

**TOWN COUNCIL MEETING  
January 2, 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  
Lisa W. Bryer, Town Planner  
Mary Lou Sanborn, Library Trustees Chair  
Donna Fogarty, Library Director  
Peter D. Ruggiero, Town Solicitor  
Cheryl A. Fernstrom, Town Clerk

**II. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:05 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**

None.

**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

President Trocki welcomed our three new Police Officers and their families.

Chief Mello introduced the new Police Officers and explained the twenty-two week Municipal Police Academy training and experience. Jamestown was well represented at the December 17<sup>th</sup> Academy graduation, with the Class Valedictorian, Class Sergeant, Top Gun Award, and playing the National Anthem on the saxophone. The Police Department is proud of them.

Officer Schaffer graduated from West Warwick High School as Class Salutatorian, graduated from the University of Rhode Island, a member of the RI National Guard, Valedictorian of the Police Academy, Top Gun Award Recipient, and played the National Anthem at the Police Academy graduation.

Officer Andrade of Bristol graduated from Barrington Christian Academy, receiving the Service Award, continued his education at CCRI, and is pursuing a Bachelor's Degree at Roger Williams University. He served as an Assistant Harbor Master and Police Dispatcher.

Officer Specht of Voluntown, CT was born and raised in Cheyenne, WY, from a law enforcement family. He served eight years in the Marine Corps, including two deployments to Afghanistan, is continuing his education at CCRI, and was selected by the Academy to serve as Class Sergeant.

President Trocki administered the Oath of Office to the new Police Officers. Officer Shaffer's mother, Officer Andrade's father, and Officer Specht's wife performed the pinning of badges. (Applause)

Chief Mello congratulated the new officers and invited family members and guests to the reception at the Grange.

- B) Proclamation
    - 1) No. 2018-01 Honoring the Jamestown Fire Department
- Continued to the next meeting agenda.

**A motion was made by Councilor Mihaly with second by Councilor Meagher to move up Agenda Item VII. A) 1) to the next item to be addressed. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

## **VII. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE REPORTS**

- C) Town Administrator's Report: Andrew E. Nota
    - 1) Coyote Management
- Police Chief Mello updated the Council on coyotes, noting limited sightings and interactions at this time of year. Chief Mello reported on the incident at Beavertail that involved Barbara Szepatowski and her two dogs in an altercation with a coyote in which all involved sustained injury. JPD and RIDEM conducted an investigation, but the subject

coyote was not found. JPD continues to work with Dr. Numi Mitchell using trail cameras to capture coyote activities, and the tracking collar used to determine food sources has arrived and will be activated soon. Coyotes will be more active as spring approaches. Chief Mello reviewed precautionary measures to avoid coyote interactions, explained improved signage and upcoming public information campaign, and will report updates as the tracking project progresses.

**A motion was made by Vice President White with second by Councilor Meagher to move up Agenda Item IX. C) to the next item to be addressed. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

## **IX. NEW BUSINESS**

- C) Crosswalk at Mt. Hope Avenue; review, discussion and/or potential action and/or vote

Chief Mello reported the Jamestown Traffic Committee addressed this issue and forwarded it to the State Traffic Commission, and they agreed to conduct a traffic study. Chief Mello asked RIDOT and RITBA to work collectively with the State Traffic Commission on the project as traffic from the bridge and Route 138 affect this area.

Barbara Szepatowski of Riptide Street commented on the coyote incident that involved her and remarked on the fine job done by Chief Mello. The subject coyote was in good condition and well fed. The public needs to stop feeding coyotes for the health and safety of our residents and domestic pets, and all sightings and incidents should continue to be reported to Chief Mello. Discussion ensued of the dangers of feeding wildlife, what to avoid, and the No Feed Ordinance adopted by the Council making it an offense to feed wildlife.

## **V. PUBLIC HEARINGS, LICENSES AND PERMITS**

- A) Public Hearings
- 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 14<sup>th</sup>, December 21<sup>st</sup>, and December 28<sup>th</sup> editions; review, discussion and/or potential action and/or vote

**A motion was made by Councilor Meagher with second by Vice President White to move into Public Hearing at 7:36 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

Town Planner Lisa Bryer gave an overview of the proposed amendment. The Planning Commission addressed the issue at five sessions and forwarded a recommendation to the Council for amendment of the Zoning Ordinance to address the growing, processing, cultivating, testing and sales of marijuana. On June 19<sup>th</sup> the Council adopted Resolution No. 2017-13 “Establishing a Temporary Moratorium on Applications and Permitting for Marijuana Cultivation, Processing, Distribution and Sales” to allow time to review other State’s ordinances, the March 20<sup>th</sup> presentation by the Attorney General’s Office, discussions with Solicitor Brochu and Police Chief Mello, and develop recommendations for the regulations before Council this evening. The Planning Commission’s deliberation included a full understanding of the medical marijuana issue, Jamestown’s limited commercial district, and balancing the need of the community with what is appropriate for Jamestown. There was no intent to limit medical marijuana for the individual resident, including the caregiver provision. The proposed ordinance language was revised after the December 11<sup>th</sup> public hearing to remove the prohibition for Licensed Marijuana Cooperative. The State Medical Marijuana Program for Individual Qualified Patient Cardholder, Primary Caregiver, and Licensed Medical Marijuana Cooperative were excluded from the provisions of the ordinance. Discussion ensued of the ACLU concerns.

Public Comment. None.

Town Council Comment. None.

**A motion was made by Councilor Mihaly with second by Councilor Meagher to move adoption of the amendment. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**A motion was made by Councilor Meagher with second by Vice President White to close the public hearing at 7:43 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

## **VI. OPEN FORUM**

A) Scheduled request to address

1) Mary Lou Sanborn – Library Renovations update

Mary Lou Sanborn of Bay View Drive, Library Board of Trustees Chair, updated the Council on the \$5.2 million Library Renovations Project based on the Buildings Needs Assessment and schematic design. A feasibility study was conducted by ESC of New England, and is available on the Library website. The results of the feasibility study and survey of potential donors did not support the project based on the needs assessment and preliminary schematic design. The Building Renovation Committee reconvened and discussed an interior only renovation project in phases. Phase 1 would be the building shell including roof, windows, doors, basement and HVAC system. Phase 2 would be the first

floor staff and patron areas. The Building Renovation Committee recommended an engineering analysis be completed on the HVAC system. Upon completion (January) the Committee will reconvene and a revised schematic design will begin. The OLIS contribution is unknown at this time and will be further researched. Library Director Fogarty and Trustees Chair Sanborn will meet with the Champlin Foundation on potential funding and an update will be provided in March or April.

Discussion ensued of the project and the feasibility study. The Library addition is removed from the renovation project at this time.

Town Administrator Nota reported OLIS was contacted for clarification of the reimbursement program. Once the Library Board defines the reduced scope of the project, a more focused funding plan can be developed, based on a more concrete definition of the scope and scale of the project, so that the maximum reimbursement can be authorized by OLIS. Councilor Mihaly noted the Westerly Library Project, which reflects the current climate for potential Library donations.

- B) Non-scheduled request to address. None.

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

- A) Town Administrator's Report: Andrew E. Nota
  - 1) Coyote Management. Addressed previously.
  - 2) Budget Development Process

Mr. Nota reported budget review appointments are scheduled with Town departments over the next three weeks, and more information on upcoming budget sessions will be available at the next meeting. The public is invited to forward their suggestions to the Town Administrator.

- 3) Municipal Solar Project Feasibility

Mr. Nota reported he is working with Public Works Director Gray to evaluate potential power generation projects for Town buildings as part of capital budget development. School projects will be part of a broader discussion as part of the infrastructure review. Council members note other potential alternative energy sources/projects. Trustees Chair Sanborn noted past discussions of photovoltaics on the Library roof, and Mr. Gray noted all aspects and possibilities are being explored.

## **VIII. UNFINISHED BUSINESS**

- A) Upcoming Meetings and Sessions – dates and times

Mr. Nota reports the next Council meeting is Tuesday, January 16<sup>th</sup>, with discussion of upcoming budget work sessions. February meetings are Monday, February 5<sup>th</sup> and Tuesday February 20<sup>th</sup>.

## 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

Council members noted the fine job done by Steve Saracino.

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

- B) Town sidewalk obstructions; review, discussion and/or potential action and/or vote

Councilor Dickinson requested this agenda item, reflecting on obstructive vegetation that makes it difficult for walkers to traverse Town sidewalks and resident complaints of obstructive vegetation blocking views for motorists. Town Administrator Nota referenced sections of the Zoning Ordinance, Tree Preservation and Protection Ordinance, and State Property Maintenance Code that address this issue. The Watson Avenue/North Road crosswalk obstruction issue was noted and efforts for a solution are ongoing. Vice President White commented on narrow sidewalks due to utility poles that limit passage and suggested review by the State Traffic Commission for potential improvement. Public Works Director Gray commented on complaints received in his department regarding obstructive vegetation and their corrective actions. We need to let the homeowners know this is their responsibility. Mr. Nota noted the challenge of heaving sidewalks due to roots of large trees and shrubs. President Trocki hopes the *Jamestown Press* reports on this issue. She believes there is a happy balance for keeping residents safe and making pathways walkable. Discussion ensued of keeping sidewalks clear of snow during the winter months and the responsibility of homeowners.

- C) Crosswalk at Mt. Hope Avenue; review, discussion and/or potential action and/or vote – Addressed previously.

## 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

**A motion was made by Councilor Meagher with second by Vice President White to reappoint Suzann Andrews to the Beavertail State Park Advisory Board. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

- 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

Advertising will continue and citizens are urged to apply.

- 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

Council members note the Harbor Commission categories are not restrictive, advertising will continue, and citizens are urged to apply.

- 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

Ms. Harrison will be interviewed, and interested citizens are urged to apply.

- 5) Jamestown Zoning Board of Review (one unexpired five-year term expiring December 31, 2018)\*
  - a) Letter of resignation
    - i) Richard Crib
  - b) Appointment of 1<sup>st</sup> Alternate to Member
    - i) Edward Gromada
  - c) Appointment of 2<sup>nd</sup> Alternate to 1<sup>st</sup> Alternate
    - i) Marcy Coleman
  - d) Appointment of 3<sup>rd</sup> Alternate to 2<sup>nd</sup> Alternate
    - i) Judy Bell

Councilor Meagher recused on the appointment of Ed Gromada and left the dais.

**A motion was made by Councilor Mihaly with second by Vice President White to appoint Ed Gromada to the unexpired Member term. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Recused; and Councilor Mihaly, Aye.**

Councilor Meagher returned.

**A motion was made by Councilor Meagher with second by Councilor Mihaly to move Marcy Coleman and Judy Bell up to their respective Alternate positions. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

- e) Letters of interest for appointment (3<sup>rd</sup> Alternate)
  - i) Steven Ceceri
  - ii) James King
  - iii) Lisa Hough

President Trocki noted this appointment will be continued until all candidates are interviewed.

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

## **XI. CONSENT AGENDA**

President Trocki noted the vote on Page 12 of the December 11<sup>th</sup> Minutes of the regular meeting should reflect she was absent.

**A motion was made by Councilor Meagher with second by Vice President White to approve the Minutes as amended. President Trocki, Abstained; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.**

**A motion was made by Councilor Meagher with second by Vice President White to 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) December 11, 2017 (work session)
  - 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
a)	07-1024-15	\$ 3,212.08
b)	10-0052-50	\$ 490.37
c)	12-0934-77	\$ 5,981.54
d)	13-0498-51	\$18,494.38
e)	13-1960-50	\$ 3,249.31
f)	15-0221-01	\$ 4,950.14
g)	18-0835-50	\$ 1,548.15
h)	19-0676-49	\$ 3,949.18

i)	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**

The memorandum of the Conservation Commission recognizing past Chair Maureen Coleman was noted and a Proclamation will be drafted and placed on the next agenda. The letter of the American Legion and VFW Post expressing appreciation for the Town's support for Veterans events was noted. It was special they took the time to write the letter. The letter of the Beavertail Lighthouse Museum Association thanking the Council for the donation and the matching fund donation was noted. The letter of the Ethics Commission announcing their public workshop and written comment deadline of January 30<sup>th</sup> was noted.

**A motion was made by Councilor Mihaly with second by Councilor Meagher 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 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

Mr. Nota commented the above items that will be addressed between February and March. Architect Bill Burgin has prepared a new design for the Golf Course Building that will be before Council with cost estimates and a more simplified design based on the needs assessment.

### **XIV. EXECUTIVE SESSION**

None.

### **XV. ADJOURNMENT**

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

The Jamestown Town Council adjourned the regular meeting at 8:27 p.m.

Attest:

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Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council  
Town Administrator  
Finance Director  
Town Solicitor