



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
**Rosamond A. Tefft Council Chambers**  
**93 Narragansett Avenue**  
**Monday, December 3, 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) Proclamation; review, discussion and/or potential action and/or vote
  - 1) No. 2018-09: Honoring Probate Judge J. Peter McGuirl

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

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

**VI. OPEN FORUM**

*Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue*

- A) Scheduled request to address
  - 1) Mary Lou Sanborn – congratulations to Members of the Town Council
- B) Non-scheduled request to address

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

- A) Town Administrator's Report: Andrew E. Nota
  - a) East Ferry Project Review
  - b) Town Council On-boarding Program
  - c) Preliminary Budget Work Session Schedule

**VIII. UNFINISHED BUSINESS**

**IX. NEW BUSINESS**

- A) Upcoming meetings, work sessions, budget work sessions, workshops, and other sessions; review and discussion and/or potential action and/or vote
  - 1) Town Council Meeting date and time
  - 2) Board of Water and Sewer Commissioners Meeting date and time
  - 3) Annual Budget Work Session with Jamestown School Committee and School Department, pursuant to RIGL §16-2-21
  - 4) Town Council Tour of Town Facilities
- B) Town Council Liaison positions; review, discussion and/or potential action and/or vote
  - 1) Jamestown School Department Liaison
  - 2) Jamestown Philomenian Library Liaison
  - 3) Jamestown Conservation Commission Liaison
- C) Town Council Appointed positions:
  - 1) Town Solicitor/Prosecutor; review, discussion and/or potential action and/or vote
    - a) Letter of request from Peter D. Ruggiero of Ruggiero, Brochu and Petrarca for reappointment as Town Solicitor and Prosecutor, with background information
  - 2) Probate Judge; review, discussion and/or potential action and/or vote
  - 3) Town Sergeant; review and discussion and/or potential action and/or vote
  - 4) Bond Counsel; review and discussion and/or potential action and/or vote
- D) Town Council Rules and Procedures; review, discussion and/or potential action and/or vote
- E) Town Council Goals and Objectives; review, discussion and/or potential action and/or vote
- F) Review of the Open Meetings Act, Access to Public Records Act, and Code of Ethics by Town Solicitor Peter D. Ruggiero
- G) Review, discussion and/or potential action and/or vote regarding a Grant of Easement by and between the Town of Jamestown and The Narragansett Electric Company through a portion of Town property located on Battery

Lane designated as Plat 11 Lot 11 to provide electrical service to property located on Battery Lane designated as Plat 11 Lot 38, and authorization for signing by the Town Administrator

**X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS**

- A) Ordinances
  - 1) Presentation of certified initiative petition from Town Clerk concerning proposed adoption of Jamestown Sanctuary Ordinance, submitted pursuant to the relevant requirements of Sec. 219 of the Town of Jamestown Charter; review, discussion, and/or possible action to notice for public hearing and/or set down for submission to the electors for their approval or rejection, no less than 30 days nor more than one year from the date the town council takes its final vote thereon. The town council may, and if no regular election is to be held within such period shall, provide for a special election.
- B) Vacancies; review, discussion and/or potential action and/or vote
  - 1) Jamestown Affordable Housing Committee (Three Vacancies - One vacancy with a three-year term ending date of May 31, 2021, One vacancy with an unexpired three-year term ending date of May 31, 2020, and One vacancy with an unexpired three-year term ending date of May 31, 2019); duly advertised
    - a) Letters of resignation
      - i) Edie Flynn
      - ii) Lydia Thomas
      - iii) William J. Piva, Jr. – elected to Town Council
    - b) Letters of interest for appointment
      - i) Sydney Keen – for full term
      - ii) Fred Pease – for unexpired term
  - 2) Jamestown Fire Department Compensation Committee (One vacancy with a three-year term ending date of May 31, 2021); duly advertised
    - a) Letter of resignation
      - i) Jerome Scott
    - b) Letter of interest for appointment
      - i) Sydney Keen
- C) Expiring Terms; review discussion and/or potential action and/or vote
  - 1) Beavertail State Park Advisory Board (One vacancy with a three-year term ending date of December 31, 2021); duly advertised
    - a) Term limit reached
      - i) Neil Blitz
    - b) Letter of interest for appointment
      - i) Linda Warner
  - 2) Jamestown Conservation Commission (Two vacancies with three-year term ending dates of December 31, 2021); duly advertised

- a) Letter of resignation
  - i) Bill Reardon
- b) Letter of interest for reappointment
  - i) Phil Larson
- c) Letters of interest for appointment
  - i) Jessica Wurzbacher
  - ii) Sydney Keen
  - iii) Susan Shim Gorelick
- 3) Jamestown Harbor Management Commission (Three vacancies with three-year term ending dates of December 31, 2021); duly advertised
  - a) Letters of interest for reappointment
    - i) Eric Lexow
    - ii) Wayne Banks
    - iii) Daniel Wurzbacher
  - b) Letter of interest for appointment
    - i) John Primiano
    - ii) Nicholas Radesca
- 4) Jamestown Housing Authority – Resident Commissioner (One vacancy with a five-year term ending date of December 31, 2023; duly advertised)
  - a) Letter of interest for reappointment
    - i) Kathy Powers
- 5) Jamestown Juvenile Hearing Board – Member (Two vacancies with three-year term ending dates of December 21, 2021); duly advertised
  - a) Letter of resignation
    - i) Richard Mulcahey
  - b) Letter of interest for reappointment
    - i) Barbara Szepatowski
  - c) Letter of interest for appointment – to move up to Member from Alternate Member
    - i) Michael Lichtenstein
- 6) Jamestown Juvenile Hearing Board (Two alternate member vacancies with two-year term ending dates of December 31, 2020); duly advertised
  - a) Letter of resignation
    - i) Cheryl Petrosinelli
  - b) Letter of interest for appointment
    - i) Sydney Keen
- 7) Jamestown Philomenian Library Board of Trustees (Two vacancies with three-year term ending dates of December 31, 2021); duly advertised

- a) Letter of resignation
  - i) Marianne Kirby
- b) Letter of interest for reappointment
  - i) Mary Lou Sanborn
- 8) Jamestown Planning Commission (One vacancy with a four-year term ending date of December 31, 2022); duly advertised
  - a) Letter of interest for reappointment
    - i) Dana Prestigiacomio
  - b) Letter of interest for appointment
    - i) Richard Lynn
    - ii) Sydney Keen
    - iii) Erik Brine
- 9) Jamestown Traffic Committee – Member-at-Large (Two vacancies with three-year term ending dates of December 31, 2021); duly advertised
  - a) Letter of resignation
    - i) Melissa Mastrostefano
  - b) Letter of interest for reappointment
    - i) Vincent Moretti
  - c) Letter of interest for appointment
    - i) Valerie Southern
- 10) Jamestown Tree Preservation and Protection Committee (Four vacancies with One unexpired three-year term ending date of December 31, 2019 and Three three-year term ending dates of December 31, 2021); duly advertised
  - a) Letter of resignation (unexpired term)
    - i) Richard Lynn
  - b) Letters of resignation (full terms)
    - i) Peter Kallman
    - ii) Mark Girard
  - c) Letter of interest for reappointment
    - i) Elaine Peterson
- 11) Jamestown Zoning Board of Review – Member (One vacancy with a five-year term ending date of December 31, 2023); duly advertised
  - a) Term limit reached
    - i) Richard Boren
  - b) Letter of interest to be appointed to full Member
    - i) Lisa Hough – 2<sup>nd</sup> Alternate
- 12) Jamestown Zoning Board of Review – Alternate Member (Three vacancies with one-year term ending dates of December 31, 2019); duly advertised
  - a) Letter of interest to remain as Alternate Member
    - i) Judy Bell – 1<sup>st</sup> Alternate

- b) Letter of interest for appointment
  - i) Erik Brine

## **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) November 19, 2018 (special meeting)
- B) Minutes of Town Boards/Commissions/Committees
  - 1) Jamestown Harbor Commission (05/09/2018)
  - 2) Jamestown Harbor Commission (06/13/2018)
  - 3) Jamestown Harbor Commission (07/11/2018)
  - 4) Jamestown Harbor Commission (08/08/2018)
  - 5) Jamestown Harbor Commission (09/12/2018)
  - 6) Jamestown Library Board of Trustees (10/09/2018)
  - 7) Jamestown Library Building Renovation (10/02/2018)
  - 8) Jamestown Planning Commission (09/19/2018)
  - 9) Jamestown Planning Commission (10/03/2018)
  - 10) Jamestown Planning Commission (10/17/2018)
  - 11) Jamestown Zoning Board of Review (10/23/2018)
- C) CRMC Notices
  - 1) Semi-Monthly Meeting Agenda for November 27, 2018
  - 2) Official Finding and of Violation to Makenzie and Brittany Richards for mowing an emergent wetland for the property located at Arnold Avenue described as Plat 8 Lot 890
- D) Zoning Board of Review Abutter Notifications: Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing on November 27, 2018, at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI, at 7:00 p.m. upon the following:
  - 1) Application of Angels Kitchen, whose property is located at 23 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 568 for a special use permit from Article 6, Section 82-601, Special Use Permits authorized by this ordinance, Article 3, Table 3.1 Restaurant with Alcohol, to serve beer & wine. Said property is located in a CL zone
  - 2) Application of Donata & Neill Barber, whose property is located at 108 Howland Ave., and further identified as Assessor's Plat 9, Lot 516 for a variance & special use permit from Article 3, Section 82-302, Table 2 – setback requirements, Article 14, Section 82-1403-H-Detached AFDU, Article 6, Section 82-601 & 606 Special Use Permits, conditions for granting a variance. Request minimum relief per articles to allow for an existing approved AFDU that is .8 ft. from the rear lot line instead of the required 30 ft. Said property is located in a R20 zone and contains 16,500 sq. ft.

- 3) Application of Jamestown Beer Holdings LLC (Okema Prop. LLL, owner) whose property is located at 34 Narragansett Ave., and further identified as Assessor’s Plat 8, Lot 453 for a special use permit from Article 3, Section 82-301, Table 3-1 VIB Tavern/Bar, Article 6, Section 82-601 special use permit to operate a nano-brewery and taproom. Said property is located in a CD zone and contains 1,373 sq. ft.
- 4) Application of Paul Hamilton and Patricia Young whose property is located at 260 Beavertail Road, Jamestown, RI, and further identified as Tax Assessor’s Plat 12, Lots 42 and 212, for an appeal pursuant to the Zoning Ordinance, Article 82, Section 408 (“Appeal of a decision of the zoning enforcement officer”). Mr. Hamilton and Ms. Young appeal the Zoning Enforcement Officer’s decision not to take action on their formal, written request that he take action with respect to their neighboring property owner’s (Geoffrey Hamlin and Kristan Peters Hamlin, together, the “Hamlins”) tennis court structure (located at 0 Battery Lane, Tax Assessor’s Plat 11, Lot 38), specifically to:
  1. Require complete removal of the tennis court structure and regrading of the area to preconstruction elevations as reflected in the existing plans;
  2. Formally deny the November 6, 2017 Northeast Engineers & Consultants, Inc. drainage plan (entitled “Proposed Improvements in the Vicinity of Tennis Court”) submitted by the Hamlins, because, for one, it is an “after-the-fact” plan that is not appropriate under the soil erosion and sedimentation provisions of the Town Code; and
  3. Require the Hamlins to submit an appropriate drainage plan, if still necessary for the work proposed on the whole of the Hamlins’ property.

Paul Hamilton and Patricia Young’s property is located in an RR-80 zone and contains approximately 45.195 acres.

E) Abatements/Addenda of Taxes

Total Abatements: \$69,626.87      Total Addenda: \$73,966.00

1) Motor Vehicle Abatements to 2018 Tax Roll

**Account/Abatement Amount**

- |    |             |           |
|----|-------------|-----------|
| a) | 07-1131-01M | \$ 35.50  |
| b) | 07-1131-02M | \$ 167.59 |

2) Real Estate/Tangible Property Abatements to 2018 Tax Roll

**Account/Abatement Amount**

- |    |            |             |
|----|------------|-------------|
| a) | 01-0696-97 | \$ 3,498.94 |
| b) | 02-0317-50 | \$17,087.06 |
| c) | 03-1105-80 | \$11,291.53 |
| d) | 03-1302-52 | \$ 6,711.49 |

e)	03-1496-00	\$ 6,723.88
f)	04-0035-00	\$ 106.20
g)	08-0095-50	\$10,794.44
h)	08-0862-00	\$ 3,394.96
i)	16-0680-05	\$ 5.31
j)	19-0009-10	\$ 7,697.83
k)	20-0505-75	\$ 2,112.14
3)	Addenda to 2018 Tax Roll	
	<b><u>Account/Abatement Amount</u></b>	
a)	03-0590-60	\$ 612.76
b)	04-0015-52	\$ 1,566.34
c)	04-0668-30	\$ 6,723.88
d)	06-0302-70	\$ 1,750.18
e)	07-0592-73	\$ 3,544.96
f)	07-1034-00	\$17,087.06
g)	10-0364-10	\$11,291.53
h)	10-0410-10	\$ 2,112.14
i)	12-0901-85	\$10,944.44
j)	13-1734-00	\$ 274.45
k)	13-1780-55	\$ 7,847.83
l)	13-1965-50	\$ 3,498.94
m)	23-0556-00	\$ 6,711.49

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

- A) Communications
- 1) Memorandum of Jamestown Conservation Commission re: Water Resource Protection Board and proposing WRPB operate independently from the Conservation Commission
  - 2) Memorandum of Jamestown Conservation Commission re: proposed parking area for the Conanicut Island Sanctuary Trail, as developed by Trail Steward Chris Powell
  - 3) Memorandum of Jamestown Conservation re: Jamestown Paper Streets and Citizen's access to water
  - 4) Letter of Ann Gagnon requesting the Town move immediately to protect the remaining 34 lots in the Shores for groundwater protection and over development
  - 5) Letter of the Barrington Town Council to the Middletown Town Council re: Superior Court decision concerning Flavored Tobacco Control Ordinance
  - 6) Letter of Arnold-Zweir Post 22 American Legion and Veterans of Foreign Wars Post 9447 requesting the Town Council review the tax credit initiated by the previous Town Council

- 7) Email of Kenneth Nelson to Police Chief Mello requesting installation of a stop sign at the east/west intersection of Lawn Avenue and Watson Avenue to reduce vehicle speeding

### **XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS**

- A) Budget Work Sessions for FY 2019-2020
- B) Veterans Exemption Review
- C) Discussion on Future Improvements to the public East Ferry boat ramp
- D) Discussion regarding formation of a separate Water Resources Protection Committee
- E) Discussion regarding “Excess” classification of the Beavertail Lighthouse Property and future State and Local interest in the property
- F) Authorization to proceed to 100% design and bid document development on the Golf Course Clubhouse project.

### **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](http://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 November 29, 2018*