

President Trocki announced the Town Council met in special meeting with executive session, which has adjourned, and Council voted in executive session to authorize Town Administrator Nota to enter into a Purchase and Sales Agreement with Church Community Housing for the sale of 1.3 acres of town-owned land on Carr Lane for Affordable Housing, with 5.5 acres of the property remaining in Open Space.

**TOWN COUNCIL MEETING
September 17, 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
Andrew J. Wade, Parks and Recreation Director
Peter D. Ruggiero, Town Solicitor
Denise Jennings, Water Clerk
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 6:39 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 6:39 p.m., and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:52 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

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

None.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

A) Town Council Sitting as the Alcoholic Beverage Licensing Board

A motion was made by Councilor Meagher with second by Vice President White to convene as the Alcoholic Beverage Licensing Board for the Town of Jamestown at 6:52 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- 1) **REQUEST** that the applications listed below will be in order for hearing at a meeting of said Licensing Board on Monday, November 5, 2018 at 6:30 p.m. and advertised in the *Jamestown Press*. **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the year December 1, 2018 to November 30, 2019; review, discussion and/or potential action and/or vote:

CLASS A (PACKAGE STORE) – RETAIL

Tunstall, Inc.

dba: Grapes & Gourmet

9 Ferry Wharf

Varsha, Inc.

dba: Jamestown Wine & Spirits

30 Southwest Avenue

A motion was made by Councilor Meagher with second by Vice President White to proceed to advertise for Public Hearing for the Class A (Package Store) – Retail Liquor License Renewals on November 5, 2018. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

CLASS B – TAVERN

Bay Voyage, LLC

dba: Bay Voyage

150 Conanicus Avenue

A motion was made by Councilor Meagher with second by Vice President White to proceed to advertise for Public Hearing for the Class B – Tavern Liquor License Renewal on November 5, 2018. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

CLASS B – VICTUALER

Islandish, Ltd.

dba: Chopmist Charlies
40 Narragansett Avenue

Jamestown Culinary Partners, LLC

dba: Jamestown Fish
14 Narragansett Avenue

Jamestown Restaurant Group, LLC

dba: Narragansett Café
25 Narragansett Avenue

New England Golf Course Management, Inc.

dba: Jamestown Golf and Country Club
aka: The Cady Shack
245 Conanicus Avenue (lower level rear)

Slice of Heaven, Inc.

dba: Slice of Heaven
32 Narragansett Avenue

ESJ, Inc.

dba: Simpatico Jamestown
13 Narragansett Avenue

KALI, LLC

VI. dba: J Twenty-Two Tap & Table
22 Narragansett Avenue

A motion was made by Councilor Mihaly with second by Councilor Meagher to proceed to advertise for Public Hearing for the Class B – Victualer Liquor License Renewals on November 5, 2018. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

CLASS B – VICTUALER - LIMITED

Lucky Ridge Co., LLC

dba: Spinnaker's Café
3 Ferry Wharf

PP Jamestown, LLC

dba: Pink Pig BBQ
35 Narragansett Avenue

Village Hearth Bakery, Inc.
dba: Village Hearth Bakery
2 Watson Avenue
Jamestown, RI 02835

A motion was made by Councilor Meagher with second by Vice President White to proceed to advertise for Public Hearing for the Class B – Victualer – Limited Liquor License Renewals on November 5, 2018. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

CLASS D – FULL (CLUB)

Conanicut Yacht Club
dba: Conanicut Yacht Club
40 Bay View Drive

A motion was made by Councilor Meagher with second by Vice President White to proceed to advertise for Public Hearing for the Class D – Full (Club) Liquor License Renewal on November 5, 2018. 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 adjourn as the Alcoholic Beverage Licensing Board for the Town of Jamestown at 6:55 p.m. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

B) Licenses and Permits

- 1) **REQUEST** to advertise for extended hours [in accordance with RIGL §5-24-1 (a) and (b)] in the *Jamestown Press* for a public hearing on November 5, 2018: **NOTICE:** Is hereby given that there will be a public hearing by and before the Town Council of the Town of Jamestown on Monday, November 5, 2018 at 6:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI pursuant to §5-24-1 of the General Laws of Rhode Island 1956 and as amended upon the following: **RENEWAL** application; review, discussion and/or potential action and/or vote:

Cumberland Farms, Inc.
dba: Cumberland Farms Store #1108
41 North Main Road
Plat 8 Lot 626

Application of **Cumberland Farms, Inc. dba: Cumberland Farms Store #1108**, for renewal of additional operational hours to open at 5:00 a.m. for said establishment, holder
Town Council Meeting 09-17-2018 Page 4 of 16

of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 a.m. to 2:00 a.m. daily (RIGL §5-24-1 allows this establishment to be open from 6:00 a.m. until 2:00 a.m. without additional operating hours).

A motion was made by Councilor Meagher with second by Vice President White to proceed to advertise the Victualing License with Extended Hours Renewal for Cumberland Farms for hearing on November 5, 2018. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

VI. OPEN FORUM

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

Kevin Ford of Davit Avenue wishes to speak to the Approval of the Island Rubbish Recycling Contract. President Trocki noted this item is on the meeting agenda and he can speak at that time.

Karen Stewart of Parkway Avenue, Cranston, SolarizeRI Team member, stated she is here to provide an update on the program with a signup deadline of September 21st. Jamestown residents must do so by Friday to be eligible for the discounted prices. Signup forms are available online, at the table in the hall, or through Town Planner Lisa Bryer.

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

- A) Town Administrator's Report: Andrew E. Nota
Town Administrator Nota reported on the following:

- 1) Jamestown Emergency Preparedness

Mr. Nota reported on the September 12th Emergency Management meeting and preparations for heavy rain expected from Hurricane Florence. Shelter, transportation, and other emergency information are available on the Town website. President Trocki noted the Town's preparedness during weather events is outstanding and thanked Chief Mello. Code Red emergency announcements via telephone were noted and citizens were urged to sign-up to receive notifications.

- 2) Rhode Island League of Cities and Towns

Mr. Nota gave an update on programming and training available through the RI League including:

- a) Procurement Webinar
- b) Meeting with RIDE Commissioner Wagner
- c) RI Infrastructure Summit
- d) League Annual Dinner and Installation of Officers

Central Falls Mayor James Diossa will be the new League President, taking over from Pawtucket Mayor Donald Grebien.

3) Water Division – Water Operator Position

Mr. Nota reported interviews were conducted and it is anticipated there will be a recommendation for the vacancy later this week.

4) Primary Election Polling Places

Mr. Nota reported Canvassing Authority Karen Montoya provided information on last week's Primary Election, with a turnout of just under 28% of eligible voters – 1,386 of the 4,975 registered voters.

5) International City/County Management Association (ICMA)

Mr. Nota reported he will attend the ICMA Conference in Baltimore September 23-26. The Conference schedule includes high level educational sessions that cover many of the most pressing issues communities face on the local, state and federal government levels.

Mr. Nota introduced Police Chief Mello who is here to give an update on incidents that occurred in Town this morning. Chief Mello explained the Code Red Alert System and encouraged citizens to enroll through the Town and Police Department websites to receive emergency notifications. The Library is hosting an Emergency Management Preparedness session on Saturday, September 22nd covering severe weather events. Chief Mello reported on ten incidents this morning with suspects entering unlocked cars on private properties, with three vehicles stolen. This appears to be an organized effort. Chief Mello reminds citizens to remove keys and lock their vehicles to help reduce such crimes and report suspicious activities to the Jamestown Police Department.

Councilor Meagher noted Public Works Department Supervisor Deacon is here and in anticipation of future weather events, including hurricanes and blizzards, thank you and all Public Works staff in advance for the work you do.

Sav Rebecchi of Sail Street reported on registered voters and valid addresses in Jamestown, and his review revealed that all registered voters reside at valid addresses in Jamestown.

Carol Nelson-Lee of Buoy Street, Chair of the Board of Canvassers, commended the Board for their excellent work and all poll workers for their 13 hours on Primary Election Day. It was a great turnout and we are pleased.

VIII. UNFINISHED BUSINESS

A) Letter of Maria Semeraro-Bellanca seeking assistance in raising awareness of October as “Dysautonomia Awareness Month” and request for adoption of a Proclamation; review, discussion and/or potential action and/or vote
President Trocki reported this is an auto-immune disease that is difficult to diagnose and has recently been reported in the media as affecting one million to three million Americans.

A motion was made by Councilor Meagher with second by Councilor Mihaly to have a Proclamation on the October 1st agenda. President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- B) Donation of Diepenbrock Sculpture to the Town of Jamestown for placement at East Ferry, as requested by Councilor Mihaly, continued from September 4, 2018; review, discussion and/or potential action and/or vote
- 1) Criteria for selection of Ad Hoc Committee Member
 - 2) Ad Hoc Committee Charge

Town Administrator Nota explained the significant sculpture by local artist Peter Diepenbrock proposed for placement on Town property, scope for a ten member ad hoc committee, and appropriateness for development of a comprehensive public art program and process to assess such gifts. To date there are six applicants and citizens are urged to forward their interest to the Town Clerk. Town Staff involvement would be as non-voting advisory members. The *Jamestown Press* ad will be repeated and a list of applicants will be provided to Council. Citizens of varied backgrounds are encouraged to apply.

Discussion involved a Committee Charge and timeline. The three tasks include: assessment of the proposed gift, its location, and a process for a public arts policy going forward. Council members commented the first two tasks should be a short process so donors are not kept waiting, and the third would be up to the Committee how they wish to proceed, whether as a long-term Committee or by a second Committee of stakeholders, and a well-defined Charge will outline the role of the Committee. Discussion continued.

President Trocki left the Council Table due to an emergency and turned the meeting over to Vice President White at 7:32 p.m.

Public comment.

Artist Peter Diepenbrock of Hamilton Avenue expressed the importance of the timeline, asked if a decision could be made between December 1 and 15 as some donations are based on the tax year, and location. If accepted, there is a period of five months for production, giving time to determine a location.

Councilor Meagher noted she is happy with the assessment process and timeline, the considerations for criteria established in the 1% Committee discussed earlier, and the gift itself and location.

A motion was made by Councilor Mihaly with second by Councilor Meagher to move adoption and creation of a committee that will take on the two subjects, the assessment of the gift and of potential locations of public properties in Jamestown, and that there be a time deadline of December 15th. President Trocki, Absent; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye.

- C) Safe Routes to School Update, as requested by Councilor Blake Dickinson: Town Planner Lisa W. Bryer; review, discussion and/or potential action and/or vote

Councilor Dickinson noted the project has been delayed, there are safety concerns at the four corners, upon completion this would provide a nice entrance into the village, and whether the Town should proceed and pay for the project.

Town Planner Lisa Bryer provided an update on the Safe Routes to School project, noting Federal Highway funding administered through the State of RI in 2008 and 2011 totaling \$451,750. Engineering consultants were hired in 2009 and original improvements planned for Phase 1, including parking improvements, crosswalks, and sidewalks have increased in price, causing the project to be split into two phases. The project is at 90% design and plans and specifications are prepared for bidding. The Jamestown School and village areas contain the largest Native American burial ground in North America, and once there is resolution with the Narragansett Tribe, RIDOT and Federal approval can be secured and the project can move forward. Lengthy discussion ensued.

Councilor Dickinson noted he would like to see the project move forward and safety concerns addressed. To date \$120,000 has been spent on engineering studies. Discussion ensued of breaking up the project. Town Administrator Nota commented on the need for Council involvement and direction. It is hoped the Town will be able to meet with the Narragansett Tribe in the near future to address concerns. Discussion continued.

- D) Upcoming Meetings and Sessions – dates and times
 - 1) Scheduling of public informational session for Golf Course, Library and School Bonds; review, discussion and/or potential action and/or vote
 - a) 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 September 4, 2018; review, discussion and/or potential action and/or vote
 - 2) Town Council Meeting Schedule – October 1st, October 15th, November 5th; review, discussion and/or potential action and/or vote

Town Administrator Nota asked Council for direction on the format for the Bond presentations. Council members note Town staff should present what the Bonds are about, with advertisement in the *Jamestown Press* and a fact sheet for the public.

IX. NEW BUSINESS

- A) Approval of Five-Year Renewal of Island Rubbish Recycling Contract and authorization for signing by Town Administrator Nota; review, discussion and/or potential action and/or vote

Town Administrator Nota explained the recycling contract renewal provision for the five-year period 2019-2023 for a total of \$1,030,890. The overall increase over the five-year

contract is 2.5%, or \$25,144. Council members commented this is a modest increase, Island Rubbish does a fine job, and will do so over the next five years.

Public comment.

Kevin Ford of Davit Avenue stated he is unhappy with Island Rubbish, as they have damaged the bamboo on his property claiming it impeded their driver's view, and drove across lane lines towards him in a threatening manner with name calling. He feels it is inappropriate to award a contract to a company with this type of behavior. He also observed Island Rubbish trucks driving well above the speed limit and mixing recyclables and non-recyclables in their garbage trucks, and will share the information/evidence with Council members tomorrow via email. He recommends delaying a vote until the information is viewed by Council members. Discussion continued.

President Trocki returned to the Council Table at 8:02 p.m., noted she was not present for the discussion on the Island Rubbish Contract renewal, and will recuse on this agenda item and file the appropriate form.

Councilor Dickinson stated he would have preferred to see the proof prior to this meeting and is uncomfortable delaying a vote based on information that is not here.

Councilor Meagher noted she doesn't want anyone feeling threatened. In her experiences Island Rubbish has provided terrific service, they are honorable, good people, and this is the first we heard of this.

Vice President White commented Council members are not adjudicators of illegal activities in Town. He is concerned, but agrees with his fellow Councilors that this should not delay a decision.

Bill Kelly of Reservoir Circle referenced his experiences running a Waste Management Company in Brooklyn, handling 376,000 tons of trash per year in another operation, and as a Public Works Commissioner responsible for the collection of trash from 200,000 people. At first he was concerned with the co-mingling of recyclables and non-recyclables, but learned all items are now co-mingled and handled at the recycling plant. The economy of service provided by use of a pup-truck that collects and transfers materials to larger vehicles was noted. He has been pleased with the service provided by Island Rubbish, they do a good job, live in the community, and to change service providers would require an adjustment period of six to eight months, and hopes the Council will renew the contract.

Councilor Mihaly noted he agrees with Mr. Kelly and his fellow councilors.

A motion was made by Councilor Dickinson with second by Councilor Meagher to award the contract to Island Rubbish. President Trocki, Recused; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Aye; Councilor Mihaly, Aye. Motion passes by a majority vote in the affirmative.

President Trocki returned to the Council Table and resumes as Chair of the meeting.

Councilor Meagher noted she has a conflict on the next agenda items, recuses, and files the appropriate form.

- B) Petition requesting Waiver and Relinquishment of any Town interest in and to a paper street known as Bell Lane, Plat 1 Lots 296, 322 and 368, and 1036 and 1046 East Shore Road, by Jill Oliveira Townsend and Sherri Lynn Deacon, Co-Trustees of the Joseph James Oliveira Trust: Attorney Mark A. Liberati; review, discussion and/or potential action and/or vote

- 1) Waiver and Relinquishment Recitals

Attorney Mark Liberati stated he is in attendance on behalf of petitioners Jill Oliveira Townsend and Sherri Lynn Deacon, Co-Trustees of the Joseph Oliveira Trust, requesting the Town waive its rights to accept Bell Lane, also known as Newport Street, as a public street. The area known as Conanicut Park is an 1873 plat that never took off due to water issues and many planned streets were never constructed nor accepted. Past surveys reflected varying property lines causing title clearing actions. The area is zoned R80 requiring 80,000 sq. ft. lots, with most measuring 5,000 sq. ft. The Waiver for Relinquishment would increase the size of some of the lots and take dead land and put it on the tax roll. A map of the area was displayed and reviewed. Review and discussion of the history of the area ensued.

Mr. Liberati stated non-acceptance would not take away people's rights to the water as Bell Lane is a dead end street that does not reach the shore. The Murray lot used by neighbors for access to the shore was sold to the Oliveira Trust. Issues of access to the water can be litigated in Superior Court, but the Town would not be a party to it if it does not have ownership of the road. On behalf of his clients he is requesting Bell Lane not be accepted by the Town and Town Council approve the Waiver of Relinquishment to ratify and confirm they have no interest in making that portion of Bell Lane a Town road and never will.

Town Administrator Nota stated Town staff has done extensive research and found no information that proves the Town ever accepted the road or performed work on it. This is a dead end street that was never accepted, and the Town can benefit by walking away from it. The issue of paper streets discussed at a prior Council meeting will be pursued and review continued to add property to the tax roll when possible.

Councilor Dickinson asked the Solicitor if this proposal is consistent with past discussions regarding paper streets, and Solicitor Ruggiero stated it is. President Trocki read the Waiver of Relinquishment.

Public Comment.

Carol Nelson Lee of Buoy Street, Co-Chair of the Friends of the Jamestown ROW's, stated often paper roads become informal ROW's to the water, and the RI Constitution guarantees citizens the right to access the water. This road has been used informally for years as access to the water by many families. Because someone has chosen to encroach on a paper road

does not give value to letting someone take it over. Upland neighbors have used it and it adds to the quality of their life.

Mr. Liberati noted this is a dead end street and does not go to the shore.

Rolf Knudsen of East Shore Road stated his wife Shirley Bell was raised in Jamestown and has always accessed Bell Lane to reach the shore. The Murray's gave permission to cross their property to get to the shore, and he doesn't know if using the property for 40 years gives them permission to continue to use it. If this is approved people will lose access to the shore. Discussion ensued access as this is private not public property.

Town Administrator Nota stated any action taken by the Council this evening will not determine access to the shore, which may be litigated by the neighbors in the future. Discussion ensued of neighbors perhaps working this out.

Terry Jones of Bell Lane commented on access to the water by neighbors through the Hamilton property for 40 years and past agreements not to litigate. This is an example of coastal owners shutting out the public from access to the shore.

Mr. Liberati noted the property owner can own to the mean high sea line, and in fact there is 45 feet of private real estate between the end of Bell Lane and the mean high water mark that CRMC refers to as a coastal feature.

President Trocki stated this is a neighbor dispute and it is not Council's place to negotiate neighbor disputes. Discussion of legal and historical issues ensued.

Christian Infantalino stated he represents Suzanna Lee who owns 1036 East Shore Road. Bell Lane ends at private land, doesn't know what will happen, and can't see any useful purpose of Bell Lane for the Town. He understands neighbors have accessed through the private lot, but Ms. Lee doesn't want public liability on the lot and is not offering it for access as the Murray's did. His client supports relinquishment of Bell Lane.

Kevin Ford of Davit Avenue commented on oceanography reports on future sea level rise, which may make a difference in the future, and an expert should be consulted.

Terry Jones of Bell Lane noted the Town would be giving up \$645,000 worth of property, this is a taking of the land, and he doesn't understand it.

Solicitor Ruggiero stated the Town does not own this land and is not giving anything away, it is relinquishing a future interest in the property. All the Town can do is accept the road or not. He understands the parties will litigate and the Town may be named in a title clearing action, but the Town has no defense as it has not exercised its right to ownership. If the Town does not want this as a public street, the proper action is to approve the Waiver of Relinquishment.

Timothy Yentsch of Gondola Avenue asked if the Town had no interest in this and it is now worth \$645,000, why didn't the Town relinquish this previously and assess and collect taxes on it?

Town Administrator Nota stated this is a process the Town will be addressing in the future. However, we must take care of what is before us now.

Terry Jones stated he was not notified of this proceeding, and relinquishing of Bell Lane by the Town will lower the value of his property.

Solicitor Ruggiero commented the Town cannot tax that property as it not owned by any one person, and it can be taxed going forward if ownership is taken.

Councilor Dickinson stated we don't want to expose the Town to liability, the facts are this is private property, there is no public access to the beach, and he recommends we move this forward.

A motion was made by Councilor Dickinson with second by Vice President White to approve the request for Waiver and Relinquishment of this property known as Bell Lane, Plat 1 Lots 296, 322 and 368, and 1036 and 1046 East Shore Road.

Discussion. Councilor Mihaly noted the Town doesn't own it and the best we can do is relinquish it and tax the aggrandized lot.

Back to the vote on the motion. **President Trocki, Aye; Vice President White, Aye; Councilor Dickinson, Aye; Councilor Meagher, Recused; Councilor Mihaly, Aye. Motion passes by a majority vote in the affirmative.**

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

A) Ordinances

- 1) Petition for Amendment of the Jamestown Code of Ordinances for a Municipal Immigrant Protection Ordinance, as proposed by the Conanicut Sanctuary; review, discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* for a future public hearing.

President Trocki commented the discussion this evening is whether to move forward with advertising an ordinance for public hearing. Conanicut Sanctuary asked to be heard on this issue, proposed an ordinance, and a Working Group was formed to review the subject, with Councilor Mihaly serving as Chair.

Councilor Mihaly stated he advocates going forward with advertisement. He is not in favor of an ordinance, and this is about values. Councilor Meagher noted the petition brought before the Council signed by 500 people and this is a powerful and heart wrenching discussion in the community. She doesn't support the ordinance based on reservations

expressed by our Solicitor and Police Chief, as it would direct police officers to follow an ordinance in conflict with Federal law. Conanicut Sanctuary members of the Working Group presented an ordinance adapted from a Chicago Welcoming Ordinance that our Police Chief found problematic. She and Councilor Mihaly suggested a Resolution as a Statement of Values would be appropriate to address and express the dignity of each and every individual, which Conanicut Sanctuary rejected, as they want an ordinance to go to public hearing, and out of deference to them she would vote to proceed to advertise.

Councilor Mihaly noted the Statement of Values was not done in opposition to Conanicut Sanctuary, as these are important issues that should be heard.

Vice President White noted he is not comfortable with an ordinance that instructs our Police Department not to enforce laws or perform their duties. It is not the Council's job to direct them, as they are trained and he is not. Our Police Department respects the rights of all, and passing an ordinance telling them to do what they are already doing is inappropriate. He takes offense with the comment since we didn't pass an ordinance right away we are against immigrants. The question is whether it is worth our time to carry this any further, as we have discussed this and people were given the opportunity to speak.

Councilor Dickinson noted anything that creates unnecessary division in our community is troubling. Our community is accepting and we do not treat anyone, including immigrants, different than anyone else. The depiction of our Police Department is not fair or accurate. He spoke with the State Police who wrote the policy and they are very respectful and are non-interventionists. He read the language in the petition, recognizes the provisions in our Charter to enact an ordinance, respects the process, and recommends the people who signed the petition do another one with the correct language. The definition of an immigrant is a person who is permitted by the Federal government to be here. We all agree to support immigrants, respect the rights of all, the issue doesn't exist here, and he does not support the ordinance in its current form.

President Trocki noted the poster in a storefront window on Martha's Vineyard she found very powerful: **"We respect women, we value black lives, we stand with our LGBTQ Community members; we stand with immigrants, with refugees, with indigenous peoples, and with people of all faiths; we stand with our community, all are welcome here; hate has no business here."** It is her understanding no Councilor will vote for an ordinance, as we were advised it will create division. It is unfair that Conanicut Sanctuary stated they will only support an ordinance, with no negotiation. It is offensive how some people treat others and express their views through media. Her job is to do what is best for the community, and per legal counsel we can't direct our Police Chief how to carry out his duties and enforce the law. She trusts our Police Chief, has faith in our Town Administrator and Town Solicitor, and relies on them for advice. If it is their recommendation not to support an ordinance, and if an ordinance is the only thing acceptable to some, we shouldn't go forward with it. She is siding with the Martha's Vineyard people, who seem to have it right in expressing a statement of values. We are a precious community, and having a meeting that is going to divide a community is not worth pursuing and doesn't make sense.

Councilor Meagher notes her appreciation for President Trocki's comments. However, she gave her word she would make a motion to advertise the ordinance.

A motion was made by Councilor Meagher with second by Councilor Mihaly to offer this to be advertised for public hearing on October 15th.

Discussion. The date of the public hearing, comment, discussion and voting were reviewed.

Back to the vote on the motion. **President Trocki, Nay; Vice President White, Nay; Councilor Dickinson, Nay; Councilor Meagher, Aye; Councilor Mihaly, Aye. Motion fails by a majority vote in the negative.**

President Trocki stated she encourages compromise, and was interrupted by Richard Hitt. Councilor Dickinson called for Point of Order. Richard Hitt interrupted again stating there was no hearing with public comment, and discussion by Conanicut Sanctuary was not heard. Helen O'Grady interrupted, questioning the procedure, and was directed to speak to the Solicitor. President Trocki stated she wishes there could have been a negotiated solution. (Actions of civil disobedience ensued)

XI. CONSENT AGENDA

A motion was made by Councilor Dickinson 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) September 4, 2018 (regular meeting)
- B) Minutes of Town Boards/Commissions/Committees
 - 1) Jamestown Library Board of Trustees (08/14/2018)
 - 2) Jamestown Sanctuary Working Group (07/26/2018)
 - 3) Jamestown Sanctuary Working Group (08/08/2018)
 - 4) Jamestown Zoning Board of Review (07/24/2018)
- C) CRMC Notices
 - 1) September 2018 Calendar
 - 2) Public Notice of Proposed Rulemaking for Direct Final Repeal of Pawcatuck River and Estuary and Little Narragansett Bay Interstate Management Plan with formal objections due October 5, 2018
- D) Abatements/Addenda of Taxes
 - Total Abatements: \$47,451.10 Total Addenda: \$51,440.40
 - 1) Motor Vehicle Abatements to 2018 Tax Roll
 - Account/Abatement Amount**
 - a) 02-0380-80M \$ 26.37
 - b) 03-0379-50M \$ 67.67
 - c) 04-0166-90M \$ 73.21

d)	07-0594-90M	\$ 57.25
e)	13-2095-48M	\$ 66.03
f)	16-1074-45M	\$ 21.72
2)	Real Estate/Tangible Abatements to 2018 Tax Roll	
	<u>Account/Abatement Amount</u>	
a)	03-0590-60	\$ 1,010.67
b)	08-0155-00	\$15,093.40
c)	10-0049-10	\$ 2,609.95
d)	11-0455-20	\$ 5,676.73
e)	12-0901-35	\$ 6,115.45
f)	13-1092-00	\$ 2,530.71
g)	16-0982-00	\$ 3,398.71
h)	19-0029-55	\$ 3,947.84
i)	20-0304-85	\$ 3,336.10
j)	23-1028-00	\$ 3,419.29
3)	Addenda of 2018 Tax Roll	
	<u>Account/Abatement Amount</u>	
a)	01-0001-67	\$15,093.40
b)	02-0132-00	\$ 247.73
c)	03-1154-01	\$ 3,419.29
d)	06-0277-03	\$ 697.96
e)	06-0419-00	\$ 3,548.71
f)	07-1009-50	\$ 559.75
g)	08-0275-50	\$ 518.96
h)	08-0417-50	\$ 508.38
i)	08-0714-00	\$ 455.54
j)	10-0049-10	\$ 1,886.49
k)	10-0128-00	\$ 3,336.10
l)	16-0697-25	\$ 1,080.90
m)	16-0769-00	\$ 3,947.84
n)	18-0012-95	\$ 1,666.46
o)	19-0676-49	\$ 2,530.71
p)	19-1523-00	\$ 6,265.45
q)	23-1552-76	\$ 5,676.73

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

Communication 1) was pulled for discussion. Jan Whitford requested the proposed new Gatehouse at Fort Getty be named for James McLaughlin. This will be placed on a future agenda and could be included in an overall procedure for naming facilities.

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

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

- A) Communications
 - 1) Letter of Jan E. Whitford requesting the new Gatehouse to be built at Ft. Getty be named the “James McLaughlin Memorial Gatehouse” in memory of the original gatehouse keeper
 - 2) Letter of Jamestown Shores Association President Ann Gagnon urging the Town Council to accept Conanicut Island Land Trust’s offer to add the remaining 34 tax sale lots to the existing easement of 86 lots currently protected by the easement

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Veterans’ Exemptions
- B) Part-time employee salaries
- C) Town Council/Public use of cell phones at meetings
- D) EMS Barn Property
- E) Fort Getty/Parks and Recreation Reports/Updates (October 1)
- F) Planning Commission/Planning Department/Affordable Housing Committee Reports (October 15)
- G) Water supply concerns in the Jamestown Shores (October 15)

Council members commented cell phone use should be discussed after the November election and a Resolution for the Statement of Values should be on the October 1st agenda.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Vice President White with second by Councilor Dickinson 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 9:42 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
Town Administrator
Finance Director
Town Solicitor