event: Payton's Pace 5K Run/Walk & Family Fun Day
 - Date: June 3, 2018
 - Location: Fort Getty Pavilion/Streets of Jamestown/Fort Getty Pavilion
 - i) Letter of request for waiver of Pavilion Rental Fee

A motion was made by Councilor Meagher with second by Vice President White to approve the event license and waiver of the fee. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- b) Applicant: Joan McCauley
- Event: Jamestown School Reunion – “The 60’s”
- Date: August 4, 2018
- Location: Fort Getty Pavilion
- ii) Letter of request for waiver of Pavilion Rental Fee

Laura Clark of West Street explained the reunion is for the last group of students who went to the Jamestown School before the Bridge was built and students attended North Kingstown High School. The application was filed early with the request for waiver of the rental fee in order to determine the ticket price. There will be no profit and no alcohol will be sold or served, but TIPS certified staff will be on hand if anyone brings beverages.

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

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Presentation
 - 1) Fiscal Year 2017 Audit Report: Paul Dansereau, CPA, Baxter Dansereau & Associates

President Trocki introduced Paul Dansereau. Mr. Dansereau thanked the Council for the opportunity to perform the audit. Jamestown is one of their best audits due to the consistency of staff members. Finance Director Tina Collins and School Director of Finance Jane Littlefield were thanked for their outstanding services.

Audit review proceeded. Mr. Dansereau highlighted GASB 74 standards regarding OPEB and reporting requirements for the full unfunded liability on government-wide financial statements. The Town received a clean opinion with no issues. Audit review continued covering the following:

- Assets, Liabilities and Equity of the Town on a full accrual basis and total net position of \$12,577,000
- Total Primary Government of \$20,251,000
- Profit and Loss Statements
- General Fund, including the Town and School Department combined, with net surplus of \$252,000
- Capital Improvement Funds
- Reconciliation of Revenues, Expenditures and Depreciation
- Proprietary/Enterprise Funds
- Income Statements and net position
- Fiduciary Funds (pensions, OPEB)
- Component Units reported as part of the Town audit
- GASB 54 Funds
- Surplus Funds/Unrestricted Funds/Fund Balances
- Excess Revenues and Other Sources
- Primary Government Activity

Mr. Dansereau noted the Town does not require a single audit or compliance audit, and is in excellent condition. Good management practices, healthy pension plans, and OPEB liabilities being addressed keep the Town on a good path. The Council thanked Mr. Dansereau for his report.

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) Legislative Update
 - 2) Municipal Legislative Brief
 - 3) Legislative Presentation (March 5th)
 - 4) RI League of Cities and Towns Overview of the Governor's FY2019 Budget Proposal

Mr. Nota referenced legislative updates from the RI League of Cities and Towns and RI Department of Revenue. The League provides legislative information pertinent to municipalities and DOR information is more general. Both are helpful and provide information for review prior to the legislative session with Representative Deb Ruggiero and Senator Dawn Euer on March 5th (session begins at 6:30 p.m.).

- B) Discover Newport Report: Board of Directors Jamestown Representative Frank Sallee and President and CEO Evan Smith

Frank “Rusty” Sallee noted his four years serving as Jamestown’s Representative and introduced Evan Smith to provide an update. Mr. Smith (resident of American Way, Jamestown) distributed a report for the Newport and Bristol County Convention & Visitors Bureau, known as Discover Newport, promoting tourism for Newport and Bristol Counties comprised of the nine municipalities of Barrington, Bristol, Jamestown, Little Compton, Middletown, Newport, Portsmouth, Tiverton and Warren. His report summarized the services provided to member communities and the benefits of being a member community. 84% of their funding is generated by the lodging tax and 16% generated by commissions, advertising and sponsorship sales. Discussion ensued of how they promote Jamestown including their website www.discovernewport.org. It is expected the meal tax will realize over \$100,000 for Jamestown this year. People are spending in record numbers on travel, and they are excited for FY 2018 and optimistic for the future.

Discussion ensued of Air BnB and its effect on the travel industry on the global and local level. The session was opened for Council questions.

Councilor Mihaly commented on the decrease in international students. Mr. Smith agreed there is a decrease, and he feels the extreme process for visitors, along with travel competition, are deterrents. In addition the U.S. has no national tourism campaign.

Councilor Dickinson asked if there is a partnership with the defense industry on Aquidneck Island. Mr. Smith stated yes, and noted the Navy’s positive impact on tourism for Aquidneck Island and Jamestown.

President Trocki inquired about issues affecting Jamestown. Mr. Smith noted various issues, including wedding venues and marine issues. The problems need to be vetted and Discover Newport is here as a resource. Councilor Meagher commented any help they can offer regarding Air BnB would be appreciated. Mr. Smith noted Air BnB is the fastest growing travel option in the world, with 10% to 12% of the market share. Up until two years ago they didn’t pay taxes; now there is a level taxation field, but there is no inspection field. Newport has hired a tracking company to be sure Air BnB establishments and other hosting platforms are registered and paying taxes.

Mr. Smith noted the State does not share income from Air BnB and other hosting platforms as is done with other taxation. As they do not paying into Discover Newport, they can’t be represented by Discover Newport, a problem and they are addressing with Representative Ruggiero and others. The State lodging tax for owner occupied properties is 13% and for non-owner occupied is 7%. Air BnB provides the State with a commission check with no breakdown, which is a benefit for them that leaves the towns at a disadvantage, and we want Air BnB to be on the same playing field. He is available to share information as needed. The Council thanked Mr. Sallee and Mr. Smith for the informative report.

VIII. UNFINISHED BUSINESS

- A) Discussion of the process for review and voter approval of School Department capital requests (Councilor Dickinson); review, discussion and/or potential action and/or vote

President Trocki recognized School Department Director of Finance Jane Littlefield in attendance. Councilor Dickinson noted the Stage 2 application and the assumption it will be on the November ballot. He would like an open and transparent public discussion on the services the Town will provide for capital improvements. His desire is to spend the right amount of money - for one new building or repairs to two existing buildings - with voters having visibility to the specific building issues raised by the State. The population of Jamestown is decreasing and the question is whether we need two schools in the future.

Councilor Meagher noted this came to our attention in September, with formation of a committee, and this is a lot to digest for a vote in November. The School Department approved capital budget reflects \$3,520,000 for FY 2018-2019. This same discussion is being experienced by many communities.

Councilor Dickinson noted this is not a criticism of the findings. We want to be prepared to provide information to the voters, so that they know we did our due diligence in making a decision that will affect the Island for many years. Vice President White stated we need to expand the discussion that has been going on at the School level. The five-year plan came along at the same time as our budget process. The school population is not diminishing, fluctuates very little, and we should not discount our service family students as they are an incredible asset. There should be combined discussions with the Town and School Committee with citizen participation.

President Trocki noted community discussion is welcomed and a necessary avenue. Past budget sessions had little attendance, which may change this year. Various forms of meetings were noted that educate us on the issues, and Town and School Administration are open to questions as well. We encourage citizens to attend sessions in order to be informed, and we are open to scheduling additional sessions.

Vice President White noted people are beginning to attend school meetings and are engaged in the dialogue. Councilor Meagher noted we need an overview of what is ahead and how to deal with it. Councilor Mihaly stated we should have as many meetings as needed so that voters are comfortable with the information and all issues are properly vetted prior to a vote in November.

Councilor Dickinson noted we must begin the discussion and present the facts so that we all know them. Lengthy discussion ensued.

Town Administrator Nota stated the Council must submit a question with a Bond amount in April in order to secure enabling legislation in this legislative session. Approval by the voters must be at an election or all-day referendum, not an FTM. The School Committee's mission is stewardship of the Jamestown School system and what is proposed in the \$5,900,000 is basic infrastructure to keep schools open – roof, mechanical, windows and

doors, ADA accessibility – over the next five to ten years. The School Committee feels they have had open discussion but have not heard from the community and welcomes additional public discussion. They will be here on March 8th for the School budget session, giving opportunity for public discussion. Mr. Nota stated he is involved with the Task Force to protect the Town’s interests, the infrastructure improvements are necessary, and if we don’t move forward the reimbursement incentives will not be available, placing the additional tax burden on our citizens. There is limited time for the School Committee to act before the Town can react.

Councilor Meagher noted citizens are beginning to pay attention and ask questions. Vice President White commented on school conditions statewide and that Jamestown is not in bad condition, but there needs to be discussion to explain what is needed.

Town Administrator Nota reviewed the Town’s debt and expiring bonds, making the timing good for a Bond that would not impact local taxpayers. Discussion ensued of State reimbursement, which would reduce the \$5.9 million to an amount close to the debt that is expiring (\$3.1 million). Bond Counsel can prepare draft language in the event the Council chooses to act. Discussion ensued of scheduling public information sessions.

B) Upcoming Meetings and Sessions – dates and times
School Public Sessions. Town Administrator Nota will contact School Administration for potential public session dates as discussed.

Golf Course Design. A public work session for review of Architect Burgin’s design is scheduled for Monday, February 26th at 6:00 p.m.

IX. NEW BUSINESS

A) Award of Bid: East Ferry Renovation Project Parking Lot and Paving Contract to Cardi Corporation for an amount not to exceed \$419,360.50, as recommended by Public Works Director Michael C. Gray; review, discussion and/or potential action and/or vote
Discussion ensued of the construction schedule.

A motion was made by Councilor Dickinson with second by Councilor Meagher to approve the award of bid to Cardi Corporation.

Discussion. The construction schedule and funding sources for the project were clarified.

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

B) Review of Conanicut Marine Services Waterfront Projects; review, discussion and/or potential action and/or vote regarding grant agreement for new ferry dock

Councilor Dickinson recused on the issue, filed the appropriate form, and left the dais. Attorney Christian Infantolino representing Conanicut Marine Services addressed the Council and distributed a packet of information. Review of the lease and proposed waterfront project ensued, with explanation of the ferry operation as a public utility. CMS proposes an ADA upgrade that includes a fully motorized electronic wheelchair to provide passenger access. Explanation of the proposed dock and enhanced pier followed. The proposed revisions would be paid up front by CMS with reimbursement through grant funding. The process has been vetted before both Planning and Harbor. Discussion ensued.

A motion was made by Councilor Meagher with second by Councilor Mihaly to support the project and authorize signing of the agreement by the Town Administrator. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Recused; Councilor Meagher, Aye; Councilor Mihaly, Aye.

C) LASA Grant through RIDEM for agricultural and aquaculture green economy projects; review, discussion and/or potential action and/or vote
Town Administrator Nota explained the LASA Grant application for improved floating docks at Ft. Getty or East Ferry for upweller systems up to an amount of \$20,000. It would take two years to implement the project and Public Works staff would provide services during the off season to make the finances work.

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

D) Opioid Epidemic Litigation proposal for legal services; review, discussion and/or potential action and/or vote
Solicitor Ruggiero explained by effort initiated by Lt. Governor McKee to reach out to RI communities to participate in the lawsuit against pharmaceutical companies in their actions as part of the chain of distribution of prescription opiates responsible for the opioid epidemic across the country. Attorney Eva Mancuso is representing the RI contingent, using national firms, and there is no expense to participate. Jamestown could benefit if there is recovery beyond expenses and would be listed as a plaintiff if Council votes to do so. To date 25 RI communities have partnered in the lawsuit. Chief Mello noted he is in favor of participation as the JPD could seek reimbursement for reporting and training expenses if the suit is successful.

A motion was made by Councilor Mihaly with second by Vice President White to participate, with singing by the Town Administrator. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS
None.

XI. CONSENT AGENDA

A motion was made by Councilor Meagher with second by Vice President White 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 Town Council Minutes
 - 1) February 5, 2018 (interview session)
 - 2) February 5, 2018 (regular meeting)
- B) Minutes of Town Boards/Commissions/Committees
 - 1) Jamestown Library Board of Trustees (01/09/2018)
 - 2) Jamestown Library Board of Trustees (01/24/2018)
- C) Abatements/Addenda of Taxes
 - Total Abatements: \$26,368.67 Total Addenda: \$26,368.67
 - 1) Real Property/Motor Vehicle/Tangible Abatements to 2017 Tax Roll
 - Account/Abatement Amount**
 - a) 11-0577-73 \$ 8,600.00
 - b) 16-0511-50 \$17,768.67
 - 2) Real Property/Motor Vehicle/Tangible Addenda to 2017 Tax Roll
 - Account/Addenda Amount**
 - a) 16-0511-50 \$ 8,600.00
 - b) 19-0006-50 \$17,768.67
- D) Abutter Notification
 - 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing February 27th 2018 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI 02835 upon the following: Application of Roland and Barbara Parent, whose property is located at 77 Standish Road, and further identified as Tax Assessor's Plat 8, Lot 414 for a Variance, pursuant to Article 6, Sections 82-600 and 82-605, from Article 3 Section 82-302, Table 3-2, District dimensional regulations, for a West side yard setback of 0.2 feet and a South yard side setback of 2.2 feet where 10 feet is required to repair and reconstruct the existing garage in its existing location. This application also seeks relief from Article 7 section 82-705, Alteration of a nonconforming structure where the current structure has a West side yard setback of 0.2 feet and a South yard side setback of 2.2 feet where 10 feet is required. Said property is located in a R20 Zone and contains 16,266 sq. ft.
- E) CRMC Notices
 - 1) February 2018 Calendar
- F) Holiday License Renewal Application
 - 1) Debra L. Goyette dba: **The Purple Door**
Address: 47 Conanicus Avenue

- G) Trash Collector License Application
 - 1) Waste Management of RI, Inc. dba: **Waste Management**
Address: 1610 Pontiac Avenue, Cranston, RI 02920
- H) One Day Event/Entertainment License Application
 - 1) Applicant: Pamela Bernardi
Event: High School Graduation Party
Date: June 9, 2018
Location: Fort Getty Pavilion
 - 2) Applicant: Bailey Boergessen
Event: Paganelli Clambake
Date: July 4, 2018
Location: Fort Getty Pavilion
 - 3) Applicant: Save The Bay
Event: 42nd Annual Save The Bay Swim
Date: August 4, 2018
Location: RI Turnpike and Bridge Authority Lawn

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

Communication 4) from the Friends of the Jamestown Rights-of-Way was removed for discussion. Discussion ensued of placement and maintenance issues for the proposed kayak racks. The Friends' concept presented to the Harbor Commission and Town Administrator will come before Council at a future meeting to review their proposal and property owners abutting the proposed kayak rack sites notified of the meeting.

A motion was made by Councilor Mihaly with second by Councilor Meagher to accept the Communications and Proclamations and Resolutions. 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) Public Notice of State Planning Council re: Quadrennial Federal Certification Review opportunity to participate in Public Meeting and provide public comments on the implementation of the Federal Transportation Planning Process on Thursday, February 22, 2018 at 5:30 p.m., Conference Room A, 2nd Floor, One Capitol Hill, Providence with written comments accepted by February 28, 2018
 - 2) Letter of RI Infrastructure Bank re: financing for infrastructure projects
 - 3) Notice of Jamestown Arts Center for 6th Annual Lantern Parade and Festival on Friday March 2nd at 6:00 p.m. (JAC/sidewalks of Jamestown Streets/JAC)

- 4) Letter of Friends of the Jamestown Rights-of-Way requesting time for a short presentation to Council re: request for additional kayak racks at four (4) locations
- 5) Announcement of the RI Department of State Elections Division re: Center for American Progress security report naming Rhode Island among ten (10) states receiving highest grade for elections security
- 6) Announcement of Watershed Grants of New England re: 2018 proposal submission deadline of 5:00 p.m. on March 30, 2018 for sustainable coastal and watershed grants up to an amount of \$2.5 million for RI and southeastern MA communities
- 7) RIDEM Announcement of Green Economy Bond investments to help Communities and Local Groups protecting Open Space

Communication 7) was referenced, with Jamestown receiving grant funding from RIDEM for purchase of the 6 ½ acre Rafferty property for open space protection. This will be on Executive Session at an upcoming meeting.

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Planning Department/Planning Commission/Affordable Housing Committee Reports (March)
- B) Final report on the Fire Station Rehabilitation Project
- C) Legislative Delegation Update (March 5th)

Discussion ensued of dates for the above-referenced agenda items and additional topics including:

- Ambulance Barn – March 19th
- Golf Course Design Work Session - February 26th
- Fire Station Final Report - March
- Coyote activity update – March

XIV. EXECUTIVE SESSION

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (IBPO grievance arbitration); 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) Potential Litigation (RI Turnpike and Bridge Authority proposed solar project); 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 Vice President White to enter into Executive Session at 8:59 p.m. pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining and Subsection (2) Potential Litigation.

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

The Council reconvened the regular meeting at 9:34 p.m. President Trocki announced that no votes were taken in Executive Session.

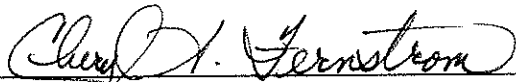
A motion was made by Councilor Meagher with second by Councilor Mihaly to seal the Minutes of Executive Session. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

XV. ADJOURNMENT

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

The Jamestown Town Council adjourned the regular meeting at 9:35 p.m.

Attest:



Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor