

**TOWN COUNCIL MEETING
September 4, 2018**

I. ROLL CALL

Town Council Members present:

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

Town Council Members absent:

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
Andrew J. Wade, Parks and Recreation Director
Christopher Costa, Building/Zoning Officer
Thomas Tighe, FOJS President
Peter D. Ruggiero, Town Solicitor
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

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

None.

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

None.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

None.

VI. OPEN FORUM

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

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

None.

VIII. UNFINISHED BUSINESS

- A) Report and Discussion on the Activities of the Jamestown Seniors Working Group; review, discussion, and/or potential action and/or vote
 - 1) Presentation by Chair Mary E. Meagher

Jamestown Seniors Working Group (JSWG) Chair Meagher thanked the members of the Working group for their commitment, concern, sincerity and efforts. A PowerPoint presentation proceeded reviewing the relationship between the Town and Friends of Jamestown Seniors and a synopsis of events as follows:

- Working Group Members – Nancy Beye, Ellie Chase, Heidi Keller Moon, Mary Meagher, Gene Mihaly, Andy Nota, Attorneys Kristen Maccini and Peter Ruggiero; met April 5th, April 19th and July 19th
- Review of the events that led to the consolidation of services
- Working Group reviewed Friends of Jamestown Seniors Issues to be Addressed with the Town of Jamestown, dated March 26, 2018;
 - Separate office space for Coordinator and Friends
 - Scheduling oversight and use of Grange facility
 - Grant applications and distribution entity
 - Specific projects at the property that were budgeted
 - Van
- Larger Issue – April 19th meeting: History of Jamestown Seniors and expansion of programs reviewed, highlighting
 - What do the Friends want the relationship to be
 - What does the Town see as the role of the Friends
- Jamestown Senior Services – Consolidation of administrative services
 - December 17, 2015 Council Meeting review of interactions between the Town Administrator and FOJS Liaison Tighe to assist with management of funds, efficiencies, benefits, insurance, senior employees to become town employees, and operational support.
 - FOJS representatives in attendance expressed their support for the consolidation.
 - Unanimous Council vote: to consolidate senior service and administrative services with the Town of Jamestown with an effective date of January 1, 2016, with the town as an additional lessee on the Grange lease.
- March 2018 the FOJS presented to Council “Preliminary Proposal: Elements of relationship between FOJS and Town of Jamestown in support of all future senior services”

- April JSWG sessions reviewed Section 1 of the proposal; some issues resolved quickly. Section 2 Creation of a Senior Services department within the town to handle matters to be headed by a director level professional as discussed at April JSWG meetings continued;
- July session reviewed:
 - Website issues and Administration's support for the proposed Senior Department, noting it would take time to achieve
 - Section II of Preliminary Proposal "Understanding of the use, maintenance and control of 6 West Street" with FOJS to maintain control over the use of property, including rentals and use, FOJS to notify town of needed routine maintenance and repairs with town solely responsible for the expenses, as long as used for senior services all proposed capital improvements require coordination between FOJS and town, and FOJS to retain sole and ultimate decision making authority on all matters.
- August session: cancelled by FOJS President Tighe (not JSWG Member)
- Letter dated August 9th to Chair Meagher from FOJS Legal Counsel Maccini reviewed; importance of information/document distribution to all members of a public body and availability to the public noted;
- What to do?
 - The town should continue to support and develop a Senior Services program reflective of the population and role Seniors play in Jamestown
 - She believes it sild be its own department
 - Town should continue to fund position of Senior Services Coordinator or department head and positions that serve the meal site, and present coordinator is doing a great job
 - Town should remove itself from the Grange lease and compensate FOJS for use of the facility
 - Town through the Administrator and Solicitor should develop an MOU with FOJS or lease for use of the Grange building (liability on FOJS as having control and sole decision-making authority over Grange building)
 - Grange should continue the lease with FOJS
- In 2013 Solicitor Ruggiero recommended the Town develop a policy to review applications by local organizations for town funding for public service, cultural, charitable, and business groups.
 - The Town should develop guidelines for application review and funding using defined criteria, providing a mechanism for FOJS and others to request funding
 - This procedure would allow FOJS to retain desired authority over the Grange building
 - Town would address concerns in a clear, transparent and fiscally-responsible manner.

President Trocki thanked Councilor Meagher for the report.

Attorney Maccini of Friendship Street, Legal Counsel to FOJS, thanked and commended

JSWG Chair Meagher for her efforts leading the Working Group and the excellent presentation this evening. She thanked Town Administrator for the “Senior Services in the Town of Jamestown” notebook (675 pages) that is very helpful. FOJS members concur with Chair Meagher’s assessment and recommendations made this evening, including:

- Going forward with a Memorandum of Understanding for use of the Grange (6 West Street)
- Fully independent Department of Senior Services with a director level person to coordinate with the FOJS and Town regarding all matters related to Senior programming and services

Discussion ensued of a director to work cooperatively with town employees and FOJS and future plans regarding programming, activities, and provision of services for seniors. Discussion ensued of future use and decision-making authority for use of the Grange, its lease, and whether the Town should be removed from that lease. Attorney Maccini noted the “sole and ultimate decision-making authority over 6 West Street” should be scaled back.

Discussion continued of a Memorandum of Understanding to be developed and brought back to Council for review and approval. Endorsement by FOJS for Senior Coordinator Betsey Anderson to serve as a Director of Senior Services was noted.

Council comments.

Vice President White noted concerns with FOJS maintaining the Grange facility, as the consolidation of services arose due to difficulties with expenses, insurance, etc., and he is in favor of an MOU that would address all concerns. He is not convinced the job of the Working Group is finished as some work needs to be completed.

Councilor Dickinson noted he is in favor of the MOU and there is a precedent for such organizations working cooperatively. He recalls the relationship between the Town and FOJS being established to provide financial support to keep the Seniors operating, and he will continue to support that policy and increase the level of services for our Seniors.

Solicitor Ruggiero asked what is proposed for the MOU and how Town employees fit into this model. Councilor Meagher noted it is her suggestion, not the Council’s, that the Town be removed from the Grange lease. She is glad we are on the same page regarding the MOU.

A motion was made by Councilor Meagher with second by Vice President White to direct the Town Administrator and the Town Solicitor to work with the FOJS, their Solicitor, and representatives in the creation of a Memorandum of Understanding about the use and authority regarding 6 West Street, and the Town Administrator to come up with proposals about options for the organizational structure. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Absent.

B) Donation of Diepenbrock Sculpture to the Town of Jamestown for placement at East Ferry, as requested by Councilor Mihaly, continued from August 20, 2018; review, discussion and/or potential action and/or vote
Joan Swift of Emerson Road, Pat Tuff of Racquet Road, Wendy Ross of East Shore Road and Peter Diepenbrock of Hamilton Avenue are here to follow up on the August 20th discussion regarding the gift of the Diepenbrock sculpture to the Town. The Council voted their support for the concept. The group is noted they are pleased with the public discussion stimulated and highlighted activities to publicize their initiative. The information in the Council Meeting packet available online was noted.

Ms. Swift announced the group has reached over 100% of the costs for the sculpture, resulting in no public funds being required. Discussion involved process, feedback and next steps. The group would like to know Council's thoughts on what is a reasonable time table, and they want to maintain project momentum as donors are not making open-ended donations. This process was from the bottom-up and the result of many people reacting to a beautiful piece of art, which they feel is a reasonable step in the absence of an existing process. The ocean is a relevant factor in our heritage, the whale's tail is an environmental tribute and forward looking, an appropriate symbol, and they are comfortable with its placement by the waterfront. They realize no single object will please all and believe this project endorses the possibility for other public art installations at other town locations.

A PowerPoint presentation proceeded showing:

- Proposed location to the left of Veterans' Square, a welcoming and representative piece of art
- Site plan of proposed sculpture location in public open space adjacent to veterans square.
- Photo-shopped image to demonstrate proposed placement.

They hope to see the process move forward, the project is accepted, keep the donors intact, and have the sculpture underway by the end of the year for a late spring delivery.

Council comments.

President Trocki noted this is discussion of the project and potential gift to the Town, the Town is not soliciting for the project, and this is a citizen initiative. The Council is looking for a process to determine how to accept this gift and want to hear what policy decisions we need to make with community input, as we all want good governance and good decision making for this project and going forward.

Vice President White stated we need to think about the short game and long game. The whale's tail is the project we are discussing, and if the decision is to create a process first, rather than just accepting it as has been done with past art donations, this may take longer than donors are willing to wait. He would like to hear comments from the public. Councilor Meagher concurs.

Councilor Dickinson noted we are all in agreement we are searching for the solution. Change is inevitable and the idea is a good idea, as long as we are sensitive to people who want to see the art in that space and maintain the iconic view. He has had substantive discussions and learned he didn't have the answers to speak confidently how these requests are addressed and the process. We need to develop governance as it will occur again.

Public comment.

Dick Allphin of Bonnet View Drive commented this is an interesting discussion and we don't want to rush into a decision. East Ferry is an important location in town, the process should involve a lot of people as this affects everyone who drives through this area, and we should not install anything that blocks the view.

Ken Newman of Avenue B commented he is a member of the 1% For Public Art Project for the State of RI administered by the RI State Council on the Arts which requires that 1% of construction costs for public buildings be dedicated to public arts. The committee meets as needed to review public pieces. Peter Diepenbock has won this numerous times, including at URI, where 450 submissions were reviewed. Based on construction costs for the URI building the art project was \$459,000. Local communities have had varying successes (Providence and Newport referenced). Issues evaluated by the 1% Committee included liability, durability, and does the artist have the experience to fabricate at this level. He feels it is possible to put together an ad hoc committee to review the proposed project, and put in place a policy going forward simultaneously. We do have public art pieces as mentioned, some donated and some part of a process. The Town needs to deal with this piece in a reasonable time frame with the idea we need a policy going forward so we don't have issues.

Richard Boren of Intrepid Lane suggested having a fast-track stakeholder group of no more than 12 members for a four to six week time period, coming back to Council with their findings, to be done expeditiously but open, made up of members from the residential and business community, as this project may not be available a year from now.

Aldona Sabalis of Beacon Avenue commented she is an artist and admires Peter Diepenbrock's work, but believes that most public art is the result of an open public competition with art suitable for public viewing. She referenced the competition for the Viet Nam War Memorial. We have RISD which many RI residents have attended, and many deserving artists in RI, and an open competition would be exciting. There are grants to fund a charrette which we can all take part in. We shouldn't be pressured because the money will disappear. If people are interested the money will be there.

Alma Davenport of Clinton Avenue commented it is excellent to have this conversation of process. We are lucky to have Ken Newman's experience and the many artists in our community. She encourages the Council to discuss public art and a process for Jamestown that encourages public art. She asked if the money raised (\$100,000) was for public art or this specific project, and she was informed for this project. She doesn't feel a whale's tail is representative of Jamestown and there wasn't enough time to respond to the *Jamestown*

Press article. She commented East Ferry is a small place and can't be turned into a sculpture park. She suggests requesting resumes to get top notch people on the committee and go from there.

Jeff Alexander of Ledge Road commented he agrees with other comments made this evening. The East Ferry area is small, everyone should have some say, and the stakeholders are all the people who pay taxes to support Jamestown and drive through East Ferry. We were told this is for consideration and money was already acquired for this purpose. He is in favor of deciding if the Town wants public art and where it should be. He feels there should be a process first, he is opposed to rushing this through, and the Town shouldn't do it just because some people donated a lot of money for it.

Ken Newman of Avenue B commented on an earlier statement, as most public art is not the result of a process, 20% of public art is the result of a process, and most of it is a gift from various sources. It is not uncommon to have public art resulting from both a process and gifts going on simultaneously.

Mike Swistak of Narragansett Avenue, Planning Commission Chair, commented on the process and whether this proposed installation requires Development Plan Review under the Zoning Ordinance, and he believes it does.

Town Planner Lisa Bryer was asked to weigh-in and noted the Zoning Ordinance states development should be reviewed, but development is not clear in our ordinance, and she does not have an opinion. We are fortunate to have so many artists in town, and she hopes this does not divide us but results in more public art. We should have a process for the future, as we need more public art. We have a proposal, and good luck with the decision. The Whale's Tail is beautiful, Planning is willing to contribute, but we need to hear comments and think about the location.

Carol Hopkins of East Shore Road commented this falls under "no good deed goes unpunished". Chris and I own a Diepenrock in our yard and we love it. People have contacted her and she believes there needs to be a discussion. She would prefer to see the sculpture in an alternate location as this is a coveted view. We shouldn't rush to a decision as the East Ferry spot may not be appropriate.

Pat Tuff of Racquet Road commented she has been here for 71 years, knows the Island well, started this project after seeing the sculpture, and Wendy and Joan agreed with her. It is a great idea to have in town something by a local artist and resident. We have raised over \$100,000 in three weeks by many people who have Jamestown in their blood. She supports it and hope it works.

Cynthia Levesque of Narragansett Avenue, a resident for over fifty years, commented she visits East Ferry and people litter and do not respect the area. Why can't we put art at the site on a temporary basis? She referenced public art in Sarasota, FL, including a statue that of a sailor from RI, and people who viewed it thought it was beautiful. She learned this

evening most art is funded privately. If public art is privately funded, then this is a wonderful thing. It is nice to have a conversation, but at some point someone has to make a decision. Applause. President Trocki noted East Ferry is a work in progress with work to begin again in the fall.

Peter Ellsworth of Norman Road commented we are looking a gift horse in the mouth. We are lucky to have this proposal, the piece is dramatic, but if we limit this to relevance to Jamestown we will end up with sheep, and we need to move forward.

Mark Holland of Intrepid Lane commented on the expression “standing on whales fishing for minnows”. This is something that is inspiring and evoked strong feelings, which art at its best does. How long can we wait for this opportunity to repeat? This is something we should consider. Applause.

Merrill Sherman of Walnut Street commented on Richard Boren’s comments. There is a prominent local artist, with a substantial reputation, in a highly creative community. You will never get unanimous agreement on the sculpture, it would be hard to find those who don’t support public art, and this great idea should have closure rather soon. This is a prominent local artist whose work is outstanding which local residents have come forward to promote. We should have a fast-track process by a committee to come up with a recommendation in four to six weeks as suggested. We won’t have a lot of people coming forward to donate art, and we should take this opportunity to get this piece and to begin the process going forward.

Ron Radcliffe of Ship Street commented we are all in favor of public art, but the issue is what public art. We have a local artist and people willing to put money forward, so what is the rush? Anything prominent deserves consideration. People want public art, but we have a narrow window. He is in favor of slowing down and ask why this needs to go so quickly.

Peter Diepenbrock of Hamilton Avenue, artist, thanked everyone for showing up. He is impatient, has a short memory, and wants to move forward. We are seeing and hearing enthusiasm, had an opportunity to share art, and people came forward to donate to public art in Jamestown rather quickly. The process can take 18 months, we skipped that, and the public has already viewed the art. He noted there has been a process, how it began at the Jamestown Art Center, he met Joe, and he was commissioned to do six sculptures, one of them the whale’s tail. He never expected it to take off and in six weeks funding could be raised. This was conceived here, an effort by a local artist, the art was viewed, we have an opportunity, and there were fair questions raised that need review. What is also viewed at East Ferry was noted and it is not always pretty. The sculpture is not blocking but enhancing the view. An ad hoc committee is the logical next step, and we are not starting from ground zero. No one is jamming this, we just want to move forward, and it doesn’t have to be fast tracked, as he will be here. This may not be the best site, the money may not be here later, but it is part of our town. He is happy to do it and not trying to sell it. Applause.

Walter Bopp of Highland Drive suggested moving forward with the project as laid out and in the long term it could be moved if another site is determined to be better. The Town has options with very little downside, and if it blocks the view it can be moved. Applause.

President Trocki asked how moveable it is, and Peter Diepenbrock stated it is very moveable and can be excavated out if needed. Discussion ensued of potential bases to facilitate moving it and that it would be a one-day job. Long-term temporary art was noted as an alternative. The donor group could determine their desire for the art site duration and other potential locations. It was noted there were over 50 donors starting at \$50 and up.

Vice President White stated we are the Town that took 25 years to find a location for the Highway Barn, so maybe we could appoint an ad hoc committee and ask them to act fast and get it done.

Mary Beth Murphy of Bell Lane commented on the 1% Committee for the URI art she served on, she is experienced, and publicly volunteers for the ad hoc committee. Whether the whale relates to Jamestown is irrelevant. The beached whale at Beavertail drew thousands of spectators, and whales pass by Jamestown during their migration.

Cathy Kaiser of Knowles Court commented she did research, Narragansett Bay had a large whaling industry, and our Narragansett Tribe were whalers beginning with canoes. As early as 1662 there whaling activities in Narragansett Bay, and we were a whaling area until at least 1828, which can be confirmed on the internet. Applause.

A motion was made by Vice President White with second by Councilor Meagher to start the forming of an ad hoc committee of ten (10) people with a wide range of types of community members and have them report back on how they are doing in four weeks, not to be done necessarily, but to keep us apprised of how they are doing, and try to put it together, and I volunteer to be one of the members of that committee.

Discussion. Solicitor Ruggiero asks if the Town Council will appoint the members, and the Council stated yes. Councilor Meagher noted the transparency and clarity of the process needs to be out front and in public, agrees with a committee, understands the concerns, and recognizes the momentum. This is about how we deal with a gift of art and place-making. The four to six weeks may be a little rushed. This is a beautiful piece, a generous donation, and where this piece goes is the discussion. We need a short-term goal or review that creates a long-term process, and we have more thinking to do on what the goal is. Councilor Dickinson noted he is pleased with the enthusiasm, you took our suggestion and executed it, but enthusiasm alone is not enough to make a decision. He wants to be sure we follow a process so that all issues and questions are taken into consideration. It is not about whaling, we all appreciate art, he supports a committee, and any Town staff would be advisory and a resource for the committee. Pat Tuff asked if they should contact donors to explain what is happening. President Trocki stated that is up to them. Richard Boren noted what North Kingstown did in forming a diverse ad hoc group (12 members) appointed by the Council to determine what to do with the proposed mixed-use for Schartner Farms and golf course

properties, with the Planner serving as facilitator and a Council member serving as liaison, not as members. Councilor Dickinson noted there should be a diverse group representing all the views we heard this evening. Town Administrator Nota recommended coming back on September 17th to articulate the specific segments of the community Council would like represented on this committee. In the interim we can work with the *Jamestown Press* to advertise for resumes, with interviews or paper reviews of resumes by early October, so that we would be on track to come back to Council with recommendations. Councilor Dickinson feels a letter of intent is sufficient. Mr. Nota will develop the committee charge for review at the next meeting. President Trocki recommended citizens with institutional knowledge and expertise send letters of interest and resumes to the Town Clerk for distribution to Council.

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

President Trocki noted by the next meeting Council will process information, determine how to select a committee, and adopt a committee charge.

- C) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule – September 17th, October 1st, and October 15th; review, discussion and/or potential action and/or vote
 - 2) Golf Course, Library and School Bonds – October 1, 2018 Town Council Meeting agenda item, with public information session early to mid-October at a date to be determined, continued from August 20, 2018; review, discussion and/or potential action and/or vote

IX. NEW BUSINESS

- A) Adoption of Resolution No. 2018-17: Advances for Engineering Expenses Regarding South Pond Dam; review, discussion, and/or potential action and/or vote

A motion was made by Councilor Meagher with second by Vice President White to waive reading of the Resolution. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Absent.

A motion was made by Councilor Meagher with second by Vice President White to adopt Resolution No. 2018-17. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Absent.

- B) Placement of Signs on Town-owned and other Publicly-owned Properties; review, discussion, and/or potential action and/or vote

This agenda item was requested by Councilor Dickinson for Council discussion, noting concern for liabilities and civil liberties as regards the placement of political signs. A conversation began in July with the Building Official regarding political signs, and he

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posted them to prove a point. He asked Solicitor Ruggiero if he was consulted during this process, and he stated he was not. The Town Administrator directed a memorandum to political candidates on August 27th that referenced the Town sign ordinance and enforcement actions for placement of political signs on Town-owned property. The ACLU responded to the Town Administrator's memorandum noting constitutional problems with ordinance provisions, and the Town Administrator's response noted that the local sign ordinance requires revision, is under review, and will not be enforced. Councilor Dickinson noted this has been an issue for him since 2010 and the Town has been exposed to liability, as ordinances deemed unenforceable are being enforced. Ordinances should be enforced equally, and any citations issued for signage violations should be rescinded, as the Town is acting irresponsibly. He is concerned, and if his signs are being removed, all signs should be removed, which was not done.

Joyce Antoniello of Columbia Avenue noted her confusion and asked what this has to do with free speech. Councilor Dickinson answered when you see all the signs on town property, you are targeting free speech by removing his sign. Ms. Antoniello asked if self-promoting signs are the same as public information signs? Councilor Dickinson commented this is harassment, and this action is discriminatory.

President Trocki commented if he has had this fight for six to eight years, he could have placed the issue of the sign ordinance on an agenda for Council discussion. The issue is putting a private sign on public property. Councilor Dickinson stated he put his sign next to the Solarize sign. President Trocki noted his sign was posted next to the Solarize sign that was a public initiative voted by the Town Council and posted for public information. The distinction is a private sign by any candidate would be dealt with in the same manner, no matter who it is. Councilor Dickinson said his issue is the content of the sign is irrelevant, and neither sign should be posted there. Discussion continued.

The Solicitor was asked for his opinion, and Solicitor Ruggiero noted enforcement is the Building Official's area and he can only give advice. The sign ordinance has defective parts. The ordinance contains dimensional requirements, and when content is regulated on an allowable sign, it is regulating free speech, and the Supreme Court basically said you cannot regulate content; you can regulate its placement and location, but if you regulate dimensions for a specific type of sign, based on content, that is discriminating. Commercial signs on public property can be regulated, but political signs are a protected area. Discussion ensued. The ordinance as written is not being followed, and to enforce it would be problematic.

Town Administrator Nota stated the consultant hired to rewrite the Zoning Ordinance, Horsley Witten, is making great progress and has recommended revisions, and the ACLU is aware of the rewrite. Zoning Official Chris Costa is not imposing the time period and size limitation in the current ordinance and applying the other existing rules of the sign ordinance, and is imposing restrictions and removing signs, including the Solarize signs. Discussion ensued of enforcement. Mr. Nota stated his support for the Building Official's actions. Chris is doing a good job and is here to answer any questions.

Building/Zoning Official Chris Costa stated he removes signs on a regular basis. A sign that supports a public initiative will be left in place where a sign promoting a specific candidate would be removed.

Councilor Dickinson stated he brings this issue forward after each election, the Town knows the political sign ordinances are not enforceable, but signs were removed, and this was wrong. Discussion ensued.

President Trocki stated as a Town Councilor he (Blake) could have placed this on an agenda for discussion prior to or following an election. She doesn't understand his actions and asks how he was harmed. Discussion ensued of removing signs. Rather than discussion, let's put this on an agenda to discuss whether an ordinance amendment is needed.

Town Administrator Nota referenced the RIDOT letter announcing their policy regarding signs on State properties. The Town uses three locations for sandwich boards for public announcement, two RIDOT properties and one RITBA property. RITBA responded that they are comfortable with the placement of a public notification. We have to reach out to RIDOT to affirm public notification signs will be allowed at their properties. The Zoning Officer does not remove signs from State property.

President Trocki noted this is a complicated issue and she respects where Councilor Dickinson is coming from. It should be addressed through the agenda where we can come up with a solution.

- C) Award of Bid: Articulated Concrete Block for the South Pond Dam Improvement Project to ACF Environmental for an amount not to exceed \$48,450.00, as bid, as recommended by Public Works Director Michael C. Gray; review, discussion, and/or potential action and/or vote

A motion was made by Councilor Meagher with second by Vice President White to award the bid for articulated concrete block. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Absent.

- D) Award of Bid: Engineered Fill for the South Pond Dam Improvement Project to Dry Bridge Sand and Stone for a unit bid price of \$14.60 per ton, as bid, as recommended by Public Works Director Michael C. Gray; review, discussion, and/or potential action and/or vote

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

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, Absent.

The Consent Agenda approved consists for the following:

- A) Adoption of Town Council Minutes
 - 1) August 20, 2018 (regular meeting)
- B) Minutes of Town Boards/Commissions/Committees
 - 1) Jamestown Philomenian Library Board of Trustees (07/10/2018)
 - 2) Jamestown Philomenian Library Board of Trustees (07/17/2018)
 - 3) Jamestown Zoning Board of Review (07/24/2018)
- C) CRMC Notices
 - 1) Public Notice of application filed by Eastward Vista, LLC for Assent to construct and maintain 1200 pound boat lift on existing residential boating facility at Plat 4 Lot 33 East Sore Road, East Passage of Narragansett Bay, with written objections due on or before 9/15/2018
 - 2) Public Notice of Proposed Rule Making Direct Final Amendment to Aquidneck Island SAMP Coastal Development Regulations with formal objections due by September 21, 2018
 - 3) Public Notice of Proposed Rule Making for Direct Final Repeal of Coastal and Estuarine Land Conservation Program with formal objections due by September 21, 2018
 - 4) Public Notice of Proposed Rule Making for Direct Final Repeal of Energy Amendments with formal objections due by September 21, 2018
 - 5) Public Notice of Proposed Rule Making for Direct Final Repeal of Rule Making Guidelines for Development of Municipal Harbor Management Plans with formal objections due by September 21, 2018
 - 6) Public Notice of Proposed Rule Making for Direct Final Amendment to Metro Bay SAMP Urban Coastal Greenways with formal objections due by September 21, 2018
 - 7) Public Notice of Proposed Rule Making for Direct Final Repeal of Metro (Providence Harbor) SAMP Hazards Chapter with formal objections due by September 21, 2018
 - 8) Public Notice of Proposed Rule Making for Direct Final Repeal of Providence Harbor: A Special Area Management Plan with formal objections due by September 21, 2018
- D) Abatements/Addenda of Taxes

Total Abatements: \$57,507.40 Total Addenda: \$54,406.21

1) Motor Vehicle Abatements to 2016 Tax Roll

Account/Abatement Amount

a) 07-0123-50M \$ 74.77

2) Motor Vehicle Abatements to 2017 Tax Roll

Account/Abatement Amount

a) 07-0123-50M \$ 43.27

3) Motor Vehicle Abatements to 2018 Tax Roll

Account/Abatement Amount

b) 03-0120-77M \$ 6.17

c) 10-0230-00M \$ 130.75

d) 18-0140-06M \$ 19.39

4) Real Estate/Tangible Abatement to 2018 Tax Roll

Account/Abatement Amount

a) 02-0896-93 \$6,471.65

b) 02-1035-80 \$5,805.78

c) 03-0330-00 \$3,410.44

d) 07-0367-00 \$3,793.90

e) 07-0894-04 \$2,191.79

f) 08-0021-00 \$4,208.51

g) 08-0460-88 \$2,561.04

h) 12-0927-75 \$8,726.91

i) 16-0054-40 \$2,375.87

j) 18-0006-19 \$3,433.70

k) 20-0539-40 \$8,271.74

l) 23-0110-02 \$2,719.25

m) 26-0098-00 \$3,262.47

5) Addenda to the 2018 Tax Roll

Account/Addenda Amount

a) 02-0896-93 \$2,719.25

b) 02-1301-20 \$4,208.51

c) 03-1419-10 \$3,410.44

d) 03-1545-50 \$2,375.87

e) 07-0034-65 \$3,793.90

f) 12-0100-97 \$5,805.78

g) 12-0927-75 \$2,561.04

h) 13-2251-00 \$6,471.65

i) 14-0432-20 \$8,726.91

j) 19-1159-91 \$2,191.79

k) 23-0138-00 \$3,262.47

l) 26-0027-00 \$8,271.74

6) Addenda to the 2018 Motor Vehicle Roll

Account/Addenda Amount

a) 02-0380-80M \$ 160.39

b) 03-0590-60M \$ 189.26

- c) 06-0108-30M \$ 126.65
 - d) 16-0147-55M \$ 6.17
 - e) 18-0020-20M \$ 124.39
- E) Abutter Notification: Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing on September 25, 2018 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following:
- 1) Application of Wildacre Allagash, LLC (Eric Bottaro, Owner) whose property is located at Seaside Drive and Beach Avenue, and further identified as Tax Assessor's Plat 15, Lot 215 for:
 - 1. a Variance from Article 3, Section 302, District Dimensional Regulations to allow front setback relief from Beach Avenue for 27.9' setback in an R-40 zone where front setback requirement is 40'; and
 - 2. a Special Use Permit from Article 3, Section 2-314(c), High Groundwater Table and Impervious Layer Overlay District to allow construction of a single family home with a 4 bedroom OWTS. Said property is located in an R-40 zone and contains 25,668 square feet.
- F) One Day Event/Entertainment License Application
- 1) Applicant: Jamestown Rotary Club
 - Event: 43rd Annual Jamestown Classic Bike Race
 - Date: October 8, 2018
 - Location: Fort Getty/Streets of Jamestown/Fort Getty
 - a) Request for Waiver of Pavilion Rental Fee

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

Communication 5) from Maria Semeraro-Bellanca was removed from Communications.

A motion was made by Councilor Meagher with second by Vice President White to accept all other Communications. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Absent.

A motion was made by Councilor Meagher with second by Vice President to place Communication 5) on the next agenda for review. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Absent.

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

- A) Communications
 - 1) Letter of James Rugh re: expressing support for placement of Diepenbrock sculpture at East Ferry
 - 2) Email of Allie Sabalis re: Display of Public Art in Jamestown

- 3) Email of Michael Swistak re: Jamestown Public Art Policy and Proposal for new Installation
- 4) Email of Duncan Pendlebury re: in agreement with the cautions expressed by Michael Swistak
- 5) Letter of Maria Semeraro-Bellanca seeking assistance in raising awareness of October as “Dysautonomia Awareness Month”
- 6) Letter of ACLU Executive Director Steven Brown re: Town of Jamestown Sign Ordinance and political signs

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- B) Veterans’ Exemptions
- C) Part-time employee salaries
- D) Town Council/Public use of cell phones at meetings
- E) EMS Barn Property
- F) Abandonment of Bell Lane (September 17)
- G) Safe Routes to School (September 17)
- H) Fort Getty Program Discussion (September 17)
- I) Approval of Five-year Renewal of the Island Rubbish Recycling Contract (September 17)
- J) Fort Getty Utility Impacts (September 17)
- K) Summer Recreation Wrap-up (September 17)
- L) Proceed to advertise for Liquor License Renewals (September 17)
- M) Water supply concerns in the Jamestown Shores (October)

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, Absent.

The Jamestown Town Council adjourned the regular meeting at 10:28 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
Town Administrator
Finance Director
Town Solicitor