



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
**Rosamond A. Tefft Council Chambers**  
**93 Narragansett Avenue**  
**Monday, March 4, 2019**  
**6:30 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/2019-meetings-minutes/2019-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) Presentation

- 1) Quonset Development Corporation Report: Job Toll, Jamestown Board of Directors Representative

**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  
B) Non-scheduled request to address

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

- A) Town Administrator's Report: Andrew E. Nota
  - 1) Submittal of FY 2020 Town Administrator's Budget
  - 2) Golf Course Status Update

**VIII. UNFINISHED BUSINESS**

*For past discussion documentation please visit <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2018-meetings-minutes/2018-meetings> and <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>*

- A) Establishment of a Charter Review Committee to review Jamestown Town Charter Sec. 218 Initiative and Referendum, Sec. 219 Initiative Procedure, and Sec. 220 Referendum Procedure and make recommendations to the Jamestown Town Council; continued from February 19, 2019; review, discussion and/or potential action and/or vote
  - 1) Review and adoption of Committee Charge
- B) Upcoming Meetings and Sessions – dates and times
  - 1) Town Council Meeting Schedule: March 18<sup>th</sup>, April 1<sup>st</sup> & April 15<sup>th</sup> at 6:30 p.m.; review, discussion and/or potential action and/or vote
  - 2) Budget Work Sessions for FY 2019-2020: Capital Budget Hearing, March 19<sup>th</sup>; Town/School Committee Budget Hearing, March 21<sup>st</sup>; Operating Budget Hearings, March 25<sup>th</sup> & April 2<sup>nd</sup>; Budget Review Hearings, if needed, April 4<sup>th</sup>, April 8<sup>th</sup> & April 11<sup>th</sup>; review, discussion and/or potential action and/or vote

**IX. NEW BUSINESS**

- A) Church Community Housing request for Approval of Gap Construction Loan in the amount of \$510,000 for affordable housing units at 91 Carr Lane to fund the construction of three (3) single-family homes, to be repaid in full upon sale to income eligible families; review, discussion and/or potential action and/or vote
  - 1) Extension of Purchase and Sales Agreement between the Town of Jamestown and Church Community Housing for the property located at 91 Carr Lane from March 31, 2019 to September 31, 2019; review, discussion and/or potential action and/or vote
- B) Proposed FY 2019-2020 Harbor Operating Budget, 2019 Harbor Rates and FY 2019-2020 Long Range Infrastructure Plan; review discussion and/or potential action and/or vote

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

- A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote on each listed appointment and/or vacancy
  - 1) Jamestown Affordable Housing Committee (One vacancy with a three-year term ending date of May 31, 2021; duly advertised; no applicants

- 2) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with a three-year term ending date of May 31, 2021); duly advertised; no applicants
- 3) Jamestown Juvenile Hearing Board (One Alternate Member vacancy with a two-year term ending date of December 31, 2020); duly advertised; no applicants
- 4) Jamestown Tree Preservation and Protection Committee (Three vacancies with One unexpired three-year term ending date of December 31, 2019 and Two three-year term ending dates of December 31, 2021); duly advertised; interviews conducted
  - a) Letters of interest for appointment
    - i) Susan Gorelick
    - ii) Beth Herman
    - iii) Walter Bopp
- 5) Jamestown Zoning Board of Review – Alternate Member (One vacancy with a one-year term ending date of December 31, 2019); duly advertised; interviews conducted
  - a) Letter of interest for appointment
    - i) James King
    - ii) Denise Cassisi Finkelman

## **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) February 19, 2019 (regular meeting)
- B) Minutes of Town Boards/Commissions/Committees
  - 1) Jamestown Zoning Board of Review (01-29-2019)
- C) Marine Vessel Beverage License – **Class G** – Renewal
  - 1) Conanicut Marine Services  
dba: MV The Jamestown  
Location: East Ferry Wharf
  - 2) Conanicut Marine Services, Inc.  
dba: MV The Katherine  
Location: East Ferry Wharf
- D) Trash Collector License Renewal Application
  - 1) Applicant: Waste Management of RI, Inc.  
dba: Waste Management of RI  
Address: 1610 Pontiac Avenue, Cranston, RI 02920
- E) One Day Event/Entertainment License Application
  - 1) Applicant: Conanicut Island Art Association  
Event: CIAA 45<sup>th</sup> Annual Artist Member Show  
Date: July 20<sup>th</sup> – July 28<sup>th</sup>  
Location: Jamestown Recreation Center

- F) One Day Vendor/Peddler License application
  - 1) Applicant: Paco's Tacos Mobile Unit – Frank Mapes
  - Event: 2<sup>nd</sup> Annual St. Paddy's Day Splash
  - Date: March 17, 2019
  - Location: East Ferry

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

- A) Communications
  - 1) Email of Jamestown Conservation Commission re: erosion at the bluff on Potters Cove at Taylor Point
  - 2) Letter of Taylor Point Restoration Association with activities update and invitation to visit Taylor Point during the week of March 4<sup>th</sup> to tour improvements
  - 3) Letter of FEMA Branch Chief Patrick F. Sacbibit re: map revision to remove Coastal Barrier Resources System unit boundaries from the effective Flood Insurance Rate Maps
  - 4) Statewide Planning Council Transportation Advisory Committee public notice of State Transportation Program request for removal of Major Amendment #11
  - 5) Invitation of Newport Mayor Jamie Bova to be part of the 63<sup>rd</sup> Annual Saint Patrick's Day Parade on Saturday, March 16<sup>th</sup>

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

- A) Paper streets in Jamestown and water access
- B) Road abandonment petition discussions (March/April)
- C) Amendments of Code of Ordinances to Article IV. Stopping, Standing and Parking for parking restrictions
- D) Town Council Goals and Objectives and Rules and Procedures (April/May)
- E) Library Rehabilitation Project/Funding Program Presentation (March 18)
- F) Proposed Water Resources Protection Committee Discussion (March)
- G) Review and Discussion of Conservation Easement on Shores Lots (March)

**XIV. EXECUTIVE SESSION**

- A) Pursuant to RIGL § 42-46-5(a) Subsection (2) Collective Bargaining (union contract negotiations); review, discussion and/or potential action and/or vote in executive session and/or open session
- B) Pursuant to RIGL § 42-46-5(a) Subsection (5) Real Estate (property in Town); review, discussion and/or potential action and/or vote in executive session and/or open 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. Notice is also 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 February 28, 2019*

# Quonset Development Corporation Update-March 2019

## Review

- 3212 acres
- 203 companies
- 11,439 employees
- 11 member board of directors

## 2018 Highlights

- Electric Boat expansion
- 4 new companies
- Employment steady
  - Electric Boat was up, but lost 2 companies
- Record auto imports-241,851
- 225 ship calls
- Pier 2 overhaul underway
- New owner for shopping center

## 2019 Outlook

- Continued Electric Boat expansion
- 25 parcels/162 acres available
- Possible container barge service
- Off Shore Wind
  - Close to sites
  - Lack of shore facilities
  - Competition
  - Timing



**TOWN OF JAMESTOWN**  
93 NARRAGANSETT AVENUE  
P.O. Box 377  
JAMESTOWN, RHODE ISLAND 02835

**TO:** HONORABLE TOWN COUNCIL  
**FROM:** ANDREW E. NOTA, TOWN ADMINISTRATOR  
**SUBJECT:** MARCH 4, 2019 - PROJECT AND BUSINESS UPDATE  
**DATE:** March 1, 2019

The following business items are provided as part of the March 4, 2019 - Administrators Report. These items reflect ongoing projects and initiatives that are under review and in various stages of development with the Town staff and some that may require further Town Council direction.

**A) FY2019-2020 Town Administrators Proposed Budget:**

The Town Administrators FY2020 Budget proposal is being provided to the Town council this evening in accordance with the timeline as provided for in the Town Charter, requiring it to be presented within 90 days prior to the date of the Financial Town meeting on June 3, 2019. The highlights of this proposal are provided below and will be discussed in summary form at this meeting and in more detail at subsequent scheduled budget hearings.

For the 2019-2020 fiscal year, a total General Fund Program in the amount of **\$25,455,830** is proposed. This funding proposal represents an increase of \$1,153,272 or 4.75% over the current year FY2019 appropriation of \$24,302,558. Town Operating Expenditures are proposed to increase by \$318,895 or 3.62%, Capital spending is proposed at **\$761,920**, decreasing by (\$209,280) or (21.55%), while Debt Service is **\$1,131,451** increasing by \$180,054 or 18.93%. The proposed Municipal program will impact the Tax Levy in FY2020 by \$8,322,332 with an increase of \$30,741 or **0.37%**.

The School Department General Fund operating program is proposed to increase by **\$495,767 or 3.91%** to **\$13,174,127**. This recommendation will require a General Fund Town appropriation increase of **\$667,243 or 5.72%**. The overall School Program including all funding sources equals **\$14,019,714**, an increase of **\$715,303 or 5.38%**. The proposed School program will impact the Tax Levy in FY2020 by **\$12,267,264** with an increase of **\$760,047 or 6.60%**.

The School Departments Capital Improvement Program and Reserve for Technology Equipment is **\$333,155**, including a requested increase of \$166,330 or 99.70%. School Department Debt Service for the year is **\$411,381**, an increase of **\$148,300 or 56.37%**, while Grant Funds are estimated at \$346,282, an increase of \$17,706 or 5.39%. Nutrition Program requirements are anticipated at \$166,150, reflecting an increase of \$35,500 or 27.17% from the present fiscal year.

To support the FY 2019-2020 appropriation, a property tax rate of **\$8.00** per thousand dollars of assessed valuation will be necessary. This includes a tax rate decrease of (\$0.85) cents from the FY2019 rate of \$8.85. The distribution of the rate for Municipal operations will require an increase from \$3.71 in FY 2019 to the revised rate of **\$3.23** in FY2020 or a decrease of (\$0.47) or -12.70%. The School Department

is proposed to realize a rate decrease from \$5.14 in FY 2019 to \$4.77 in FY 2020 or a decrease of (\$0.37) or -7.28% .

**B) Golf Course Projects and Lease Agreement**

As previously noted for the Council, there has been a change in legal counsel for the course operator that will be assisting in our ongoing discussions regarding the golf course improvements, short/long-term lease options and other related matters. We have already met and had several brief conversations in organizing our review of this matter and in establishing a schedule to meet in the coming week(s). This ongoing process has taken longer than anticipated as our original goal was to have some of these matters resolved by the beginning of January 2019.

The Administration was tasked by the prior Town Council to negotiate a long-term lease with the course operator. The Council made this decision after having considered both a direct negotiation with the operator as compared with the use of a public RFP process. Our discussions began last fall when the operator and his prior legal counsel outlined some key terms for a new agreement that were forwarded to me on September 21, 2018. I attended an interim meeting with the legal counsel for the operator in early October to answer several questions that I had regarding specific terms in the proposal. A more formal review of the document was held at Town Hall on October 26<sup>th</sup> with a larger group representing the operator and town staff. At the conclusion of that discussion, we agreed that additional research was needed on both sides in developing more accurate cost estimates of the course improvements to be performed and for the Town to consider the financial terms as provided for in this offer. At the time of these discussions it remained unclear as to whether the clubhouse bond would be authorized by the community in November to move forward with that project, although it was noted as relevant to our discussions.

The second aspect of this discussion focused on the other course improvements that were capital in nature and that were deemed necessary to maintain course operations at a high level, as formulated by the operator and Town Administration. These initiatives actually began last fall when the town coordinated with the operator to purchase \$40,000 in new sod to be installed on each green by the operator. This work was completed in the fall while the course remained open for business. The major program elements recommended for consideration include the permitting and development of new and expanded fresh water sources on the course, a joint effort including material and labor coordination with the operator for the future rebuilding of drainage systems for each of the (10) greens (nine and putting) on the course and coordination in the cleaning and rebuilding of the effluent pond, the main outdoor water source for the property. In addition, several mechanical upgrades considered important to the project involved the expansion of the irrigation system, including pump systems and electrical systems. In total this work will cost in the hundreds of thousands of dollars to complete and further research is needed to agree on the steps, responsibilities and possible funding mechanisms for these elements.

There has been some delay in progress this winter with the severely wet conditions, that has prevented the Towns planned work related to the development and expansion of additional fresh water sources, and the Operators work associated with the expansion and repositioning of the irrigation system for the greens. We remain hopeful that at a minimum, if additional time is required, that a short-term agreement can be reached in the coming weeks to continue course operations, should we require more time to vet the implications and permitting associated with the larger investments.

I have followed up with several communications with the legal counsel of the operator in November, December and February 2018-2019, up until the most recent change in representation. We hope to be able to coordinate a meeting in the next week or so regarding options in the development of the next lease,



that factors in the needed investments to be made by both the Town and the Operator. The ultimate goal being the development of an agreement that is both equitable and viable for the operator from a business perspective, respectful of the longevity of the Operators direct involvement in the course and appropriate and respectful of the community's wishes and financial interests as owner of the property.

C) **RI League of Cities and Towns 2019 Legislative Priorities**

Include is the newly release Rhode Island League of Cities and Towns 2019 Legislative Priorities.

Should you have any questions regarding these matters please contact me at your convenience.

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# LEGISLATIVE PRIORITIES 2019



## **RHODE ISLAND LEAGUE OF CITIES AND TOWNS**

*Distinctive Communities, Powerful Alliance*



## **RHODE ISLAND LEAGUE OF CITIES AND TOWNS**

*The Rhode Island League of Cities and Towns is a private, nonpartisan, nonprofit association of cities and towns formed in 1968 to advocate the interests of cities and towns before the state legislature, federal and state agencies, and to improve the effectiveness of local government in the state of Rhode Island.*

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# Workforce Management

Personnel costs are the largest component of municipal budgets – representing as much as 75% of expenditures in some communities. With municipal budgets supported primarily by property taxes, *the League believes that municipal officials need greater flexibility in managing the municipal workforce to encourage innovation, improve efficiency and control property tax growth.*

- **Contract Continuation:** The League has strongly opposed legislative efforts to enact perpetual contract legislation. *This will tie the hands of municipal leaders in negotiating employment agreements in the best interest of local taxpayers.* A contract's expiration date is important to motivate both parties to come to the table. The League supports temporary contract extensions when agreed to by all parties.
- **Binding Arbitration:** *The current binding arbitration process for police and firefighters is lengthy, expensive and places too much local budget authority in the hands of unelected arbitrators.* The League supports binding arbitration reforms to limit the scope of decisions, require mediation prior to arbitration and provide safeguards so that an arbitration decision cannot endanger a community's finances. The League also supports legislation requiring that neutral arbitrators be a retired state judge, magistrate or member of the state Bar Association. Finally, *the League opposes any expansion of binding arbitration on monetary issues to teachers or municipal employees.*
- **Injured on Duty Reforms:** The League supports the Governor's proposed reforms to injured-on-duty (IOD) benefits in her FY 2020

budget. Currently, Rhode Island's IOD statute provides an injured or sick police officer or firefighter 100% of pay and benefits for the duration of his/her incapacity. While well-intentioned, the law is

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*With personnel costs up to 75% of city and town budgets, local officials need greater flexibility in managing the municipal workforce to control property tax growth.*

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often costly and burdensome to cities and towns. If an employee applies for a disability pension, cities and towns must continue to pay IOD throughout the entire process, including appeals. As a result, many cities and towns pay full IOD salary and benefits employees for many years, while also paying overtime to cover the vacant positions.

The Governor's FY 2020 budget would reform the IOD process to limit the amount of time that people can receive IOD benefits and to provide greater accountability of the program. *The League believes that IOD reforms are long overdue and should apply to state and municipal public safety employees to prevent abuse of the benefit.*

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# State Budget & Aid to Cities and Towns

*State aid to cities and towns represents approximately 30% percent of municipal budgets (including education aid). The League supports robust state funding to local government to support essential municipal functions and to reduce the need to increase local property taxes.*

- **Payment in Lieu of Taxes (PILOT):** The state's PILOT program helps communities offset some of the lost property taxes from non-profit or state government institutions. The Governor's FY 2020 budget proposes a \$5.3 million cut in state PILOT funding – a 11.5% drop from FY 2019. Because of the timing of state payments, the **proposed cuts would harm cities and towns in the current fiscal year, forcing communities to raise revenue or cut services to balance their budgets.** The Governor has proposed allowing cities and towns to tax certain non-mission-related property of hospitals and colleges and universities, but this new authority may not assist all communities in closing their budget gaps. Finally, the two communities with the largest PILOT cuts – Cranston and Providence – are both distressed communities and will face challenges in dealing with the shortfall.
  - **Car tax:** The Governor's budget would narrow the car tax relief scheduled for FY 2020 – the third year of the scheduled phase-out. While we recognize the Governor's challenges in fully funding the next phase of car tax relief, **this proposal leaves cities and towns in an administrative quagmire while they prepare their own FY 2020 budgets.** With the state budget often not completed until June, cities and towns will face uncertainty since they issue their car tax bills in May, June and July. The League hopes for a quick resolution to this issue in early spring so that cities and towns can provide important tax relief to residents without delay.
  - **New Municipal Fees:** The Governor's budget includes several new charges and fees to municipalities. Our members are particularly frustrated with a proposal for the Division of Motor Vehicles to charge cities and towns \$5 for tax holds for every car with past-due excise taxes pending. While the state expects a little over \$400,000 from this fee, the League believes the amount will be higher. **"Nickel and dime" fees** like these raise minimal revenue for the state but are administratively challenging and burdensome for cities and towns. The League objects to new municipal fees to help close the state's budget deficit.
  - **Agency "Scoops":** Once again, the Governor's budget proposes taking funds from various quasi-governmental organizations as a one-time resource for the state general fund. We are especially concerned about the \$5.0 million transfer from the RI Resource Recovery Corporation, which **raised municipal tipping fees for waste disposal by nearly 50% in the last two years.** We are concerned that those new fees will be scooped to close the state deficit and that cities and towns would face even higher fees to use the landfill as a result.
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## Education

- **School Construction:** During the 2018 legislative session, the Governor proposed and the legislature enacted expanded state support for educational facilities – an initiative the League endorsed. Now that voters have approved a \$250 million bond to invest in our schools, every school district has the opportunity to receive pay-as-you-go state funding instead of reimbursable local bonds to pay for at least part of approved projects. Special incentives to state reimbursement levels will also encourage certain types of projects such as health and safety improvements and STEM facilities.

The Rhode Island Department of Education (RIDE) is working on regulations to determine how to distribute new funds. The League encourages RIDE to complete their regulations for the school construction program as quickly as possible so that communities can proceed with important projects.

- **Test Scores and Education Reform:** The recent RICAS scores were a wake-up call and showed the need for educational improvements. Good schools are vital for our communities, and policymakers at the state and local level must work together to improve educational outcomes for our students. The state's commitment to the school funding formula has been positive for our communities, and we appreciate that the Governor included another \$30 million in education funding in her FY 2020 budget. As we have seen in

Massachusetts, the Bay State's success in student performance was executed at the school district level with the active participation of school committees and local

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*The recent RICAS scores were a wake-up call and showed the need for educational improvements. Local leaders must be actively engaged in any reform effort.*

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administrators. We envision that approach for Rhode Island schools, and we believe that local officials must be actively engaged in any reform effort.

- **Other School Initiatives:** The Governor has proposed several new education initiatives in her budget – including an expansion of pre-kindergarten education, increased funding for English Language Learners, and a hunger elimination program focusing on school breakfast. All these initiatives have state money associated with them. The League needs assurances that the financial support associated with each initiative is retained and matches the additional costs mandated by these programs so that they do not become unfunded mandates on our communities.

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# Marijuana

*The Governor has proposed legalizing recreational marijuana for adult use, with retail sales to begin in January of 2020. Now that Massachusetts permits marijuana sales and Connecticut is expected to follow, the Governor has called for Rhode Island to establish its own approach to legalization. Given the importance of this decision to our cities and towns, the League urges a careful and deliberative process to ensure appropriate local control.*

Marijuana legalization will have health, public safety and workforce management impacts in our cities and towns, and local officials need time to understand the challenges and determine the right approach for their communities. Because new establishments could be licensed as early as next year, the Governor's proposal would require municipalities to enact "local zoning and use ordinances" for marijuana establishment operations by January 1, 2020. Cities and towns would have

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*Marijuana legalization will have health, public safety and workforce management impacts in our cities and towns.*

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only a matter of months to determine the appropriate siting and operational guidelines for businesses that have never before operated in this state. A community could prohibit marijuana-related businesses only by public referendum, with the first opportunity in November 2019 -- requiring a costly special election in a non-election year. Instead, we believe communities should be able to opt-in, requiring an affirmative vote from the public before approving new businesses.

Further, the Governor's proposal specifically prohibits "community

host agreements" between the city or town and the licensee, with licensing exclusive to the state Cannabis Control Commission. Host agreements have been an important component of Massachusetts licensing, allowing communities and marijuana businesses to negotiate operating agreements and fees to address local impacts.

The Governor's proposal would share marijuana tax and excise revenue with cities and towns since they would face increased costs from legalization. However, at this early stage, it is difficult to determine whether the proposed revenues would be sufficient to address the new costs for cities and towns.

We recognize the budget constraints facing our state and the challenges posed by legalization by our neighbors. However, we believe that Rhode Island must proceed cautiously and deliberatively to allow our residents and their local officials sufficient time and opportunity to craft a proposal that works for all parties.

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# Property Taxes

Approximately two-thirds of municipal budgets are funded by property taxes. Local officials have fought to control tax growth, but several recent developments have presented challenges to tax assessors and collectors. Cities and towns need the General Assembly's support to promote a more fair and predictable property tax system.

- **Property Values Base Year:** In Rhode Island, cities and towns must conduct full revaluations of property or updates every three years, with those values used to calculate local property taxes. In spring 2018, the Rhode Island Supreme Court issued a ruling on a 3-2 vote that opened the door to plaintiffs contesting their values more frequently than every three years. The decision was based upon technical conflicts within existing law but could open the door to numerous costly appeals. **The League is working with General Assembly sponsors to affirm the three-year baseline for tax appeals.**
- **Property Tax Advisory Board:** The League supports an initiative to create an advisory board to offer advice to the Governor and General Assembly on technical issues relating to the administration of the property tax including the possibility of annual valuation updates, which have recently been initiated in Massachusetts.
- **Property Tax Appeals:** There is frustration among our tax assessors and solicitors on the timeliness and rules governing property tax appeals. While some cities' and towns' processes may lead to some

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*About 2/3 of municipal budgets are funded by property taxes. Cities and towns need the General Assembly's support to promote a more fair and predictable property tax system.*

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of the delays, **the current rules and interest penalties favor plaintiffs who use delaying strategies and undermine the decisions of local tax assessment review panels.** The League calls on the Judiciary to initiate a full review of the existing process to determine whether improvements may be made.

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## Ongoing Issues & Challenges

- **Land Use Decisions:** The General Assembly has recently considered numerous bills to remove local control of land use decisions. Cities and towns – through their elected officials and planning and zoning boards – should have the responsibility of deciding how best to promote growth and economic development while meeting the needs of their residents. The League is also concerned by special property tax exemptions that encourage certain land uses to the advantage of specific enterprises or interest groups. The League generally opposes such preferential treatments as they ultimately shift the tax burden from one group to another.
  - **Secondary Agricultural Operations:** The League has strongly opposed legislation to expand protected uses of farmland to include retail operations, festivals and other special events. While such activities can often support the viability of working farms, unfettered use of farmland for entertainment and retail operations degrades the agricultural purpose of these lands and undermines local decision-making.
  - **Infrastructure:** In the 2018 legislative session, the League supported successful legislation to create a municipal infrastructure program similar to MassWorks in Massachusetts. The legislation, supported by GrowSmartRI and the RI Builders Association, created a new competitive grant program, administered by the Department of Administration, to fund projects “in areas or districts that communities have determined are best suited to efficiently accommodate future growth and redevelopment, largely in previously developed areas with some level of existing or planned infrastructure.” However, no funding source was identified in the legislation, and the League will work with stakeholders to provide sufficient resources for this important effort.
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- Cities and towns should be responsible for local land use decisions to promote growth and economic development while meeting the needs of their residents.*
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- **Renewable Energy Siting:** Several stakeholders have called for standardizing the siting requirements for renewable energy development. The League recognizes the importance of renewable energy targets and supports the development of model ordinances and best practices. However, we would oppose any mandated one-size-fits-all approach that denies appropriate input from the local constituency. The League has been part of a stakeholder initiative to encourage responsible solar development that protects sensitive lands and also maintains local control.

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# Employee & Retiree Benefits

- **Pensions:** Cities and towns have made great strides in addressing their pension liabilities. For those cities and towns participating in the state-run Municipal Employee Retirement System (MERS), the liabilities are now a sum certain. For locally administered plans, virtually all cities and towns have adopted a strategy for increasing contributions and/or modifying benefits over a period of years until the Annual Required Contribution (ARC) is paid. We would welcome the state's assistance on returning to publishing regular updates of local plan pension liabilities for all our cities and towns and school districts.

need assistance in modifying health plan design for retirees so that the retiree benefit is no greater than that received by active employees. Further, the current situation of preserving legacy health benefits is out of balance and costly to administer. For current retirees, the League believes a combination of Medicare and supplemental municipal support can prudently meet the requirements of previously negotiated agreements. We would welcome the state's assistance on returning to publishing regular updates of OPEB liabilities for all our cities and towns and school districts.

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- **Retiree Health:** Other Post-Employment Benefits (OPEB), such as retiree health care, are **one of the greatest areas of cost growth in cities and towns — representing billions of dollars of future liabilities.** Cities and towns

**Other Post-Employment Benefits (OPEB)  
Represent Billions of Dollars  
of Future Liabilities**

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## Financial Successes

- **Moderating Property Taxes:**  
Cities and towns have led the way in budget restraint, supported by sound fiscal management and improved state funding for

### Recent Trend of Restrained Property Tax Growth

FY 2019	2.10%
FY 2018	1.99%
FY 2017	2.18%
FY 2016	2.10%
FY 2015	1.64%

education. **In FY 2019, property taxes across all communities increased only 2.10%.** This continues a recent trend of restrained property tax growth –

1.99% growth in FY 2018, 2.18% in in FY 2017, 2.10% in FY 2016, and 1.64% in FY 2015. **Sustained state aid to municipalities and relief from costly state mandates will allow municipal leaders to continue careful stewardship of their budgets.**

- **Improved Financial Position:**  
Despite modest increases in the property tax, cities and towns have progressively improved their financial position. **Since 2010, fund balances of our cities and towns have increased by over \$215.0 million,** which helps municipal bond ratings and reduces the cost of borrowing.
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- 

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*Since 2010, fund balances of our cities and towns have increased by over*

**\$215 million.**

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## EXECUTIVE BOARD OF DIRECTORS

2018 / 2019

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# RHODE ISLAND MUNICIPAL ARMS

RHODE ISLAND  
AND PROVIDENCE PLANTATIONS



Drawings by

Harold Bowditch

BARRINGTON



CUMBERLAND



JAMESTOWN



NEWPORT



RICHMOND



BRISTOL



EAST GREENWICH



JOHNSTON



NORTH KINGSTOWN



SCITUATE



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Rhode Island League of Cities and Towns

One State Street, Suite 502, Providence, RI 02908

401-272-3434 | [www.rileague.org](http://www.rileague.org)

## JAMESTOWN TOWN CHARTER

### Sec. 218. - Initiative and referendum.

In order to preserve direct participation in government to the voters of Jamestown, there are hereby established procedures whereby they may initiate legislative proposals for consideration by the town council and the voters.

### Sec. 219. - Initiative procedure.

Any proposed ordinance may be submitted to the town council by a petition signed by qualified electors of the town equal in number to at least ten percent of the number of persons registered to vote at the time of the last regular town election. Whenever the town council receives a certified initiative petition from the town clerk, it shall proceed at once to consider the proposed ordinance transmitted therewith, and shall take a final vote on the enactment of same no more than 30 days following receipt of the petition from the town clerk. If the town council shall fail to pass an ordinance thus proposed by initiative petition, or shall pass it in altered form, the said ordinance as originally proposed by the petitioners shall be submitted 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.

### Sec. 220. - Referendum procedure.

The town council may provide in the terms of any ordinance it enacts that the same be submitted to the electors for their approval or rejection. In the event it makes such provision, the vote thereon by the electors shall be called in accordance with the provisions set forth for voting upon initiative proposals in section 219. Pending the decision of the voters, the ordinance in question shall remain inoperative.

**Town Charter Review Committee**

(3) Citizen Members-at-Large	Unspecified Term of Appointment
(1) Town Council Member	(not to exceed three months)
(1) Board of Canvassers Member	Meetings to be held as needed

**Charge:**

**The Jamestown Charter Review Committee shall consist of five (5) voting members; three (3) Citizen-at-Large members, one (1) Town Council member, and one (1) Board of Canvassers member. All shall be qualified electors and residents of the Town of Jamestown. As an ad hoc committee the members of the Charter Review Committee will begin meeting for a term of (three) months from the date of appointment to the Charter Review Committee or the date of the first Charter Review Committee Meeting (to be determined by Town Council).**

**The Town Charter Review Committee shall complete a review of Sec. 218 Initiative and Referendum, Sec. 219 Initiative Procedure, and Sec. 220 Referendum Procedure, solely for the purpose of determining if there are changes necessary. Any recommendations for changes to the Jamestown Town Charter will be presented to the Town Council for their consideration.**

**Current Members:**

**Term Ending:**



# Church Community Housing Corporation

*Working for decent housing for families of low  
and moderate income in Newport County*

February 26, 2019

Jamestown Town Council  
Town of Jamestown  
93 Narragansett Ave  
Jamestown, RI 02835

Re: Gap construction loan for \$510,000 (\$170,000 each) for affordable units at 91 Carr Lane. Loan to fund construction of 3 single family homes to be repaid in full upon sale to income eligible families. Extension of Purchase and Sales for 91 Carr Lane from March 31, 2019 to September 31, 2019.

Dear Councilors:

Church Community Housing Corporation (CCHC) has entered into a purchase and sales agreement with the Town of Jamestown in October 2018 to purchase the property located at 91 Carr Lane for the purpose of renovation and conversion of the existing house into affordable rental units and construction of 3 single family homes for affordable homeownership for families earning less than 80% of area median income. The property's affordability will be preserved through the 99-year ground lease that will accompany the purchase of the improvements by the income qualified family.

In order to acquire the property CCHC applied for Rhode Island Housing (RIH) funding through their Homeownership Investment Funding 2019 Grant round. In considering our funding request, RIH has requested additional information. It is estimated that \$510,000 will be needed in gap financing for construction of the 3 single family homes. CCHC has a RIH construction loan in the amount of \$750,000, which is not enough to cover the total \$1.3 million in projects that CCHC is proposing for grants at this time. CCHC therefore requests a gap/construction loan commitment from the Town of Jamestown in the amount of \$510,000 to cover the gap in cost of construction at 91 Carr Lane. I have discussed this with Lisa Bryer and she has indicated that there are sufficient funds within the Jamestown Affordable Housing Revolving Loan Fund and the Jamestown Affordable Housing Trust Fund to cover this amount without depleting both funds. This funding will only be drawn once the RIH construction loan of \$750,000 is fully committed and additional funding is needed. This is a similar request that granted by the Town in 2016 for the renovation of the affordable unit at 147 Beach Avenue.

CCHC would like to express its appreciation for the previous award of the Housing Trust funds and for its consideration of the gap loan to facilitate the timely development of the property through the requested RIH grant funds. This loan would replace a construction loan that CCHC would otherwise need from a local bank and that would add interest and closing cost expenses to the project. The attached proforma CCHC provides financial information on the project for your information.

50 Washington Square, Newport, Rhode Island 02840

Telephone: 401/ 846-5114 Fax: 401/ 849-7930

A Non-Profit Housing Sponsor - Your Contributions are Tax Deductable





# Church Community Housing Corporation

*Working for decent housing for families of low  
and moderate income in Newport County*

CCHC would also request an extension of our purchase and sales agreement with the Town of Jamestown. When we entered into this agreement, both sides understood that these projects are complicated to put together and take time and that an extension may be necessary. Besides seeking funding, we are in the process of preparing our Comprehensive Permit for approval by the Planning Commission. Thank you for your consideration of this 6-month extension.

Over the years CCHC has enjoyed working with the Town of Jamestown and has strived to assist the Town in its housing and community development goals. We believe this project will be an asset to the town and provide several working-class families with a place to live in your beautiful community.

Please feel free to call me with any questions or if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Belden". The signature is fluid and cursive, with the first name "Chris" and last name "Belden" clearly distinguishable.

Christian Belden  
Executive Director

Encl.

50 Washington Square, Newport, Rhode Island 02840

Telephone: 401/ 846-5114 Fax: 401/ 849-7930

A Non-Profit Housing Sponsor - Your Contributions are Tax Deductable

**Church Community Housing Corporation**  
**Development Sources and Uses**  
**Land Trust Program**  
**91 Carr Lane, Jamestown**  
**3 Single Family Homes**

<b>SOURCES:</b>		<b>TOTAL</b>
	Gap Construction Loan / Sales Proceeds	\$510,000
	RIH HIF	\$300,000
	BHRI	\$195,000
	JAHTF	\$150,000
	<b>Sources Total</b>	<b>\$1,155,000</b>
<b>USES:</b>		
<b>Acquisition</b>		
	Payments to Seller (Town of Jamestown)	\$150,000
	Subtotal	\$150,000
<b>Construction</b>		
	Demolition	\$35,000
	Cess Pool & Oil Tank	\$20,000
	Septic	\$90,000
	Wells	\$15,000
	Construction	\$600,000
	Contingency	\$60,000
	Subtotal	\$820,000
<b>Soft Costs</b>		
	Architect	\$10,000
	Engineering Fees	\$18,000
	Permits and Fees*	\$10,000
	Legal Fees	\$10,500
	Insurance during Construction	\$3,750
	Taxes during Construction	\$4,500
	Utilities during Construction	\$2,100
	Soft Cost Contingency	\$6,650
	Subtotal	\$65,500
<b>Transaction Costs</b>		
	Financing	\$7,800
	Appraisal	\$1,700
	Developer's Fee	\$110,000
	Subtotal	\$119,500
	<b>Uses Total:</b>	<b>\$1,155,000</b>



## CLARIFICATION REQUEST LETTER

*Via email and US Mail*

February 25, 2019

Mr. Christian Belden  
Executive Director  
Church Community Housing Corporation  
50 Washington Square  
Newport, RI 02840  
cbelden@cchcnewport.org

Re: 2019 HOMEOWNERSHIP INVESTMENT FUND ("HIF") Submission for **Carr Lane Development, 91 Carr Lane, Jamestown, RI 02835**

RIHousing has completed a preliminary review of **Carr Lane Development** and has determined that:

The application is complete

The application is incomplete. The following deficiencies were identified, or missing information or clarification is required:

- **Threshold Criteria:**

- RIHousing Construction loan is for \$750,000.00. This project is requesting \$510,000 from the construction loan, the project located at 12 & 15 Bloom Court is requesting \$340,000, and a third project located at Cottrell Farms is requesting \$450,000. Please clarify which projects will be funded with the RIHousing Construction Loan and/or send other documentation source from another Construction Loan. There are apparently not enough funds to cover all three projects with the RIHousing Construction Loan.
- Site Control: Purchase and Sale Agreement (\$150,000) is not signed. Please provide executed agreement.
- Letters of funding commitment: Jamestown Affordable Housing Trust Fund Commitment letter (\$150,000) is not signed. Please provide executed commitment.
- Letters of funding commitment: Evidence of contingent Jamestown Construction Loan not provided.
- DEM / Comprehensive Plan / Zoning approval timetable: Please provide supporting evidence.

- **Application Checklist:** We require the following:
  - **Design Plans and Specs:** Plans are for Edwards Lane Subdivision. Please provide for Carr Lane.
  - **Detailed Construction Estimates:** Estimate is for Edwards Lane Subdivision. Please provide for Carr Lane.
  - **Property Deed and legal description:** Please provide.

Please submit the requested information Belinda Lill at [blill@rihousing.com](mailto:blill@rihousing.com) no later than March 4, 2019 in order for staff to complete their review of your application.

**Please note that this Clarification Request Letter is the only notice you will receive in regards to this request for information. Failure to provide the information requested will result in removal of the application from consideration for HIF funding.**

Best regards,



Eric Shorter  
Director of Development

## PURCHASE AND SALES AGREEMENT

91 Carr Lane, Jamestown, Rhode Island

This Purchase and Sale Agreement (the "Agreement") is entered into by and between the **TOWN OF JAMESTOWN**, a municipal corporation with a business address of 93 Narragansett Avenue, Jamestown, RI 02835 (the "Seller"), and **CHURCH COMMUNITY HOUSING CORPORATION**, a Rhode Island non-profit corporation, with principal office located at 50 Washington Square, Newport, Rhode Island 02840 (the "Buyer").

The Seller agrees to sell and convey to the Buyer, and the Buyer agrees to buy, upon the price, terms, conditions, and provisions as provided in this Agreement, that certain real estate (the "Property") that is more particularly described as follows:

That certain lot or parcel of land with all the buildings and improvements thereon situated on the southerly side of Carr Lane, in the Town of Jamestown, County of Newport, State of Rhode Island, and shown as "Parcel A", comprising 1.35 acres, on that plan entitled "Subdivision Plan For James T. & Lisa M. Rafferty, Plat 4, Lot 52, 91 Carr Lane, Jamestown, Rhode Island, Scale: 1" = 40', Dated: June 21, 2018, by Darveau Land Surveying, Inc.", which said plan is recorded in the Jamestown Land Evidence Records as HPF 385-A.

1. **PURCHASE PRICE:** The agreed total Purchase Price for the Property is **ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00)** (the "Purchase Price"). The Seller acknowledges a deposit amount of **Ten Dollars (\$10.00)** (the "Deposit") and which amount shall constitute the Deposit and be duly accounted for and applied against the Purchase Price at closing.
2. **DEPOSIT:** Any Deposits made by the Buyer shall be held by the Seller and, except as provided in the Agreement, shall be duly accounted for at the closing and respectively applied to the Purchase Price. No interest shall accrue on the Deposit. The refunding of all Deposits shall be on execution of a written release by Buyer and Seller. In the event of a dispute between the Seller and the Buyer as to any provisions of the Agreement or the performance thereof, the Seller may retain all Deposits hereunder until the dispute is resolved by the parties, by binding settlement or court judgment, or may place the Deposit with a court of competent jurisdiction, or may release the Deposit upon the execution of a written mutual release by Buyer and Seller.
3. **DATE OF AGREEMENT:** The Date of this Agreement ("Date of Agreement") shall be the later of: (a) the date on which the Buyer signs this Agreement, or (b) the date on which the Seller signs this Agreement, as set forth by the Buyer's and Seller's signatures in the Agreement.
4. **CLOSING:** The Closing shall be held on or before **March 31, 2019 (the "Closing Date")** **at 11:00 a.m.** at the Town of Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI 02835, or at such other place, day, and time as may be agreed to in writing by the Parties. At the closing, the Seller shall deliver to the Buyer the deed and any other conveyance or transfer documents, which shall be in a form and substance acceptable to Buyer and in accordance with this Agreement. The Parties agree to comply with and to execute and deliver to the other any and all other instruments and documents in accordance with the standard customary closing requirements in practice for the State of Rhode Island for the transaction contemplated by the Parties. The Seller may extend for a reasonable period of time the Closing Date upon request of the Buyer if contingencies are pending in accordance with Paragraphs 25 and 26.
5. **INSURANCE:** The Seller, at the Seller's expense, shall keep the Property insured until the delivery of the deed and transfer of the Property for the sum and in the manner in which it is currently insured. In the event that loss takes place, Seller may pay over or assign to the Buyer upon payment of the Balance of Purchase Price, and upon satisfaction of all other provisions of this Agreement, the sums recovered on account of such insurance, or the Buyer may, at its sole option, terminate the Agreement and the Seller without delay shall release the Deposit to the Buyer.

6. **TITLE:** The Seller covenants and warrants that the Seller is the respective fee title owner of the Property and that the Seller has the actual authority and capacity to enter into the Agreement and to consummate the transaction contemplated herein. The Seller shall convey to the Buyer the Property by good and sufficient Warranty Deed, and other transfer documents as required by Buyer, conveying a good, clear, insurable, and marketable title to the Property free from any and all liens and encumbrances, except as may be acceptable to the Buyer. Buyer's obligation to purchase is contingent upon title examination of the Property, conducted at Buyer's expense, which title shall be satisfactory to Buyer, and Buyer's funding program sources. The Buyer shall notify the Seller of any defects of title disclosed by such examination. If the Seller is unable to remove such defects, the Buyer may terminate the Agreement upon written notice to the Seller and the Seller forthwith shall refund all Deposits to the Buyer. To enable the Seller to make conveyance as provided in this Agreement, the Seller may, at the time of the delivery of the deed, use the purchase money, or any portion thereof, to clear the title of any and all encumbrances, liens, mortgages, or interests, provided that all instruments to be obtained are recorded prior to the recording of the deed, except for any discharge of a mortgage or financing statement from an institutional or commercial lender that may be recorded subsequent to the deed. Additionally, Buyer's obligation to purchase is contingent upon an appraisal, survey, and environmental assessment of the real estate, to be conducted at Buyer's expense, and which appraisal, survey, and environmental assessment shall be satisfactory to Buyer, and Buyer's funding program sources.
7. **TAXES, ADJUSTMENTS, ASSESSMENTS:**
  - a. **Taxes:** real estate taxes, property taxes, and fire district taxes assessed against the Property are to be prorated on a calendar year basis, except in those towns in which taxes are customarily prorated on a municipal year basis, with the Seller paying for the period unpaid to the date of delivery of the deed and the Buyer paying the balance of taxes due;
  - b. **Adjustments:** Adjustments for fuels, water charges, association fees and sewerage charges, if any, shall be apportioned as of the date of the delivery of the deed;
  - c. **Assessments:** All assessments constituting a lien on the Property that are payable over a period of more than one year shall be apportioned in such manner that Seller shall pay installments due during the municipal years prior to the year in which the deed is delivered; the installment due in the year in which the deed is delivered shall be apportioned in the same manner as above provided for taxes and Buyer shall pay or assume the balance, except where local ordinances require otherwise.
8. **CONDITION OF PROPERTY:** The Seller shall deliver possession of the Property "As Is". At closing, the Seller shall convey the Property in the similar condition in which it is now, except for reasonable use and wear. The Buyer shall be entitled to inspect the Property prior to the delivery of the deed in order to determine whether the condition of the Property complies with the terms of this Paragraph.
9. **DEFAULT:** Upon default by the Buyer, the Seller shall have the right to cancel this Agreement. Upon default of the Seller, the Seller without delay shall release and/or refund all Deposits to the Buyer, and the Buyer may pursue any and all remedies available to it at law or equity, including, but not limited to, specific performance.
10. **NOTICES:** All notices as required in the Agreement shall be in writing. All notices are to be conveyed by personal delivery, facsimile transmission, electronic transmission, or by U.S. Postal Service Certified or Registered Mail, postage pre-paid, return receipt requested, or by express delivery service with signature confirmation, postage pre-paid, and transmitted or addressed to such person at the following with copies to respective counsel as follows:

a. If to Seller:

Town of Jamestown  
c/o Andrew Nota, Town Administrator  
93 Narragansett Avenue  
Jamestown, RI 02835  
Tel: (401) 423-9805; E: anota@jamestownri.net

Copy to Seller Attorney:

Peter D. Ruggiero, Esq.  
Wyatt A. Brochu, Esq.  
Ruggiero Brochu & Petrarca  
20 Centerville Road, Warwick, Rhode Island 02886;  
Tel: 401-737-8700; Fax: 401-737-0735; E: wyatt@rubroc.com

b. If to Buyer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Copy to Seller Attorney:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notices shall be effective upon personal delivery, facsimile transmission date, electronic transmission date, or three days from when postmarked.

11. **WETLANDS DISCLOSURE:** Part of the Property may be deemed coastal wetland, bay, fresh water wetland, pond, river, marsh, riverbank, or swamp, as these terms are defined in Chapter 1 of Title 2 of the Rhode Island General Laws.
12. **LOCAL ORDINANCES:** Buyers of real estate in the State of Rhode Island are legally obligated to comply with all local real estate ordinances; including but not limited to ordinances on the number of unrelated persons who may legally reside in a dwelling, as well as ordinances on the use of property and number of dwelling units permitted under the local zoning ordinances.
13. **RADON:** Radon has been determined to exist in the State of Rhode Island. Testing for the presence of radon in residential real estate prior to purchase is advisable.
14. **NON-RESIDENT WITHHOLDING TAX:** If the Seller is not a resident of the State of Rhode Island or will not be a resident at the time of closing, the Buyer must withhold six percent (6%) of the net proceeds to the Seller (9% if the seller is a corporation), in accordance with R.I.G.L. §44-30-71.3, as may be amended from time to time, and pay such amount to the Division of Taxation as a non-resident withholding tax. In order to have such tax based on gain rather than net proceeds of sale, a Seller must submit an election form to the Division of Taxation at least twenty (20) days prior to closing. Seller agrees to pay the entire amount of such tax found to be due after the closing, whether or not such tax was correctly calculated at the closing, it being understood that the tax shall not exceed the amount of net proceeds to the Seller. This tax liability shall survive the transfer of title to the Property and shall be a lien against the Property.

15. **FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT (FIRPTA):** The Seller represent that the seller are not a foreign person or foreign corporation as defined in FIRPTA and accordingly, that the Buyer will not be required to comply with the withholding requirements of FIRPTA at the closing
16. **DUE DILIGENCE PERIOD:** The Agreement is subject to a DUE DILIGENCE PERIOD carried out at the Buyer's sole expense, and completed on or before October 31, 2018 (the "Diligence Deadline"). It is understood that the DUE DILIGENCE PERIOD shall allow for the inspection, testing and/or reviewing of the condition of the Property, and determining whether the Property and contemplated transaction meets the requirements of Buyer's funding sources, and the feasibility of obtaining any and all appropriate governmental permits, licenses, and approvals for contemplated development. The Buyer solely is responsible for investigating whether there are any laws, ordinances, regulations, or restrictions or any legislative or governmental actions, present or proposed which would affect the Property or affect the use of the Property as contemplated by the Buyer. Buyer shall have the absolute right to terminate and/or renegotiate the Agreement for any reason, upon Buyer's sole discretion, at any time during the DUE DILIGENCE PERIOD, but no later than the Diligence Deadline. Seller shall fully and promptly cooperate with Buyer in performing due diligence, and allow Buyer's inspectors to perform structural, mechanical, electrical, and survey inspection. The Seller shall extend for a reasonable period of time the Diligence Deadline upon request of the Buyer if contingencies are pending in accordance with Paragraphs 25 and 26.
17. **REAL ESTATE COMMISSION: REAL ESTATE BROKER COMMISSION:** Seller and Buyer hereby covenant and warrant that they have not dealt with any real estate agent, broker or finder in connection with this transaction. Seller hereby agrees to hold the Buyer harmless and to defend and indemnify the Buyer against all damages, claims, losses and liabilities, including attorney's fees, incurred by the Buyer, arising out of or resulting from any claims made by any real estate agent, broker, or finder in relation to this transaction. The representation and warranty contained herein shall survive the termination of this Agreement or the Closing.
18. **WRITTEN NOTICE OF VIOLATIONS AND CHANGE IN OWNERSHIP:** If there is any notice of violation order outstanding against the Property, Seller shall immediately provide written notice to the Buyer with a true copy of any notice of violations or orders issued and notify the enforcing officer in writing of Seller's intent to transfer the Property.
19. **ASSIGNMENT:** The Buyer is prohibited from assigning its interest in this Agreement; any assignment without the express written authorization of the Seller is void.
20. **CAPTIONS:** The captions as to contents of particular paragraphs herein are inserted only for convenience, and are in no way to be construed as part of this Agreement or as a limitation on the scope of the particular paragraphs to which they refer.
21. **CONSTRUCTION:** This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The terms "Seller" and "Buyer" whenever used herein and any pronoun referring thereto shall be construed in the singular, plural, masculine, feminine or neuter in accordance with the manner in which the Agreement is executed whenever the context shall require. The parties hereto, severally declare that this instrument contains the entire agreement between and among the parties and that it is subject to no understandings, conditions, or representations other than those expressly stated, and that Rhode Island law shall apply to its construction and interpretation. This Agreement has been executed in one or more counterparts and each shall be deemed to be an original. If two or more persons are named herein as Seller or Buyer, their obligations hereunder shall be joint and several. All references to time periods shall be counted in calendar days.
22. **FURTHER ASSURANCE:** The Seller and Buyer agree to execute and deliver such other documents, instruments, and affidavits as may reasonably be required to effect the transaction contemplated herein.
23. **SEPARABILITY OF PROVISIONS:** Each provision of this Agreement shall be considered



separable; and if, for any reason, any provision or provisions herein are determined to be invalid and contrary to any existing or future law, such invalidity shall not impair the operation of or affect those portions of this Agreement, which are valid.

24. **APPLICABLE LAW:** All questions concerning the construction, validity, and interpretation of this Agreement and the performance of the obligations imposed by this Agreement shall be governed by the internal law, not the law of conflicts, of the State of Rhode Island.
25. **PURCHASE AND SALE CONTINGENCY:** Notwithstanding any other provisions of the Agreement, the parties expressly acknowledge and agree that this Agreement, and the Buyer's and Seller's obligation to perform, are contingent upon:
  - a. Town of Jamestown Town Council approval and authorization;
  - b. Conveyance is subject to deed restriction the property is developed and maintained for Affordable Housing purposes as contemplated herein by the Parties;
  - c. Buyer obtaining Town of Jamestown Planning Commission / Board of Review Comprehensive Permit approval to develop the Property for Affordable Housing purposes, such development to be comprised of three single family units plus three rental units located in the existing dwelling (the "Affordable Housing Project"), and the expiration of any applicable appeal period and no appeal having been commenced; and
  - d. Any and all requirements and contingencies of Buyer's Affordable Housing related grant funding sources (CDBG, BHRI and Home Funds of \$150,000.00) being satisfied, and Buyer receiving financing of the Affordable Housing Project in an amount not less than \$1,980,300.00.
  - e. Closing shall be held within sixty (60) days of the above-referenced contingencies having been satisfied, but no later than the Closing Date, unless extended by mutual agreement of the Parties, which agreement shall not be unreasonably withheld if Buyer is diligently moving forward with the Affordable Housing Project.
26. **AUTHORIZATION:** The Seller authorizes the Buyer upon review and approval of the Town of Jamestown Town Planner to commence and process applications with the Town of Jamestown Planning Commission / Board of Review for the Comprehensive Permit Application for Affordable Housing development contemplated herein by the Parties.
27. **AMENDMENT:** This Agreement may not be amended or modified except pursuant to a written instrument executed by both the Buyer and Seller.

IN WITNESS WHEREOF, this instrument has been executed in several counterparts,  
each of which shall be deemed to be original.

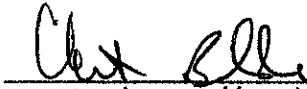
Seller: Town of Jamestown

  
By: Andrew Nota, Town Administrator

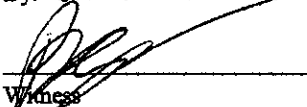
DATE: 12/1/2018

  
Witness

Buyer: Church Community Housing Corp.

  
By: Christian Belton, Acting Executive Director CCHC

DATE: 10.09.18

  
Witness



## JAMESTOWN POLICE DEPARTMENT

250 Conanicus Avenue, Jamestown, RI 02835

Tel: (401) 423-1212 Fax: (401) 423-3710

[www.jamestownri.net/police](http://www.jamestownri.net/police)

Edward A. Mello  
Chief of Police



### MEMORANDUM

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**TO:** Andy Nota  
**FROM:** Chief Edward A. Mello  
**DATE:** January 14, 2019  
**SUBJECT:** 2019/2020 Harbor Operating Budget

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Andy

Please find attached the proposed 2019/2020 Harbor Operating Budget and 2019 Harbor Rates. The Harbor Commission approved both at the January 9, 2019 meeting. These must be submitted to the Council following your review.

Also, please find the Long Range Infrastructure Plan as requested by the Commission on February 13, 2109.

Respectfully,

Chief Edward Mello

## 2019 Proposed Harbor Rates

*Approved by the Jamestown Harbor Commission on: 1/9/2019*

<b>Permit Type</b>	<b>2018 Rate*</b>	<b>2019 Rate*</b>
Resident Mooring (per foot)	\$4.60	\$4.60
Non-Resident Mooring (per foot)	\$9.20	\$9.20
Commercial Mooring (per foot)	\$9.20	\$9.20
Yacht Club Mooring (flat rate)	\$1,365.00	\$1,365.00
Recreational Outhaul (flat rate)	\$500.00	\$500.00
Commercial Outhaul (flat rate)	\$430.00	\$430.00
Recreational Pier (per foot)	\$80.00	\$80.00
Commercial Pier (per foot)	\$40.00	\$40.00
Beach - Under 12' (flat rate)	\$63.00	\$63.00
Beach - Over 12' (per foot of beam)	\$25.00	\$25.00
Wait List Fees (flat rate)	\$11.00	\$11.00
Late Fee (per month)	\$100.00	\$100.00
West Ferry Dinghy Dock	\$450.00	\$450.00

*\*Plus \$6 user fee for Online Mooring*

**PROPOSED 2019/2020 JHC OPERATING BUDGET**

*Approved by the JHC on 1/9/2019*

<b>Account Number &amp; Description</b>		<b>2017-2018 Approved Budget</b>	<b>2017-2018 Actual Revenues</b>	<b>2018-2019 Approved Budget</b>	<b>2019-2020 Draft Budget</b>
40400051	Resident Moorings	\$ 64,000.00	\$ 66,446.73	\$ 70,000.00	\$ 67,000.00
40400052	Commercial Moorings	\$ 103,000.00	\$ 136,676.30	\$ 105,000.00	\$ 125,000.00
40400053	Non-Resident Moorings	\$ 12,500.00	\$ 14,709.60	\$ 15,000.00	\$ 14,000.00
40400054	West Ferry Outhauls	\$ 9,500.00	\$ 10,577.00	\$ 10,000.00	\$ 10,500.00
40400055	Ft. Getty Outhauls	\$ 9,500.00	\$ 8,141.00	\$ 10,000.00	\$ 10,000.00
40400056	Beach Permits	\$ 8,500.00	\$ 9,512.00	\$ 9,000.00	\$ 9,500.00
40400057	Ft. Getty Dock	\$ 4,800.00	\$ 6,560.00	\$ 4,000.00	\$ 6,500.00
40400058	Misc Rev. Admin/Late fee	\$ 2,000.00	\$ 6,575.00	\$ 2,000.00	\$ 2,300.00
40400059	Wait List Fees	\$ 4,000.00	\$ 4,706.00	\$ 4,000.00	\$ 4,500.00
40400060	Club Moorings	\$ 9,500.00	\$ 8,196.00	\$ 8,000.00	\$ 8,200.00
	WF Dingy Dock	\$ 2,700.00	\$ 4,554.00	\$ 4,000.00	\$ 4,500.00
40400061	Enforcement Fines	\$ -	\$ -	\$ -	\$ -
<b>Harbor Mgmt Operating Revenue</b>		<b>\$ 230,000.00</b>	<b>\$ 276,653.63</b>	<b>\$ 241,000.00</b>	<b>\$ 262,000.00</b>
<b>Account Number &amp; Description</b>		<b>2017-2018 Approved Budget</b>	<b>2017-2018 Actual Expenditures</b>	<b>2018-2019 Approved Budget</b>	<b>2019-2020 Draft Budget</b>
70000214	Administrative Fees To Town	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 20,000.00
70000220	Legal Fees	\$ -		\$ -	
70000252	Worker's Compensation	\$ 4,000.00	\$ 4,117.00	\$ 4,000.00	\$ 4,500.00
70000257	Boat & Liability Ins.	\$ 4,000.00	\$ 6,500.00	\$ 4,000.00	\$ 6,500.00
70002220	Office Supplies	\$ 2,000.00	\$ 2,944.25	\$ 2,000.00	\$ 3,000.00
70700100	Unemployment	\$ -		\$ -	
70700200	Harbormaster Salary	\$ 35,000.00	\$ 32,604.00	\$ 35,000.00	\$ 35,000.00
70700201	Harbormaster Asst Salary	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00
70700209	Harbor Clerk Salary	\$ 20,250.00	\$ 22,325.02	\$ 22,500.00	\$ 25,000.00
70700221	Office Equip Purchase	\$ 2,000.00	\$ -	\$ 2,000.00	\$ 2,000.00
70700222	Gas for Harbor Car	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00
70700250	FICA	\$ 6,000.00	\$ 4,342.74	\$ 6,000.00	\$ 6,000.00
70700251	Blue Cross/Dental	\$ 7,000.00	\$ 8,540.27	\$ 7,000.00	\$ 9,000.00
70700253	Retirement	\$ 6,000.00	\$ 4,498.21	\$ 6,000.00	\$ 6,000.00
70700267	WF Floating Docks	\$ 8,500.00	\$ -	\$ 8,500.00	\$ 8,500.00
70700263	Car Repair	\$ 2,500.00	\$ 68.37	\$ 2,500.00	\$ 2,500.00
70702220	Boat Dockage	\$ -		\$ -	
70702221	Boat Fuel	\$ 2,500.00	\$ 1,579.17	\$ 2,500.00	\$ 2,500.00
70702222	Contingency Fund	\$ 4,250.00	\$ -		
70702223	Training & Dues	\$ 500.00	\$ -	\$ 500.00	\$ 500.00
70702225	Uniforms	\$ 500.00	\$ -	\$ 500.00	\$ 500.00
70702226	Boat Maint/Repairs	\$ 9,000.00	\$ 2,122.20	\$ 8,000.00	\$ 8,000.00
70702227	Printing & Mailing	\$ 2,000.00	\$ 879.38	\$ 2,000.00	\$ 2,000.00
70702228	Mooring Database Maintenance	\$ -		\$ -	
70702230	Telephone	\$ 2,000.00	\$ 1,603.28	\$ 2,000.00	\$ 2,000.00

**PROPOSED 2019/2020 JHC OPERATING BUDGET**

*Approved by the JHC on 1/9/2019*

<b>Account Number &amp; Description</b>		<b>2017-2018 Approved Budget</b>	<b>2017-2018 Actual Expenditures</b>	<b>2018-2019 Approved Budget</b>	<b>2019-2020 Draft Budget</b>
70706257	Channel Markers & Buoys	\$ 15,000.00	\$ 12,948.94	\$ 25,000.00	\$ 31,000.00
70706260	Maint Docks & Harbor	\$ 35,000.00	\$ 41,537.67	\$ 35,000.00	\$ 36,500.00
70706269	Pumpout Maintenance/Restroom	\$ 5,000.00	\$ 9,133.78	\$ 12,000.00	\$ 12,000.00
70706271	Patrol Craft Purch/Fixtures	\$ 5,000.00		\$ 2,000.00	\$ 2,000.00
70706299	Data Package	\$ 1,000.00	\$ 439.51	\$ 1,000.00	\$ 1,000.00
	Old Ferry Landing	\$ -		\$ -	
	Uniform Maintenance	\$ -		\$ -	
	Boat Capitalization Fund	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
	Outhaul Repairs	\$ -		\$ -	
	Ft. Getty Pier Road	\$ -			
	EF Seawall repair payback	\$ -		\$ -	\$ -
<b>Harbor Mgmt Operating Expense</b>		<b>\$ 230,000.00</b>	<b>\$ 196,183.79</b>	<b>\$ 241,000.00</b>	<b>\$ 262,000.00</b>

NET

\$ 80,469.84

PROPOSED 2019/2020 LONG RANGE INFRASTRUCTURE PLAN

Approved by JHC: February 13, 2019

PROJECT	EST. COST	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY23/24	FY24/25	FY25/26
EF Boat Ramp	\$ 150,000.00			\$ 150,000.00				
WF Touch & Go	\$ 20,000.00				\$ 20,000.00			
EF Ferry landing	\$ 200,000.00					\$ 200,000.00		
WF bulkhead	\$ 25,000.00	\$ 25,000.00						
Ft. Getty Repairs	\$ 35,000.00	\$ 35,000.00						
Ft. Getty Pier - Phase 1	\$ 150,000.00		\$ 150,000.00					
Ft. Getty Pier - Phase 2	\$ 250,000.00			\$ 250,000.00				
Ribcraft tube replacement	\$ 30,000.00					\$ 30,000.00		

**TOWN COUNCIL MEETING  
February 19, 2019**

**I. ROLL CALL**

Town Council Members present:

Michael G. White, President  
Mary E. Meagher, Vice President  
Nancy A. Beye  
Randall White  
William J. Piva, Jr.

Also in attendance:

Andrew E. Nota, Town Administrator  
Christina D. Collins, Finance Director  
Michael C. Gray, Public Works Director  
Lisa W. Bryer, Town Planner  
Andrew J. Wade, Parks and Recreation Director  
Edward A. Mello, Police Chief  
Peter D. Ruggiero, Town Solicitor  
Cheryl A. Fernstrom, Town Clerk

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

Town Council President White called the regular meeting of the Jamestown Town Council to order at 6:33 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and 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 6:34 p.m. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:44 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

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

**A motion was made by Vice President Meagher with second by Councilor Piva to move up the Proclamations B) to just before A) Sustainability Plan. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

B) Proclamations

1) No. 2019-02: Recognizing the Services of Stephen Ostiguy,



Executive Director of Church Community Housing Corporation  
The Proclamation was read by President White.

**A motion was made by Vice President Meagher with second by Councilor White to adopt the Proclamation. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye. (Applause)**

2) No. 2019-03: Recognizing Church Community Housing Corporation

The Proclamation was read by President White.

**A motion was made by Vice President Meagher with second by Councilor Beye to adopt the Proclamation. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye. (Applause)**

Steve Ostiguy thanked the Council for the appreciation and support. Jamestown is the most proactive of all the communities they work with for affordable housing. Christian Belden will be taking his place.

A) Presentation

1) Jamestown Sustainability Plan: Krista Moravec, Planner, Horsley Witten Group

Ms. Moravec thanked the Council for the opportunity to present Sustainable Jamestown, a project collaborated with the Planning Department and Planning Commission. Sustainability is meeting the needs of the present without compromising the ability of future generations to meet their needs. The Goal of Sustainable Jamestown: Sustainable Jamestown envisions a livable and resilient community that actively promotes a high quality of life for today's residents as well as future generations. Sustainability is not an end goal but a philosophy that all Jamestowners are encouraged to embrace for the benefit of social equity, environmental health, and a thriving economy. The Town of Jamestown recognizes that our island resources are treasured yet finite, a healthy economy is essential to our wellbeing, our quality of life is worth preserving, and our residents an asset to our community – forward-thinking, creative, diverse, and passionate.

Ms. Moravec explained the process to define the Goal that included:

- Outlining Tasks
- Public Engagement
- What's Happening - Initiatives and Activities
- The Issues
  - § Our Community
  - § Our Resources
  - § Our Local Economy
  - § Our Infrastructure

Goals and an Action Plan were developed for each key issue to define how all aspects of

life in Jamestown are connected. A website was developed to showcase Sustainable Jamestown and promote connectivity between residents. The six Guiding Principles for each of the key issues are:

- Make a Sustainable Choice
- Learn and Adapt
- Find the Critical Path
- Hear and Engage All Voices
- Build a Shared Culture of Sustainability
- Recognize that No Island is an Island

The Plan covers:

- Issues
- Goals
- Actions
- Resources

More information for each topic and a platform to connect ideas with other residents is available on the Action Lab at: [www.sustainablejamestown.com](http://www.sustainablejamestown.com). Proposed is a Jamestown Sustainable Task Force to discuss where progress is being made and review future initiatives on a quarterly or semi-annual basis. The Planning Department is a resource and will maintain the website.

Questions and Answers.

Councilor Piva asked about data collection and Ms. Moravec explained the process to address the target information to be collected.

Vice President Meagher asked about outreach literature. Ms. Moravec stated the literature could be used as handouts at events or at Town Hall for more information. A template was created for a progress report to the Town to assist the process.

President White commented much of this resembles the Town Council Goals and Objectives, and the Sustainable Jamestown report identifies the specifics. Discussion ensued of change and keeping the quality of life in Jamestown enjoyed by its residents.

Town Administrator Nota asked if similar services have been provided to other communities and if there are follow-up plans. Ms. Moravec stated the same services are not being used by other communities yet. The thought behind the Task Force is to review and maintain the discipline for the Plan. Discussion involved various initiatives outlined in the Plan, the website, and keeping the community connected on important issues. Town Planner Bryer commented the Planning Commission is willing and ready to fulfill the role of Task Force. The Chamber of Commerce may be interested as well.

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

**A motion was made by Vice President Meagher with second by Councilor Piva to convene as the Alcoholic Beverage Licensing Board and open the public hearing at 7:20 p.m. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye;**

**Councilor White, Aye; Councilor Piva, Aye.**

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board
  - 1) **CLASS B – VICTUALER – LIMITED**
    - a) Set the **CLASS B – VICTUALER – LIMITED** Liquor License Cap at FOUR (4); review, discussion and/or potential action and/or vote

**A motion was made by Vice President Meagher with second by Councilor Piva to set the CLASS B – VICTUALER – LIMITED Liquor License Cap at FOUR (4). President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

The Town Council adjourned as the Alcoholic Beverage Licensing Board at 7:21 p.m.

## **VI. OPEN FORUM**

**A motion was made by Vice President Meagher with second by Councilor White to bring up the Solicitor’s Report, Kitty Wineberg’s letter under Communications, and the Charter Review Committee under New Business to this time as they are all related. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- A) Scheduled request to address
  - 1) Katherine Wineberg

Katherine Wineberg of Beavertail read her letter to the Council listed under Communications. The letter stated she is proud to serve as a member of the Board of Canvassers and explained at length the process followed to determine the validity of signatures on the ordinance petition submitted. Section 219 of the Jamestown Town Charter was followed; however the one sentence language is vague and does not specify a process to identify voters other than qualified electors. Ms. Wineberg noted two Canvassers voted in the affirmative and one Canvasser voted in the negative to accept the qualified signatures. Canvasser Murphy did not challenge or appeal the vote to the Canvassers. Ms. Wineberg stated that she is proud of the electoral process in RI and it’s standing as a model for other states. She stands by her vote based on the direction she received, but is critical of how certain members of the Republican Town Committee have behaved. They should be ashamed for demeaning the level of discourse and civility in our town.

- B) Town Solicitor’s Report: Peter D. Ruggiero, Esq.
  - 1) Initiative Petition Status
    - a) Memorandum of Town Solicitor David A. Petrarca to Jamestown Town Council, dated February 11, 2019
    - b) Memorandum of Town Solicitor David A. Petrarca to RI Board of Elections, dated February 11, 2019
    - c) Memorandum of Canvassing Clerk Karen Montoya to Town

- Administrator Andrew E. Nota, dated February 11, 2019
- d) Revised Certificate of Town Clerk Cheryl A. Fernstrom, dated February 11, 2019

Solicitor Ruggiero referenced documents listed that explain what has transpired. As of February 11<sup>th</sup> there is no petition before the Town as less than the required 10% of voter signatures were qualified. What is before the Board of Elections is an appeal tentatively scheduled for March 5<sup>th</sup> which should be mooted due to a determination of insufficient qualified signatures. This has been a learning experience for all involved on the shortcomings of the Charter. Other communities have more defined content to the initiative procedures, and this is a first time learning experience. Solicitor Ruggiero suggests a Charter Review Committee be charged with revising the Referendum and Initiative provision. The petition is no longer pending, there is no referendum, and this is a matter of law, as the required signatures were not certified as indicated in the Clerk's Revised Certificate.

Vice President Meagher noted the Jamestown Press changed their reporting as it was incorrect. This process was difficult and the change in the standard applied was based on standards used by the Board of Elections. She is not critical of Mr. Murphy's objection, but is critical of the tone of some of the objections and methodology. The Sanctuary petitioners were concerned about an issue they felt the Town should address, and their informal petition transformed over the summer via an untested, flawed provision in the Charter. The Town was trying to figure it out and objections were appropriate, but the tone of the objections was not. Discussion ensued of a Charter Review Committee.

**A motion was made by Vice President Meagher with second by Councilor Beye to create a Charter Review Committee to be composed of one member of the Town Council, one member of the Board of Canvassers, and no more than three citizens-at-large to look specifically at Sections 218, 219 and 220 of the Charter to determine if they are necessary, and if found to be necessary, to preserve direct participation in government to the voters in Jamestown, to review the requirements articulated, and to improve the clarity and specificity of the language, and to make clear the process by which a petition is to be delivered to and accepted by the Town, and an election invoked.**

Discussion. The 5 ½ hour Board of Canvassers meeting on a Friday night was noted. The Board of Elections should be informed of the difficulties encountered with the new voter registration cards. President White noted his agreement and discouragement that a technicality caused signatures to be disqualified, and sadness that a group chose to inhibit the vote of the people of Jamestown, and the tone by which it was done was offensive. We should monitor the Charter Review process and hope the revision is a 21<sup>st</sup> century revision. Councilor White noted the recent shortcomings that were realized. The initiative process provides the right to have the petition and the procedure, as was discussed this evening. He concurs the tone has to be lifted up, and questions and procedure could be addressed by a Charter Review Committee, including flexibility, and whether an initiative procedure is necessary, with elections every two years. Vice President Meagher noted everyone operated

in good faith to do what was best for the Town of Jamestown. Councilor Piva asked for an explanation of what changed since the first meeting, including the six signatures removed.

Board of Canvassers Member Ken Newman of Avenue B, one of three Democratic representatives on the BOC, stated what happened between November 27<sup>th</sup> and the 5 ½ hour meeting. The new DMV generated voter registration forms do not resemble the forms on file in the Canvassers Office and have no penmanship signatures. An example was given and explained. The six names removed had a mark on the signature line and no other penmanship to compare to the petition signature, which is why he voted to disallow those signatures, as did Carol Nelson-Lee and Hugh Murphy at the 5 ½ hour meeting. This is different from the standard used at the November 27<sup>th</sup> meeting, as it was the first time seeing the new cards. The Solicitor's issue for the first two hours of the 5 ½ hour meeting to determine what was the complaint of the complainants. The complaint had four iterations, with changes in complainants and language, to five different entities - the Attorney General, Town Council, Board of Canvassers, Board of Elections, and Secretary of State. The Solicitor wanted to define the scope of the complaint and have the BOC act on it. The BOC determination was to go through all signatures and vote on each one, as advised by the Solicitor. After the count the petition was five or so names below what was required, which then went to the Town Clerk, and she sent the information she sent. As to the statement of Solicitor Ruggiero this is a mooted, this is on the Board of Elections March 5<sup>th</sup> agenda. It may or may not be moot, there may be additional complaints, perhaps by the petitioners, by me, by others, and it may or may not be addressed. The Republican complainants mentioned cured signatures and additional signatures by the petitioners. The BOC did not look at cured signatures or new signatures at the advice of the Solicitor. Blake Dickinson asked why petitioners decided to get cured and additional signatures, implying malfeasance. Mr. Newman stated this was a directive from BOE Executive Director Bob Raposa, and before following the directive he called BOC members to inform them. Mr. Murphy was not available, he left a message, but Mr. Murphy never called back. The information was then forwarded to the petitioners and our Solicitors. It remains to be seen if additional complaints will be filed.

Councilor Piva asked Town Administrator Nota and Chief Mello if there were complaints from Town staff about intimidation. Mr. Nota answered no. This is a serious issue that he would have thought would be brought to Town Administration. In Ms. Wineberg's letter she mentions being advised by Town representatives, and he asked who that was. Ms. Wineberg stated the direction was given by Canvassing Clerk Karen Montoya, that she believes came from the Town Administrator. This was repeated at the December 11<sup>th</sup> BOC Meeting, as outlined in the Minutes. Councilor Piva asked about the process of verification of the signatures. Ms. Wineberg stated there is no guidance in the Charter.

Councilor White asked what purpose this is serving. The problem is not this woman, or Town staff, it is the Charter. Councilor Piva stated he wants to know how this group we have authority over came to this decision. It was noted they are appointed by Council, but Council does not have authority over them. Councilor White stated this will occur until the Charter is changed. The signing of a signature is not specified and we cannot specify or

import what a signature is until such time as there is a Court decision or a Charter revision. We shouldn't be at each other over this issue. President White stated there was no detail to follow and we did what common sense determined. There can't be mistakes as there were no directions. Lengthy discussion ensued.

Back to the vote on the motion. **President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

Councilor Beye and Councilor White volunteer to be on the Charter Review Committee. Discussion ensued of the Charter Review process and preparation of forms in the event there is a future petition. Solicitor Ruggiero stated this can be done administratively by Town staff until the Charter is revised. Vice President Meagher thanked the Board of Canvassers and all involved in this process for their good faith effort.

2) Representative Deb Ruggiero, District 74

Representative Ruggiero commended the Town Council for requesting legislation to help our veterans. She is working with Legislative Counsel on the language to keep it generic so that Council will have the flexibility to provide a tax credit or exemption for our local veterans. She will ensure the Bill is drafted and that a companion bill is forwarded to the Senate. She thanks the Council for their service, thanked the clerks, Board of Canvassers, and all the volunteers in Jamestown who serve on Boards/ Commissions/Committees.

Town Administrator Nota asked if Representative Ruggiero had any updates on the State Budget. Deb noted the budget is still in process and she will keep the Town informed on issues, including the motor vehicle tax, other taxes and fees, and the medical and recreational marijuana issue and others.

B) Non-scheduled request to address. None.

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

A) Town Administrator's Report: Andrew E. Nota

Town Administrator Nota reported on the following:

1) Budget Process Status Report

Town Administrator Nota commented on the recent Statistical Revaluation, school enrollment increases, Bonds passed at the 2018 election, solar installations on municipal buildings, and capital funding, resulting in new debt in the amount \$350,000. The 4% tax levy cap mandated was not an issue in prior years. The initial increase based on budget requests was 7.5%, as of today is 5.07%, we are trying to get it below the cap, and the municipal budget levy impact is 1.25%. He is attending Thursday's School Committee Meeting. In past years reserve funds were used to offset school budget increases. Budget information will be more extensive than in past years. President White stated this year's conversation is different as we have three new Council members and three new School Committee members. They are working hard and meeting each week to work on the budget.

- 2) RI League of Cities and Towns Legislative and Program Report
  - a) Saturday, March 2<sup>nd</sup> 10:00 a.m. – Noon: Introduction to Municipal Budgeting, Jamestown Philomenian Library
    - i) Mayor Alan Fung, City of Cranston; Andrew E. Nota and Christina D. Collins, Town of Jamestown; Brian Daniels, Executive Director of RILCT and Peder Schaeffer, Associate Director of RILCT, and others

The session on Saturday, March 2<sup>nd</sup> was highlighted. It is free and open to the public.

- 3) ICMA New England Regional Conference, New Brunswick, NJ
  - a) Participating as Member of the Regional Nominating Committee for Vice President of the National ICMA Board
- 4) RI Interlocal Risk Management Trust Status Report Update

Town Administrator Nota referenced the Health and Dental Pool Loss Ratio Reports. Jamestown is not on the high-cost claims page. Once Police Department accreditation is achieved there will be insurance premium savings.

## VIII. UNFINISHED BUSINESS

- A) Fort Getty Gatehouse and Restrooms project recommendation; review, discussion and/or potential action and/or vote

Parks and Recreation Director Andrew Wade referenced the process that began a year ago working with Don Powers of Union Studios and the bid process that resulted in bids much higher than anticipated. Working with Town Planner Lisa Bryer and Public Works Director Michael Gray all bidding contractors were interviewed and provided recommendations to consider in order to amend their bids. On February 11<sup>th</sup> the second round of bids were opened and costs were lowered by an average of 16%. The lowest bid for the Gatehouse and Lower Restrooms was \$430,000, still above the \$235,000 earmarked for capital funding for Fort Getty. He recommends not awarding the bids but investigating other options going forward.

**A motion was made by Vice President Meagher with second by Councilor Beye to reject the bids. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- B) Upcoming Meetings and Sessions – dates and times
  - 1) Town Council Meeting Schedule – March 4<sup>th</sup>, March 18<sup>th</sup> and April 1<sup>st</sup> at 6:30 p.m.; review, discussion and/or potential action and/or vote
  - 2) Budget Work Sessions for FY 2019-2020: Capital Budget Hearing, March 19<sup>th</sup>; Town/School Committee Budget Hearing, March 21<sup>st</sup>; Operating Budget Hearings, March 25<sup>th</sup> and April 2<sup>nd</sup>; Budget Review Hearings, if needed, April 1<sup>st</sup>, April 8<sup>th</sup> and April 11<sup>th</sup>; review, discussion and/or potential action and/or vote

## IX. NEW BUSINESS

- A) Conanicut Island Sailing Foundation 2018 Reports, 2019 Program, and 2019 Agreement; review discussion and/or potential action and/or vote
- 1) 2018 Free Sailing Program
  - 2) 2018 Sea Adventure Camps
  - 3) 2019 Program
  - 4) 2019 Memorandum of Agreement

Executive Director Meg Myles gave a presentation on behalf of CISF, a youth-centered, sailing and marine education 501(c)3 non-profit public charity. There were 384 Sea Adventure campers for the eight weeks of camp at Fort Getty, an increase of 12% over 2017. This is the 12<sup>th</sup> season for Free Sailing, teaching basic sailing skills and connecting with nature. There were 296 sailors for the five-week program. For 2018 we had a higher performance sailing program that was added into the MOA. For the last two years Program Director Haley Barber assisted with marine and environmental education at our schools at no cost. For sustainability CISF initiated a composting program in both schools.

CISF revenue covers 40% of program costs, with the rest supported by fund raising activities. Various programs outside of the summer season were noted. Ms. Myles requests a multi-year agreement, three to five years, with the option for an extension. To date there are 106 registrations for the 2019 season. Discussion ensued of annual program reviews. Ms. Myles noted CISF has several equipment trailers and requests to leave them permanently at Fort Getty. CISF has insurance coverage and pays \$1,000 as part of their MOA.

Councilor Piva commented the program provides recreation outside of sports and he appreciates such services. He feels the Town should receive compensation for use of Town facilities for CISF programs, and he is not in favor of the trailer storage.

Vice President Meagher feels this program provides services that the Town doesn't provide. As an Island, kids need to learn to be on the water, and that includes sailing and environmental education. We shouldn't charge CISF for the use of Town facilities.

Town Administrator Nota praised the success and positive impact of CISF programs, which the Town subsidizes. The Town manages various activities and the interests, providing services to all groups involved at Fort Getty, which is a matter of logistics, requiring staff time and resources that exceeds the annual fee. If it is acceptable to the Council he is in favor of a multi-year MOA.

Vice President Meagher stated Fort Getty is the right place for the CISF sailing and camps. President White asks what multi-year means. Discussion ensued of water uses and costs. Councilor White asked where the \$1,000 goes. Council is comfortable with what the Town Administrator feels is appropriate for the MOA term, with coordination with Council if needed. Councilor Beye commented as a business owner CISF camps greatly affect her business in the summer, and she isn't comfortable weighting in on this. As a resident she isn't in favor of the year round trailer storage.



**A motion was made by Vice President Meagher with second by Councilor Piva to approve the MOU, to agree to a more long-term relationship that gets defined by the negotiation of a lease of up to five years as defined by the two parties, with an extended lease, and a cost of \$1,000. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

Chris Cannon of East Shore Road, CISF Board Member, thanked the Council for the Agreement and continued support. This is such a good program that develops leadership and confidence in young people.

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

- A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote on each listed appointment and/or vacancy
  - 1) Jamestown Affordable Housing Committee (One vacancy with a three-year term ending date of May 31, 2021; duly advertised; no applicants
  - 2) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with a three-year term ending date of May 31, 2021); duly advertised
    - a) Letter of interest for appointment
      - i) Sydney Keen
  - 3) Jamestown Juvenile Hearing Board (One Alternate Member vacancy with a two-year term ending dates of December 31, 2020); duly advertised; no applicants
  - 4) Jamestown Tree Preservation and Protection Committee (Three vacancies with One unexpired three-year term ending date of December 31, 2019 and Two three-year term ending dates of December 31, 2021); duly advertised; no applicants
  - 5) Jamestown Zoning Board of Review – Alternate Member (One vacancy with a one-year term ending date of December 31, 2019); duly advertised
    - a) Letter of interest for appointment
      - i) James King

Interviews will be scheduled prior to the next meeting.

## **XI. CONSENT AGENDA**

**A motion was made by Councilor Piva with second by Vice President Meagher to approve and accept the Consent Agenda. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

The Consent Agenda approved consists of the following:

- A) Adoption of Town Council Minutes
  - 1) February 4, 2019 (regular meeting)
- B) Minutes of Town Boards/Commissions/Committees

- 1) Jamestown Planning Commission (11-07-2018)
  - 2) Jamestown Planning Commission (12-05-2018)
  - 3) Jamestown Planning Commission (01-02-2019)
  - 4) Jamestown Planning Commission (01-16-2019)
- C) Abatements and Addenda of Taxes  
 Total Abatements: \$2,145.33      Total Addenda: \$2,145.33
- 1) Real Property/Tangible Abatements to 2018 Tax Roll
 

<u>Account/Abatement Amount</u>	
a) 13-0590-00	\$2,145.33
  - 2) Addenda to 2018 Tax Roll
 

<u>Account/Abatement Amount</u>	
a) 23-1002-50	\$2,145.33
- D) CRMC Notices
- 1) February 2019 Amended Calendar
- E) One Day Event/Entertainment License Application
- 1) Applicant: Jamestown 1<sup>st</sup> Day Plunge/Town of Jamestown  
 Event: 2<sup>nd</sup> Annual Jamestown St. Paddy's Day Splash  
 Date: Sunday, March 17, 2019  
 Location: East Ferry/Conanicus Avenue
- F) Peddler and Holiday License Renewal Application
- 1) Applicant: A. B. Monroe Dairy, Inc. **dba: Munroe Dairy**  
 Address: 151 North Bow Street, East Providence, RI 02914
- G) Trash Collector License Renewal Applications
- 1) Applicant: Island Rubbish Service, Inc. **dba: Island Rubbish**  
 Address: 8 Swinburne Street, Jamestown, RI 02835
  - 2) Applicant: Republic Services, Inc. **dba: Republic Services, Inc.**  
 Address: 1080 Airport Road, Fall River, MA 02720
- H) Finance Director's Report

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

**A motion was made by Councilor Beye with second by Councilor Meagher to receive the Communications. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

The Communications received consists of the following:

- A) Communications
  - 1) Statewide Planning February 2019 Newsletter
  - 2) Letter of Katherine Wineberg re: Jamestown Board of Canvassers
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
  - 1) Resolution of the Smithfield School Committee requesting General Assembly Stabilization of the State Education Funding Formula
  - 2) Resolution of the Central Falls City Council calling on the General Assembly to pass Enabling Legislation Calling for Municipal

- 3) Tobacco Licensing  
Resolution of the Portsmouth Town Council Requesting RIDOT Reject Proposed Cuts to the Transportation Alternatives Program (TAP)
- 4) Resolution of the Portsmouth Town Council Requesting RIDOT Reject Proposed Delays to STIP Project, ID 1379 and 1380 in Portsmouth

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

- A) Paper streets in Jamestown and water access
- B) Road abandonment petition discussions (March/April)
- C) Amendments of Code of Ordinances to Article IV. Stopping, Standing and Parking for parking restrictions
- D) Town Council Goals and Objectives and Rules and Procedures (April/May)
- E) Library Rehabilitation Project and Funding Program Presentation (March 18)
- F) Proposed Water Resources Protection Committee Discussion (March)
- G) Review and Discussion of Conservation Easement on Shores Lots (March)

The following items were added:

- Executive Session – Collective bargaining and property in town

### **XIV. EXECUTIVE SESSION**

None.

### **XV. ADJOURNMENT**

**A motion was made by Vice President Meagher with second by Councilor Meagher to adjourn. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

The Jamestown Town Council adjourned the regular meeting at 8:53 p.m.

Attest:

---

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to:     Town Council  
                  Town Administrator  
                  Finance Director  
                  Town Solicitor

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the January 29, 2019 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:00 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair  
Terence Livingston, Member  
Edward Gromada, Member  
Marcy Coleman, Member  
Judith Bell, 1<sup>st</sup> Alt.

Also present: Brenda Hanna, Stenographer  
Chris Costa, Zoning Officer  
Pat Westall, Zoning Clerk  
Wyatt Brochu, Counsel

MINUTES

Minutes of December 18, 2018

A motion was made by Edward Gromada and seconded by Terence Livingston to accept the minutes of the December 18, 2018 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Marcy Coleman and Judith Bell voted in favor of the motion.

Dean Wagner and Erik Brine were absent.

CORRESPONDENCE

A note that Erik Brine was appointed to the Zoning Board but due to a previous commitment was unable to attend tonight's meeting.

NEW BUSINESS

Carnevale

A motion was made by Marcy Coleman and seconded by Terence Livingston to grant the request of Mark T. et Karen J. Carnevale, whose property is located at 26 Bridgeview Dr., and further identified as Assessor's Plat 2, Lot 90 for a variance from Article 3, Section 82-302, Table 3-2 Setback, Article 6, Section 82-605 Variances, to install a 12 x 18 shed 12' north sideline where 20' is required.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a RR80 zone and contains .73 acres.
2. The applicant seeks a 216 sq. ft. shed although they are entitled to construct a much larger shed. This is the least relief necessary.
3. Due to the small size of the court yard and the sloping ground, this site is the only reasonable place to build.
4. The applicant sites a need for additional storage due to the small size of home and a growing family.
5. This proposed location does not impede the view of the neighbors.
6. Abutting neighbors are in support of this project.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Marcy Coleman and Judith Bell voted in favor of the motion.

Dean Wagner and Erik Brine were absent.

Fredettte

A motion was made by Edward Gromada and seconded by Terence Livingston to grant the request of Jon A. Fredette, whose property is located at 16 Court St., and further identified as Assessor's Plat 2, Lot 22 for a variance from Article 3, Section 82-302, Table 3-2 Setbacks and Article 6, Section 82-605 Variances Granted to construct a covered roof over existing deck with a north rear setback of 22'.5" where 40' is required.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R80 zone and contains 15,000 sq. ft.
2. A copy of the large scale plan must be included with the plans.
3. The new side walls of the enclosure must remain open.
4. The roof line may be raised 12" to 15" to accommodate a clean east/west look.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Marcy Coleman and Judith Bell voted in favor of the motion.

Dean Wagner and Erik Brine were absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 7:55 p.m.  
The motion carried unanimously.

**MORNEAU & MURPHY**  
**ATTORNEYS AT LAW**

JOHN AUSTIN MURPHY  
JOHN B. MURPHY

EMILY J. MURPHY PRIOR\*  
CHRISTIAN S. INFANTOLINO\*\*

NEALE D. MURPHY  
1904-2003

RICHARD N. MORNEAU  
1949-2018

77 NARRAGANSETT AVENUE  
JAMESTOWN, RI 02835-1149  
(401) 423-0400 TELEPHONE  
(401) 423-7059 FACSIMILE

38 NORTH COURT STREET  
PROVIDENCE, RI 02903-1217  
(401) 453-0500 TELEPHONE  
(401) 453-0505 FACSIMILE

\*ALSO ADMITTED IN CONNECTICUT  
\*\*ALSO ADMITTED IN MASSACHUSETTS

February 14, 2019

Alcoholic Beverage Licensing Commission  
Jamestown Town Hall  
93 Narragansett Avenue  
Jamestown, RI 02835

**Re: Conanicut Marine Services, Inc./Class G. Liquor License**

Dear Commissioners:

This letter constitutes our formal request that pursuant to RIGL § 3-7-15, the Town of Jamestown grant us permission to serve alcoholic beverages to our patrons aboard our ferries, The Jamestown and the MV Katherine, while at dockside at East Ferry in Jamestown for the 2019 season.

Should the Commission wish to discuss any aspect of this request, we would be pleased to appear at its convenience. Please let us know if this will be required.

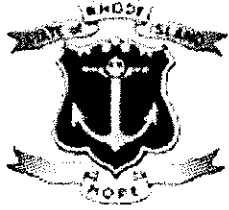
Very truly yours,



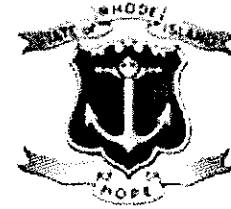
John A. Murphy  
General Counsel

Enclosure: Class G Liquor Licenses  
Copy of RIGL 3-7-15

Cc: William S. Munger



*State of Rhode Island and Providence Plantations*  
*Department of Business Regulation*  
*Liquor Section*



**Marine Vessel Class G Beverage License**

Conanicut Marine Services Inc MV Katherine a corporation of Rhode Island  
has been granted this, a retailer's beverage license Class G, under 3-7-15, Title 3, of the General Laws of Rhode Island, 1956 as amended, authorizing the holder hereof within the State of Rhode Island, to keep for sale and to serve in its passenger carrying marine vessels, beverages for the consumption therein or thereon, but only when actually en route.

This license shall expire one year from its date and be good throughout the State of Rhode Island, and it shall be kept posted in the passenger carrying marine vessel of the licensee where such beverages are sold.

This license is subject to such conditions, rules and regulations of the Department Business Regulation as established, or shall in the future establish, and to the terms and provisions of Title 3 of the General Laws of Rhode Island, 1956, as amended.

IN WITNESS WHEREOF, the Associate Director has caused this license to be issued and authenticated by his/her signature.

LICENSE NUMBER: CG.0000689-MV

DATE OF ISSUANCE: 03/21/2019

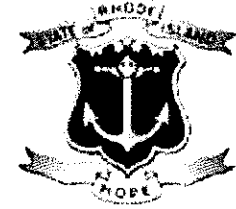
ASSOCIATE DIRECTOR

POST THIS LICENSE IN A CONSPICUOUS PLACE





*State of Rhode Island and Providence Plantations*  
*Department of Business Regulation*  
*Liquor Section*



**Marine Vessel Class G Beverage License**

Conanicut Marine Services, Inc. MV The Jamestown a corporation of Rhode Island  
has been granted this, a retailer's beverage license Class G, under 3-7-15, Title 3, of the General Laws of Rhode Island, 1956 as amended, authorizing the holder hereof within the State of Rhode Island, to keep for sale and to serve in its passenger carrying marine vessels, beverages for the consumption therein or thereon, but only when actually en route.

This license shall expire one year from its date and be good throughout the State of Rhode Island, and it shall be kept posted in the passenger carrying marine vessel of the licensee where such beverages are sold.

This license is subject to such conditions, rules and regulations of the Department Business Regulation as established, or shall in the future establish, and to the terms and provisions of Title 3 of the General Laws of Rhode Island, 1956, as amended.

IN WITNESS WHEREOF, the Associate Director has caused this license to be issued and authenticated by his/her signature.

LICENSE NUMBER: CG.0000688-MV

DATE OF ISSUANCE: 03/14/2019

**ASSOCIATE DIRECTOR**

**POST THIS LICENSE IN A CONSPICUOUS PLACE**

(c) The fee for the license shall be thirty-five dollars (\$35.00).

**History of Section.**

P.L. 1998, ch. 3, § 1.

**Compiler's Notes.** The subsection designations (a) to (c) were added and other stylis-

tic changes were made by the compiler to make this section consistent with the 1998 reenactment of this title.

3-7-15. **Class G license.** — (a) A Class G retailer's license shall be issued only to any dining car company, sleeping car company, parlor car company, and railroad company operating in this state, or any company operating passenger carrying marine vessels in this state, or any airline operating in this state, and authorizes the holder of the license to keep for sale and to sell in its dining cars, sleeping cars, buffet cars, club cars, lounge cars and any other cars used for the transportation or accommodation of passengers, and in or on any passenger-carrying marine vessel, and in any airplane, beverages for consumption therein or thereon, but only when actually en route.

(b) In addition, the holder of the Class G license for a passenger-carrying marine vessel may serve alcoholic beverages at retail aboard the vessel during the period thirty (30) minutes prior to the scheduled departure and until departure, provided that the local licensing board annually consents.

(c) Each company or airline to which the license is issued shall pay to the department an annual fee of one hundred dollars (\$100) for the license, and one dollar (\$1.00) for each duplicate of the license, which fees are paid into the state treasury.

(d) The license expires one year from its date and is good throughout the state as a state license, and only one license is required for all cars or airplanes, but a license issued to any company or person operating passenger-carrying marine vessels in this state shall authorize the sale of beverages only in the passenger-carrying marine vessel designated and no further license shall be required or tax levied by any city or town for the privilege of selling beverages for consumption in those cars or on those vessels or in those airplanes. Each licensed dining car company, sleeping car company, and railroad car company shall keep a duplicate of the license posted in each car where beverages are sold. The department shall issue duplicates of the license from time to time upon the request of any licensed company upon the payment of the fee of one dollar (\$1.00).

**History of Section.**

P.L. 1933, ch. 2013, § 5; P.L. 1934, ch. 2086, § 2; P.L. 1935, ch. 2270, § 1; P.L. 1937, ch. 2525, § 1; G.L. 1938, ch. 163, § 3; P.L. 1939, ch. 660, § 130; G.L. 1956, § 3-7-15; P.L. 1960, ch. 75, § 2; P.L. 1986, ch. 535, § 2; P.L. 1994, ch. 89, § 1.

**Reenactments.** The 1998 Reenactment (P.L. 1998, ch. 441, § 1) designated the subsections.

**Cross References.** Beverages salable, § 3-5-12.

Posting of licenses, § 3-5-18.

Power to issue license, § 3-5-14.

Revocation or suspension of licenses, §§ 3-5-21 — 3-5-23, inclusive.

**Collateral References.** Liability for license fee of one who has conducted business without required license. 5 A.L.R. 1312; 107 A.L.R. 652.

# TOWN OF JAMESTOWN

Town Clerk's Office  
93 Narragansett Avenue  
Jamestown, RI 02835  
423-7200 ~ fax: 423-7230

March 1, 2019 - February 28, 2020

## Trash Collector License Application

RECEIVED  
TOWN OF JAMESTOWN  
19 FEB 28 AM 10:18

Please provide the Town Clerk's office with the following:

License Fee \$100.00

Corporate Name: Waste Management of RI, Inc.

DBA:

Business Address: 1610 Pontiac Avenue, Cranston, RI 02920

Business Phone #: 401-919-9077

Hours of Operation: 3:30 AM - 7:00 PM

Mailing Address (if different from above) SAME AS ABOVE

Partnerships & Corporations: Please list names, addresses & dates of birth for all partners and principal officers/stockholders:

Name

Address

Date of Birth

N/A

Signature of Applicant:

Print Name:

*Stephen Tarnowski*  
STEPHEN TARNOWSKI

All Tax & Water Assessments must be paid to date prior to any known Town Council Action.  
Your application will not be acted upon should payment of these be in arrears.

# TOWN OF JAMESTOWN

Town Clerk's Office  
93 Narragansett Avenue  
Jamestown, RI 02835  
423-7200 ~ Fax: 423-7230

## For Office Use Only

Trash Collection Fee: \$100.00

Paid/Date: \_\_\_\_\_

*Approval: Please Sign & Date*

Chief of Police: \_\_\_\_\_

Fire Chief: \_\_\_\_\_

Zoning Official: \_\_\_\_\_

Water & Sewer Clerk: \_\_\_\_\_

Tax Collector: \_\_\_\_\_



This application has been **GRANTED/DENIED** by the Jamestown Town Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
for the period of **March 1, 20\_\_\_\_** to **February 2\_\_\_\_, 20\_\_\_\_**.

Issued: \_\_\_\_\_

\_\_\_\_\_  
Cheryl A. Fernstrom, CMC, Town Clerk

*Please display this license in a prominent place at your establishment*



# TOWN OF JAMESTOWN

## One Day Event/Entertainment Application

\$5.00 Application Fee

Date Rec'd \_\_\_\_\_  
Office will enter date

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures  
(This form can be used with or without vendors)

Please complete the following information:

- Seasonal Event
- Parade
- Race:
  - Bicycle/Wheelchair
  - Run/Jog/Walk/Wheelchair
  - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

19 FEB 20 AM 10:07  
TOWN OF JAMESTOWN  
RECEIVED

Name of Event: (if applicable) C.I.A.A. 45<sup>th</sup> Annual Artist Member Show  
 Date of Event: 7/20/19 - 7/28/19 Hours of Event: 10 AM to 4 PM  
 Location of Event: RFC Center Number of people attending: 100-200  
 Name of Applicant/ Business: Connect Island Art Assoc.  
 Mailing Address: P.O. Box 229 Business Phone #: 401-368-5530

Contact Person: Rick Meli Phone Number: 401-368-5530

List the type of entertainment being requested, if applicable (Band, DJ, etc.) MUSIC; Harpist

Who will the event benefit? C.I.A.A.

Type of Operation: (Private, State Sponsored, Non-Profit): \_\_\_\_\_

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): \_\_\_\_\_

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: 2-6327-2833 Non-Profit ID #: A-1139

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50  
(**\$5.00 each Vendor/Peddler in addition to Application Fee**)

*A list of vendor/peddler and fee must be submitted to the Town Clerk's Office with this license.*

What types of items will be sold at this event? ARTS - Paintings, Photographs

Will food be sold at the location? *If yes, you must contact the R.I. Department of Health* Yes No

Will alcohol be provided and/or served at this event? *If yes, Alcohol Liability Insurance must be provided* Yes No

Will traffic control or a public facility be needed? Yes No  
*If yes, Please contact the Jamestown Police Department, Public Works Department and/or the Recreation Department for rates and forms for approval.*

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property. Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.




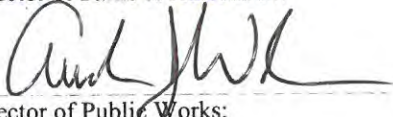
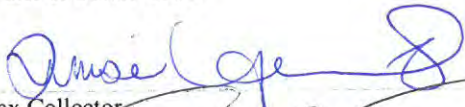

Signature of Applicant: [Signature]

Please attend the Town Council meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for Council review.

**For Office Use Only**

License Fee: \$ \_\_\_\_\_ Ins. Policy: \_\_\_\_\_ Ft. Getty Rental Permit: \_\_\_\_\_

*For Approval: Please sign, date & provide approximate cost to Town.*

Department	Date	Approximate Cost or Comments
Town Administrator:		
Chief of Police:		
Fire Chief: 	2-22-19	
Fire Marshal: 	2-22-19	
Zoning Official: 	2-29-19	
Director of Parks & Recreation: 	2/20/19	
Director of Public Works:		
Water & Sewer Clerk: 	2/20/19	
Tax Collector: 	2/20/19	



This application has been **GRANTED/DENIED** by the Jamestown Town Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ for the event scheduled for: (date) \_\_\_\_\_ (time) \_\_\_\_\_ with a location of \_\_\_\_\_.

Issued: \_\_\_\_\_ Cheryl A. Fernstrom, CMC, Town Clerk

***Please keep this license on hand for the day of the event.***



# TOWN OF JAMESTOWN

## One Day

### Vendor/Peddler License Application

Date Rec'd \_\_\_\_\_  
Office will enter date

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures -

**\$ 5.00 Application Fee**

Please complete the following information:

Date of Event: 3-16-19 - 3-17-19 Hours of Operation: 10-2  
Event Location: Jamestown Pier  
Name of Applicant/ Business: Paco's Tacos Mobile Mex - Frank Mopes  
Doing Business As: Paco's Tacos  
Business Address: 100 East St Cranston RI 02900  
Mailing Address: (if different than above) 39 Drown St Cranston RI 02905  
Business Phone #: 401-793-0515 Contact Person: Frank Mopes  
Type of Vendor/Peddler: Mobile Food Vendor  
Items/Products to be sold: Tacos, Burritos, Quesadillas

RECEIVED  
TOWN OF JAMESTOWN, RI  
19 FEB 27 AM 11:55

Will food be sold at the location? Yes No

Copies of the RI Department of Health Certificate and Retail Sales Tax Permit must be provided with this application form.

A Department of Health form for a Seasonal Event for an Organizer/Sponsor of Temporary Food Events must be completed and returned to the Department of Health 4 weeks prior to the event

**NOTE:** All applicants must submit proof of liability insurance coverage in the amount of \$1,000,000 (One Million Dollars) when using Town owned property.

Certificate of Insurance: Yes No

Please attach any additional information you would like to provide to the Town Council.


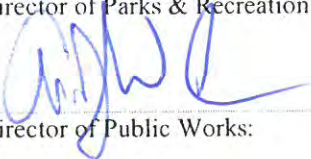


Signature of Applicant: [Handwritten Signature]

\_\_\_\_\_

**For Office Use Only**

License Fee: \$ \_\_\_\_\_ Ins. Policy: \_\_\_\_\_ Ft. Getty Rental Permit: \_\_\_\_\_

*For Approval: Please sign, date & provide approximate cost to Town.*

Department	Date	Approximate Cost or Comments
Town Administrator:		
Chief of Police:		
Fire Chief:		
Zoning Official: 	2-29-19	
Director of Parks & Recreation: 	2/27/19	
Director of Public Works:		
Water & Sewer Clerk 	2/27/19	
Tax Collector 	2/27/19	

This application has been **GRANTED/DENIED** by the Jamestown Town Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ for the event scheduled for: (date) \_\_\_\_\_ (time) \_\_\_\_\_ with a location of \_\_\_\_\_.

Issued: \_\_\_\_\_

Cheryl A. Fernstrom, CMC, Town Clerk

***Please keep this license on hand for the day of the event.***





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## JAMESTOWN CONSERVATION COMMISSION

To: Jamestown Town Council  
From: Jamestown Conservation Commission  
Date: February 25, 2019  
Subj: Taylor/Point Potter's Cove Erosion

It has been brought to our attention by the Taylor Point Restoration Project there is continuing erosion taking place at the bluff on Potter's Cove below the parking lot on Freebody Drive. This area faces directly northeast and takes a beating during storms where the winds blow from that direction. The embankment is now within 13 feet of the seaward edge of the parking area.

The state received \$280,000 from the National Coastal Resilience Fund (<https://www.jamestownpress.com/articles/280k-grant-will-finance-projects-to-shore-up-coast/>) to make Rhode Island's shorelines and costal habitats more resilient. CRMC is not aware of the need at Potter's Cove because design work has not been started. So it is unlikely any of these funds will be available to Jamestown this year.

The Conservation Commission respectfully requests resources be made available to begin the design process to mitigate the erosion in this area. There are projects on the island that have been successful in combating erosion that the Conservation is aware of. And there are no doubt others that the Town Administration can draw on as well as best practices around the state.

Cc: Andy Nota  
Cheryl Fernstrom  
Anne Kuhn, Conservation Commission Chair

Taylor Point Restoration Association  
P. O. Box 21  
Jamestown, RI 02835

February 22, 2019

Jamestown Town Council  
Town Hall  
93 Narragansett Avenue  
Jamestown, RI 02835

Dear Councilors:

We are pleased to report to you the progress made on the Taylor Point Restoration Project during 2018.

As you may know the Taylor Point Restoration Association originated in September 2014, and was incorporated as a RI non-profit corporation on June 3, 2015. On March 2, 2015 the Town Council sanctioned TPRA's concept for the restoration project, and on May 1, 2017 the Council approved the completed Restoration Plan and named the area the Taylor Point Nature Preserve. On Sept 5, 2017 CRMC issued a Buffer Zone Management Assent (<http://taylorpoint.org/assent-summary/>), allowing TPRA to perform specified restoration work at Taylor Point. The following month Taylor Point was approved as a URI Master Gardener project, bringing us much-needed additional volunteers.

Most of our effort since October 2017 has been in the area to the northwest of the upper parking area at the end of Bay View Drive, where we have removed the greenbrier that was smothering the native blueberry field that once filled the area. We also removed many invasive Morrow Honeysuckle shrubs from this area. In addition, we corrected erosion problems at the stairway to Potter Cove Beach, pulled highly invasive Garlic Mustard from various parts of the Nature Preserve, cut some of the Oriental Bittersweet damaging the Black Cherry Woodland south of Freebody Drive, and dug up some Japanese Knotweed roots.

We also began planning and design work on the eroded path from the upper parking area to the cliffs, coordinating closely with Andy Wade on his adjacent project at the parking area. We hope to get a CRMC permit this spring and summer, and improve the foot path when fishing season ends in the fall.

Early in 2018 we launched our website, [Taylorpoint.org](http://Taylorpoint.org); the result of work we performed under a grant awarded in April of 2016 from the Rhode Island Foundation's Newport County Fund Small Grants Program. In addition to introducing the TPRA organization and its mission and activities, the website presents a discussion concerning the value of native species and the ecological importance of protecting them (<http://taylorpoint.org/why-native/>). Further the website features an atlas of the plants (both native and non-native) known to occur at Taylor Point (<http://taylorpoint.org/plant-atlas/>); presenting photos and brief descriptions to help users identify these plants and understand their ecological significance. It further specifies where in Taylor Point the various species have been found in terms of 26 specific habitat types we have identified and mapped. We formatted this information to enable volunteers working in the field to view it up on tablets or phones to help with plant identification and to provide rudimentary management information.

This atlas will always be a work in progress. Not every plant has been entered into the atlas as yet. Our plan is ultimately to include all the species we find, and have found at Taylor Point, and to incorporate lessons we have learned, and are learning, in our efforts to reduce the presence of invasive vegetation and protect and nurture the native species. We also plan to update the habitat maps as we succeed in eliminating invasive plants and cultivating native species.

For those interested in learning about TPRA's events, activities, grants and our schedule of workdays, we post that information on both our News and Events page (<http://taylorpoint.org/news-and-events/>) and on the Facebook page we launched in 2016 ( <https://www.facebook.com/RestoreTaylorPoint/?fref=ts> ). Finally, for those interested in accessing more invasive plant-related issues, we compiled on our website a list of useful related resources ( <http://taylorpoint.org/web-resources/> ).

Most of our work at Taylor Point is done by volunteers. Last year, volunteers contributed 794 hours on 25 scheduled Saturday morning work days (and another 20 unscheduled work days). We also hired a contractor to do some much-needed field mowing. We are very grateful to the Town's DPW team for their assistance on at least 4 occasions in chipping cut brush.

In 2019 we will be controlling the re-sprouting greenbrier in the upper parking lot and we will begin a re-vegetation program, with the goal of restoring the area to a field of native shrubs and small trees.

We would like to invite members of the Town Council to visit Taylor Point this spring to see the work that has been done, and what is planned for future years. We would propose one afternoon during the week of March 4<sup>th</sup>. We can meet at the gravel parking area along Freebody Drive overlooking Potter Cove Beach.

We look forward to continuing to remove non-native vegetation from Taylor Point and to restore the habitat with plants that are native to Rhode Island in 2019 and future years.

Respectfully,



Ed Gromada  
President



Please consider joining TPRA and making a tax deductible donation. Visit Taylor Point Take in the beauty of this local treasure and join us in making it a cherished destination for generations to come.



THE UNIVERSITY OF RHODE ISLAND COOPERATIVE EXTENSION

**Our sponsors include:**

- The Rhode Island Department of Environmental Management;
- The Rhode Island Coastal Resources Management Council;
- The State of Rhode Island General Assembly; and
- The Legacy of Jerry Palmieri.

Write us at:  
 P. O. Box 21, Jamestown RI 02835  
 E-Mail: wishingrocks@gmail.com.

On the Web at:  
[www.taylorpoint.org](http://www.taylorpoint.org)  
 On Facebook at:  
 Restore Taylor Point.



**Join TPRA**



NAME : \_\_\_\_\_

EMAIL : \_\_\_\_\_

ADDRESS : \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

PHONE : \_\_\_\_\_

- Benefactor \$1000
- Sustaining \$ 500
- Steward \$ 100
- Contributor \$ 50

**MEMBERSHIP**

- Family \$35
- Individual \$25

All donations are tax deductible.

Please make checks payable to "TPRA" or  
**PayPal** - [restoretaylorpoint@gmail.com](mailto:restoretaylorpoint@gmail.com)

**Taylor Point**  
 Restoration Association

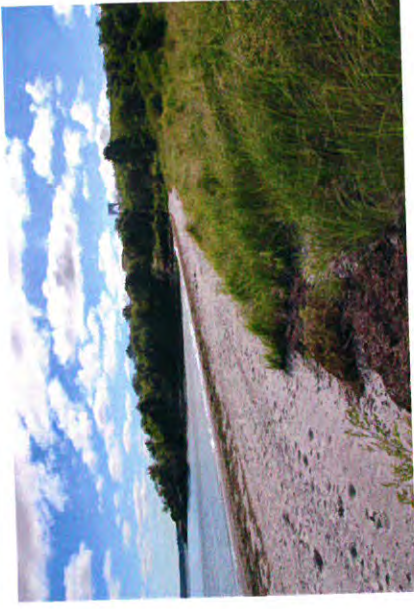
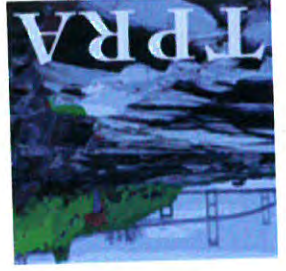
The Taylor Point Restoration Association (TPRA) is a Rhode Island-registered non-profit and a 501(c)3 charitable organization committed to restoring and maintaining the Taylor Point Nature Preserve.



Taylor Point Bayberry

TPRA welcomes community participation in our environmental efforts. In addition to hosting frequent volunteer work parties to clear invasive species and nurture native plants, we lead environmental education forums and field events. We seek to promote community-wide understanding of Jamestown's local ecology and related principles of resource management and protection.

Taylor Point Restoration Association  
P.O. Box 21  
Jamestown, RI 02835



# Restore Taylor Point

*A local nature  
preserve where the native  
habitat is protected and  
improved . . .*

*Join, Volunteer, Donate*





# Federal Emergency Management Agency

Washington, D.C. 20472

February 15, 2019

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Michael G. White  
President, Town of Jamestown Council  
93 Narragansett Avenue  
Jamestown, RI 02835

IN REPLY REFER TO:

Case No.: 19-01-0504P  
Community Name: Town of Jamestown, RI  
Community No.: 445399  
Effective Date of  
This Revision: **February 15, 2019**

Dear Mr. White:

The purpose of this Letter of Map Revision (LOMR) is to remove the Coastal Barrier Resources System (CBRS) unit boundaries from the effective Flood Insurance Rate Maps (FIRMs) for your community. Historically, the CBRS unit boundaries and flood insurance prohibition date for each area were included on FIRMs for informational purposes.

To address potential inconsistencies between published FIRMs and the official maps maintained by the Department of the Interior's U.S. Fish and Wildlife Service (USFWS), FEMA will no longer provide CBRS boundary data on effective FIRMs. The removal of the CBRS boundary data from FIRMs does not affect the CBRS status of these areas or change the restrictions that apply in these areas. USFWS will continue to be the source for official CBRS property determinations, and documentation for those determinations can only be provided by USFWS. The CBRS boundary data from the USFWS website will also be displayed on the National Flood Hazard Layer (NFHL) Viewer at [msc.fema.gov/nfhl](https://msc.fema.gov/nfhl) and included on the interactive and dynamic flood maps available through the FEMA Map Service Center. The NFHL can be used to view effective flood hazard information, such as SFHAs, in a map viewer or to download it for use in a Geographic Information Systems (GIS) application. More information on the NFHL is available at [fema.gov/national-flood-hazard-layer-nfhl](https://fema.gov/national-flood-hazard-layer-nfhl).

If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Boston, Massachusetts, at (617) 956-7564, or the FEMA Map Information eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Sincerely,

Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

List of Enclosures:

Letter of Map Revision Determination Document  
Attachment to LOMR 19-01-0504P  
CBRS Fact Sheet

cc: Mr. Chris N. Costa  
Building and Zoning Official  
Town of Jamestown



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT**

COMMUNITY INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
STATE	Rhode Island	NO PROJECT	CBRS REMOVAL
IDENTIFIER	CBRS Removal for Rhode Island	APPROXIMATE LATITUDE AND LONGITUDE: 41.583,-71.333 SOURCE: USGS QUADRANGLE DATUM: NAD 83	

**FLOODING SOURCE AND REACH DESCRIPTION**

Atlantic Ocean - various areas along the coastline of Rhode Island

**COUNTIES WITHIN RHODE ISLAND AFFECTED BY THIS REQUEST**

Bristol County  
Kent County  
Newport County  
Washington County

**DETERMINATION**

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. This document revises the effective National Flood Insurance Program (NFIP) map, as indicated in the National Flood Hazard Layer (NFHL).

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**COMMUNITIES WITHIN BRISTOL COUNTY AFFECTED BY THIS REQUEST**

**CID Number:** 445392      **Name:** Town of Barrington

**CID Number:** 445393      **Name:** Town of Bristol

**CID Number:** 445408      **Name:** Town of Warren

**COMMUNITIES WITHIN KENT COUNTY AFFECTED BY THIS REQUEST**

**CID Number:** 445409      **Name:** City of Warwick

**COMMUNITIES WITHIN NEWPORT COUNTY AFFECTED BY THIS REQUEST**

**CID Number:** 445399      **Name:** Town of Jamestown

**CID Number:** 440035      **Name:** Town of Little Compton

**CID Number:** 445401      **Name:** Town of Middletown

**CID Number:** 445403      **Name:** City of Newport

**CID Number:** 445405      **Name:** Town of Portsmouth

**CID Number:** 440012      **Name:** Town of Tiverton

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration





Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

COMMUNITIES WITHIN WASHINGTON COUNTY AFFECTED BY THIS REQUEST

CID Number: 445395	Name: Town of Charlestown
CID Number: 445402	Name: Town of Narragansett
CID Number: 440036	Name: Town of New Shoreham
CID Number: 445404	Name: Town of North Kingstown
CID Number: 445407	Name: Town of South Kingstown
CID Number: 445410	Name: Town of Westerly

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A handwritten signature in black ink, appearing to read "Rick F. Sacbbit".

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

19-01-0504P

102-D



## Federal Emergency Management Agency

Washington, D.C. 20472

### LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

#### SUMMARY OF REVISION

The purpose of this Letter of Map Revision (LOMR) is to remove the Coastal Barrier Resources System (CBRS) unit boundaries from the effective Flood Insurance Rate Maps (FIRMs) for your communities. Historically, the CBRS unit boundaries and flood insurance prohibition date for each area were included on FIRMs for informational purposes.

Please note that no new coastal analysis was conducted; this LOMR only removes the CBRS boundary data. Other effective flood hazard information, such as Special Flood Hazard Areas (SFHAs), Base (1-percent-annual-chance) Flood Elevations, and floodway delineations, is unchanged. This LOMR does not invalidate any prior flood hazard determinations or supersede any effective Letters of Map Change (Letters of Map Amendment, LOMRs, etc.). To complete the Standard Flood Hazard Determination Form, access CBRS boundary data from the Department of the Interior's U.S. Fish and Wildlife Service (USFWS). Please note that no annotated FIRM or Flood Insurance Study (FIS) report attachments are enclosed. Future revisions to FIRMs and FIS reports will not supersede this LOMR; rather, this LOMR will be incorporated into those revised or updated FIRMs and FIS reports. The LOMR will continue to be effective for the remaining FIRMs until they all reflect this change.

The USFWS is responsible for maintaining and updating the official CBRS maps and the CBRS digital boundary data. Aside from minor exceptions, only Congress has the authority to modify the boundaries of the CBRS. Historically, CBRS boundary data have been shown on effective FIRMs because of their relevance to the availability of Federal flood insurance. The official CBRS maps and digital boundary data (including the flood insurance prohibition dates) are available at [fws.gov/cbra](http://fws.gov/cbra) or through the online CBRS Mapper at [fws.gov/cbra/maps/Mapper.html](http://fws.gov/cbra/maps/Mapper.html).

To address potential inconsistencies between published FIRMs and the official maps maintained by the USFWS, FEMA will no longer provide CBRS boundary data on effective FIRMs. The removal of the CBRS boundary data from FIRMs does not affect the CBRS status of these areas or change the restrictions that apply in these areas. USFWS will continue to be the source for official CBRS property determinations, and documentation for those determinations can only be provided by USFWS. The CBRS boundary data from the USFWS website will also be displayed on the National Flood Hazard Layer (NFHL) Viewer at [msc.fema.gov/nfhl](http://msc.fema.gov/nfhl) and included on the interactive and dynamic flood maps available through the FEMA Map Service Center. The NFHL can be used to view effective flood hazard information, such as SFHAs, in a map viewer or to download it for use in a Geographic Information Systems (GIS) application. More information on the NFHL is available at [fema.gov/national-flood-hazard-layer-nfhl](http://fema.gov/national-flood-hazard-layer-nfhl).

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Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### AFFECTED MAP PANELS

#### Bristol County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44001C0005H	DATE: July 7, 2014	TYPE: FIRM	NO.: 44001C0007H	DATE: July 7, 2014
TYPE: FIRM	NO.: 44001C0006H	DATE: July 7, 2014	TYPE: FIRM	NO.: 44001C0010H	DATE: July 7, 2014

#### Kent County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44003C0132H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0143H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0133H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0144H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0134H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0151H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0141H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0153H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0142H	DATE: September 18, 2013			

#### Newport County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44005C0011J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0119J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0012J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0138J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0013J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0157J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0014J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0179J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0018J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0181J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0019J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0182J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0038J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0183J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0077J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0201J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0102J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0204J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0103J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0206J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0104J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0207J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0111J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0208J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0112J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0226J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0114J	DATE: September 4, 2013			

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Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

February 15, 2019

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Michael G. White  
President, Town of Jamestown Council  
93 Narragansett Avenue  
Jamestown, RI 02835

IN REPLY REFER TO:

Case No.: 19-01-0504P  
Community Name: Town of Jamestown, RI  
Community No.: 445399  
Effective Date of  
This Revision: **February 15, 2019**

Dear Mr. White:

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Sincerely,

Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

List of Enclosures:

Letter of Map Revision Determination Document  
Attachment to LOMR 19-01-0504P  
CBRS Fact Sheet

cc: Mr. Chris N. Costa  
Building and Zoning Official  
Town of Jamestown



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT**

COMMUNITY INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
STATE	Rhode Island	NO PROJECT	CBRS REMOVAL
IDENTIFIER	CBRS Removal for Rhode Island	APPROXIMATE LATITUDE AND LONGITUDE: 41.583,-71.333 SOURCE: USGS QUADRANGLE DATUM: NAD 83	

**FLOODING SOURCE AND REACH DESCRIPTION**

Atlantic Ocean - various areas along the coastline of Rhode Island

**COUNTIES WITHIN RHODE ISLAND AFFECTED BY THIS REQUEST**

Bristol County  
Kent County  
Newport County  
Washington County

**DETERMINATION**

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Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**COMMUNITIES WITHIN BRISTOL COUNTY AFFECTED BY THIS REQUEST**

CID Number: 445392      Name: Town of Barrington

CID Number: 445393      Name: Town of Bristol

CID Number: 445408      Name: Town of Warren

**COMMUNITIES WITHIN KENT COUNTY AFFECTED BY THIS REQUEST**

CID Number: 445409      Name: City of Warwick

**COMMUNITIES WITHIN NEWPORT COUNTY AFFECTED BY THIS REQUEST**

CID Number: 445399      Name: Town of Jamestown

CID Number: 440035      Name: Town of Little Compton

CID Number: 445401      Name: Town of Middletown

CID Number: 445403      Name: City of Newport

CID Number: 445405      Name: Town of Portsmouth

CID Number: 440012      Name: Town of Tiverton

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### COMMUNITIES WITHIN WASHINGTON COUNTY AFFECTED BY THIS REQUEST

CID Number: 445395	Name: Town of Charlestown
CID Number: 445402	Name: Town of Narragansett
CID Number: 440036	Name: Town of New Shoreham
CID Number: 445404	Name: Town of North Kingstown
CID Number: 445407	Name: Town of South Kingstown
CID Number: 445410	Name: Town of Westerly

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

A handwritten signature in black ink, appearing to read "Rick Sacbbit".

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration

19-01-0504P

102-D



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### SUMMARY OF REVISION

The purpose of this Letter of Map Revision (LOMR) is to remove the Coastal Barrier Resources System (CBRS) unit boundaries from the effective Flood Insurance Rate Maps (FIRMs) for your communities. Historically, the CBRS unit boundaries and flood insurance prohibition date for each area were included on FIRMs for informational purposes.

Please note that no new coastal analysis was conducted; this LOMR only removes the CBRS boundary data. Other effective flood hazard information, such as Special Flood Hazard Areas (SFHAs), Base (1-percent-annual-chance) Flood Elevations, and floodway delineations, is unchanged. This LOMR does not invalidate any prior flood hazard determinations or supersede any effective Letters of Map Change (Letters of Map Amendment, LOMRs, etc.). To complete the Standard Flood Hazard Determination Form, access CBRS boundary data from the Department of the Interior's U.S. Fish and Wildlife Service (USFWS). Please note that no annotated FIRM or Flood Insurance Study (FIS) report attachments are enclosed. Future revisions to FIRMs and FIS reports will not supersede this LOMR; rather, this LOMR will be incorporated into those revised or updated FIRMs and FIS reports. The LOMR will continue to be effective for the remaining FIRMs until they all reflect this change.

The USFWS is responsible for maintaining and updating the official CBRS maps and the CBRS digital boundary data. Aside from minor exceptions, only Congress has the authority to modify the boundaries of the CBRS. Historically, CBRS boundary data have been shown on effective FIRMs because of their relevance to the availability of Federal flood insurance. The official CBRS maps and digital boundary data (including the flood insurance prohibition dates) are available at [fws.gov/cbra](http://fws.gov/cbra) or through the online CBRS Mapper at [fws.gov/cbra/maps/Mapper.html](http://fws.gov/cbra/maps/Mapper.html).

To address potential inconsistencies between published FIRMs and the official maps maintained by the USFWS, FEMA will no longer provide CBRS boundary data on effective FIRMs. The removal of the CBRS boundary data from FIRMs does not affect the CBRS status of these areas or change the restrictions that apply in these areas. USFWS will continue to be the source for official CBRS property determinations, and documentation for those determinations can only be provided by USFWS. The CBRS boundary data from the USFWS website will also be displayed on the National Flood Hazard Layer (NFHL) Viewer at [msc.fema.gov/nfhl](http://msc.fema.gov/nfhl) and included on the interactive and dynamic flood maps available through the FEMA Map Service Center. The NFHL can be used to view effective flood hazard information, such as SFHAs, in a map viewer or to download it for use in a Geographic Information Systems (GIS) application. More information on the NFHL is available at [fema.gov/national-flood-hazard-layer-nfhl](http://fema.gov/national-flood-hazard-layer-nfhl).

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

A handwritten signature in black ink, appearing to read "Rick F. Sacibit".

Patrick "Rick" F. Sacibit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration





**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

AFFECTED MAP PANELS

Bristol County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44001C0005H	DATE: July 7, 2014	TYPE: FIRM	NO.: 44001C0007H	DATE: July 7, 2014
TYPE: FIRM	NO.: 44001C0006H	DATE: July 7, 2014	TYPE: FIRM	NO.: 44001C0010H	DATE: July 7, 2014

Kent County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44003C0132H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0143H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0133H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0144H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0134H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0151H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0141H	DATE: September 18, 2013	TYPE: FIRM	NO.: 44003C0153H	DATE: September 18, 2013
TYPE: FIRM	NO.: 44003C0142H	DATE: September 18, 2013			

Newport County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44005C0011J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0119J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0012J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0138J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0013J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0157J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0014J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0179J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0018J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0181J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0019J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0182J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0038J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0183J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0077J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0201J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0102J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0204J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0103J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0206J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0104J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0207J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0111J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0208J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0112J	DATE: September 4, 2013	TYPE: FIRM	NO.: 44005C0226J	DATE: September 4, 2013
TYPE: FIRM	NO.: 44005C0114J	DATE: September 4, 2013			

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

AFFECTED MAP PANELS

Washington County, Rhode Island (All Jurisdictions)

TYPE: FIRM	NO.: 44009C0018J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0262J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0116J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0276J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0118J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0277J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0169J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0278J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0188J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0279J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0189J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0281J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0193J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0282J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0194J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0283J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0203J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0301J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0204J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0302J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0206J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0306J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0212J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0307J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0213J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0326J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0234J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0352J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0242J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0353J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0253J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0354J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0254J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0356J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0258J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0362J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0259J	DATE: October 16, 2013	TYPE: FIRM	NO.: 44009C0366J	DATE: October 16, 2013
TYPE: FIRM	NO.: 44009C0261J	DATE: October 16, 2013			

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### COMMUNITY INFORMATION

#### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93 234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90 448), 42 U.S.C. 4001 4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the National Flood Insurance Program (NFIP) are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

#### COMMUNITY REMINDERS

We have determined that removing CBRS boundary data by this LOMR is consistent with FEMA's mapping policy and guidance and therefore meets the minimum floodplain management criteria of the NFIP. With this LOMR, the CBRS boundary data have been removed from the FIRM. FEMA will display the USFWS' CBRS dynamic map service in the NFHL Viewer at [msc.fema.gov/nfhl](http://msc.fema.gov/nfhl), and this information will be included on the interactive and dynamic flood maps available through the FEMA Map Service Center and the NFHL-based FIRM and FIRMette exports. The FWS provides the data online ([fws.gov/cbra/maps/boundaries.html](http://fws.gov/cbra/maps/boundaries.html)) through the CBRS Mapper, the CBRS GIS web map service, and the CBRS GIS data download. The FWS CBRS web map service and GIS data download can be used in existing custom geospatial applications. Please consult USFWS for official CBRS determinations. Additional information about CBRS determinations is available at [fws.gov/cbra/documentation.html](http://fws.gov/cbra/documentation.html).

We encourage State and local officials to consider including CBRS information in building permit forms, planning documents, and outreach materials. Such voluntary actions can help to increase awareness of the CBRS and the associated prohibitions on Federal expenditures, which will help stakeholders make informed decisions about areas affected by the Coastal Barrier Resources Act. Additional information on the CBRS can be found on the USFWS website, [fws.gov/cbra](http://fws.gov/cbra); please send questions about the CBRS to [cbra@fws.gov](mailto:cbra@fws.gov).

If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at 877-336-2627 (877-FEMA-MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at [fema.gov/national-flood-insurance-program](http://fema.gov/national-flood-insurance-program).

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

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Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**COMMUNITY INFORMATION (CONTINUED)**

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mr. Dean Savramis  
Director, Mitigation Division  
Federal Emergency Management Agency, Region I  
99 High Street, Sixth Floor  
Boston, MA 02110  
(617) 956-7564

**STATUS OF COMMUNITY NFIP MAPS**

We will not physically revise and republish the FIRM for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panels warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time. This document revises the effective NFIP map, as indicated in the National Flood Hazard Layer (NFHL).

**PUBLIC NOTIFICATION OF REVISION**

This LOMR revises the CBRS information for your community. No flood hazards are being revised. Therefore, this LOMR is effective as of the date of this letter.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange toll free at 1 877 336 2627 (1 877 FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/national-flood-insurance-program>.

Patrick "Rick" F. Sacbbit, P.E., Branch Chief  
Engineering Services Branch  
Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## Attachment to LOMR 19-01-0504P

With this Letter of Map Revision (LOMR), we are removing the Coastal Barrier Resource System (CBRS) information shown on the Flood Insurance Rate Map (FIRM) Panels listed within this LOMR's Determination Document. The CBRS information will not be removed from the downloadable version of the FIRM panels available on the Federal Emergency Management Agency (FEMA) Flood Map Service Center, but will no longer be included in FEMA's National Flood Hazard Layer (NFHL). The NFHL is a FEMA digital database that contains flood hazard mapping data for the National Flood Insurance Program (NFIP). The NFHL is for community officials and residents looking to view effective flood hazard information in a map viewer or download for use in a Geographic Information System (GIS) application. More information on the NFHL is available at:  
<https://www.fema.gov/national-flood-hazard-layer-nfhl>.

CREATED TO  
REFLECT LOMR  
EFFECTIVE: February 15, 2019



FEMA



# Coastal Barrier Resources System: Changes to Flood Insurance Rate Maps

**IMPORTANT NEWS:** Beginning February 15, 2019, Coastal Barrier Resources System (CBRS) boundaries will no longer be depicted on static, legacy Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA), but will be available through the National Flood Hazard Layer (NFHL) Viewer. This change to the FIRM will not impact CBRS property determinations nor any applicable prohibitions. FEMA and the U.S. Fish and Wildlife Service (USFWS) are working together to update how customers access the most up-to-date information on CBRS boundaries.

## WHAT IS THE COASTAL BARRIER RESOURCES ACT?

The Coastal Barrier Resources Act (CBRA) was passed by Congress in 1982 to encourage conservation of hurricane-prone, biologically rich coastal barriers. CBRA prohibits most new federal expenditures that encourage development or modification of coastal barriers. Therefore, most new or substantially improved residences, businesses, or other developments in the CBRS are not eligible for certain federal funding and financial assistance, including coverage under the National Flood Insurance Program (NFIP). Development can still occur within the CBRS, as long as private developers or other non-federal parties bear the full cost.

CBRS boundaries are shown on maps that were originally adopted by Congress, and with few exceptions, only Congress can change the CBRS boundaries. The official CBRS maps are maintained by the USFWS.

## HOW WILL THESE CHANGES AFFECT FLOOD INSURANCE RATE MAPS?

FEMA has historically shown CBRS boundaries on coastal FIRMs as a courtesy to FIRM users. Many coastal communities use the FIRM to locate CBRS boundaries in addition to understanding information about flood zones.

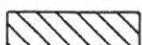
However, FEMA does not maintain the official CBRS maps and is not the most up-to-date source of information about them. The authoritative source for CBRS boundaries is FWS. Static, legacy FIRMs should not be used to make determination decisions regarding CBRS boundaries. **Using out-of-date information to find out whether a property is eligible for flood insurance under the NFIP can have serious financial impacts.**

### WHERE CAN I FIND CBRS BOUNDARIES AND MORE INFORMATION?

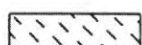
- The official CBRS maps may be downloaded on the USFWS website at <https://fws.gov/cbra/maps/index.html>
- The most up-to-date CBRS boundaries can be found via the USFWS's online CBRS Mapper tool (Figure 2) at <https://fws.gov/cbra/maps/Mapper.html>
- Although CBRS boundaries will be removed from the National Flood Hazard Layer (NFHL), the CBRS live map service from the USFWS will be delivered along with the NFHL map service on the NFHL viewer at <https://msc.fema.gov/nfh/>
- FEMA's Flood Insurance Manual contains information to help determine whether a building is eligible for NFIP coverage. Park-related structures within OPAs and structures that existed prior to the flood insurance prohibition date for any given area may be eligible. The manual is available at <https://www.fema.gov/flood-insurance-manual>

### COASTAL BARRIER RESOURCES SYSTEM (CBRS)

This map includes approximate boundaries of the CBRS for informational purposes only. Flood insurance is not available within CBRS areas for structures that are newly built or substantially improved on or after the date(s) indicated on the map. For more information see <http://www.fws.gov/cbra>, the FIS Report, or call the U.S. Fish and Wildlife Service Customer Service Center at 1-800-344-WILD.



CBRS Area



Otherwise Protected Area

Figure 1: This image shows how CBRS units are currently depicted on FIRMs.

## WHAT ARE OTHERWISE PROTECTED AREAS (OPAS)?

- The CBRS contains two types of units, System Units and Otherwise Protected Areas (OPAs). OPAs are denoted with a “P” at the end of the unit number (e.g., FL-64P).
- OPAs are predominantly comprised of conservation and/or recreation areas such as national wildlife refuges, state and national parks, local conservation areas, and private conservation areas, although they may also contain private areas that are not held for conservation and/or recreation.
- The only federal spending prohibition within OPAs is on federal flood insurance (System Units carry additional restrictions).

## DISCLOSURE OF A CBRS DESIGNATION

Property owners are generally made aware of the CBRS designation affecting their property when they obtain a mortgage that requires flood insurance. However, there is no federal mandate for the disclosure of a CBRS designation by state and/or local officials or realtors at the time of purchase or construction. FEMA and USFWS encourage federal, state, and local officials to integrate CBRS data (available at [fws.gov/cbra/maps/boundaries.html](https://fws.gov/cbra/maps/boundaries.html)) into their GIS platforms and other information systems so it is readily available to community officials, developers, property owners, prospective buyers, and others.

We also encourage state and local officials to consider including CBRS information in building permit forms, planning documents, and outreach materials. Such voluntary actions can help to increase awareness of the CBRS and the associated prohibitions on federal expenditures, which will help stakeholders make informed decisions about areas affected by the CBRA.

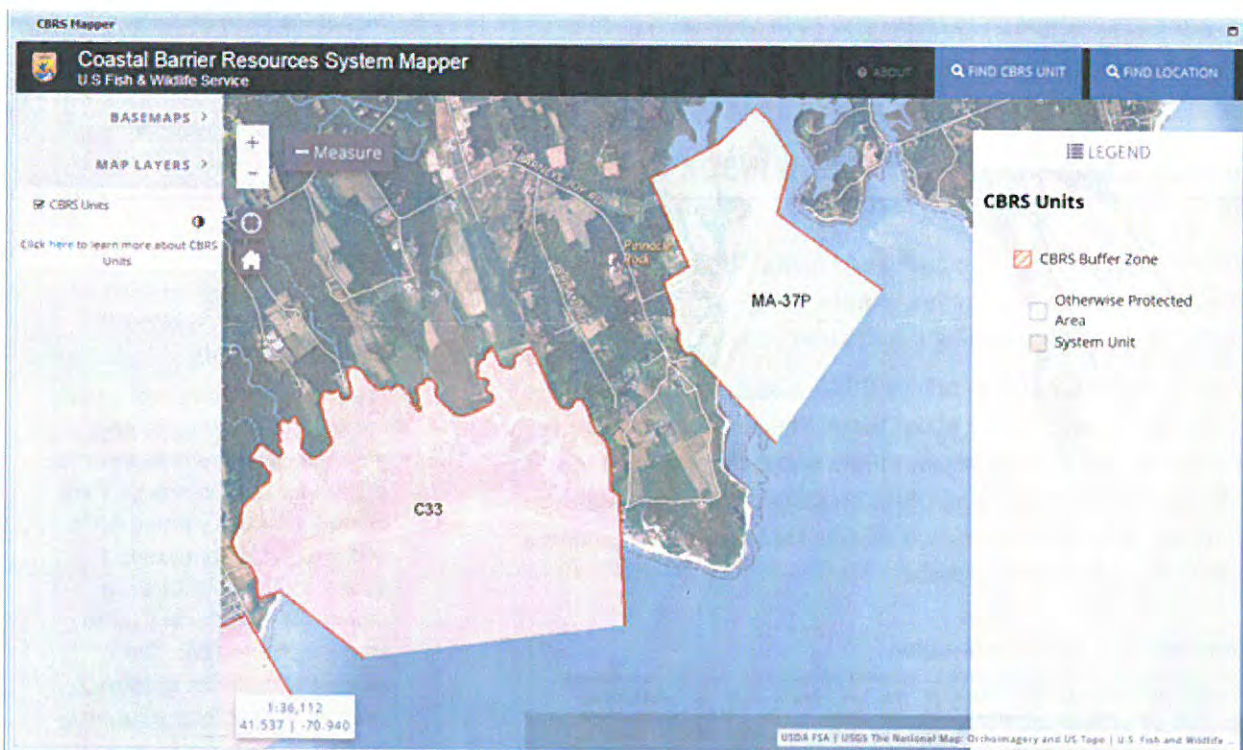


Figure 2: The image above shows how CBRS units are currently depicted on the USFWS CBRS Mapper.

For more information on the CBRS, please visit the USFWS website at [fws.gov/cbra](https://fws.gov/cbra). Additional information can also be found on the FEMA website at [fema.gov/coastal-barrier-resources-system](https://fema.gov/coastal-barrier-resources-system).



*STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS*

Department of Administration  
**STATE PLANNING COUNCIL**  
Division of Statewide Planning  
One Capitol Hill  
Providence, RI 02908-5870

Office: (401) 222-7901  
Fax: (401) 222-2083

**STATE PLANNING COUNCIL  
TRANSPORTATION ADVISORY COMMITTEE  
PUBLIC NOTICE  
State Transportation Improvement Program  
Major Amendment #11**

The Division of Statewide Planning, acting on behalf of the State Planning Council and Transportation Advisory Committee, has canceled the upcoming Public Hearings related to the FFY 2018-2027 State Transportation Improvement Program (STIP) – Major Amendment #11. The following Public Hearings have BOTH been CANCELED:

Monday, February 25, 2019 at 5:30 p.m.  
Narragansett Town Hall – Council Chambers  
25 Fifth Avenue  
Narragansett, RI 02882

Thursday, February 28, 2019 at 4:00 p.m.  
RI Department of Administration  
One Capitol Hill, Providence RI 02908  
Conference Room A, 2<sup>nd</sup> Floor

The attached February 21, 2019 statement from the Rhode Island Department of Transportation (RIDOT) points to the unexpected influx of approximately \$70 million in federal funds allocated to Rhode Island through the 2019 Transportation, Housing, and Urban Development, and Related Agencies (THUD) Appropriations bill. The availability of these resources across several different categories of federal funding has resulted in the withdrawal of RIDOT's request for a STIP Major Amendment, as proposed in January 2019. RIDOT has requested additional time to consider how to best utilize these added transportation funds to support their program of projects. It is anticipated that RIDOT will return to the Transportation Advisory Committee and State Planning Council for a Major Amendment to the STIP in the near term with a modified request that reflects available resources.

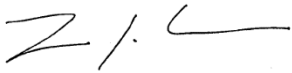
The Rhode Island Public Transit Authority's (RIPTA) portion of the request to Amend the FFY 2018-2027 STIP remains as Amendment #11. However, the changes requested by RIPTA alone reclassify the Amendment from a Major Amendment to a Minor Amendment. Minor Amendments require a 10-day public comment period and do not require a public hearing, prior to discussion and approval by the Transportation Advisory Committee. Public notification of RIPTA's request was issued as part of the Major Amendment released on January 25, 2019 by the Division of Statewide Planning.



To summarize the remaining components of Minor Amendment #11, RIPTA's Amendment request proposes to increase funding in several categories of the STIP to reflect successful grant awards to RIPTA from the Federal Transit Administration (FTA) including \$1.5 million in FTA 5339 Low Emission Bus Program funds, \$4.18 million in FTA 5339 Bus and Bus Facilities Infrastructure funds for asset management and the East Side Bus tunnel, as well as \$494,144 in FTA 5307 Passenger Ferry grant funds to support improvements to the Quonset Bulkhead utilized by the Rhode Island Fast Ferry. Additionally, RIPTA is requesting to shift project timelines, transfer funding, carry over funds between years, and remove previously obligated funds. None of these proposed changes reflect a modification in program priorities, bus routes, or bus scheduling.

Written statements may be filed with the Secretary of the Transportation Advisory Committee and mailed to Michael D'Alessandro, RI Dept. of Administration, Division of Statewide Planning, One Capitol Hill, Providence, RI 02908 or emailed to [Michael.DAlessandro@doa.ri.gov](mailto:Michael.DAlessandro@doa.ri.gov). All comments on the STIP Minor Amendment must be received prior to the TAC's meeting on February 28, 2019 at 5:30 p.m.

The proposed amendment is available for review at [www.planning.ri.gov](http://www.planning.ri.gov) or at the R.I. Division of Statewide Planning's Office between 8:30 a.m. and 4:00 p.m., Monday through Friday. A copy may also be obtained by calling (401) 222-2177.



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Linsey J. Callaghan  
Secretary, Transportation Advisory Committee  
February 22, 2019



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

**Interoffice Memorandum**

**To:** Meredith E. Brady  
Associate Director, DOA Division of Planning

**From:** Pamela R. Cotter  
Acting Administrator, RIDOT Division of Planning

**Date:** February 21, 2019

**Subject:** Request to rescind Major Amendment 11 to the FFY2018-FFY2027 TIP

Rhode Island Department of Transportation is requesting to rescind State Transportation Improvement Program Amendment 11, as presented to the State Planning Council and its Transportation Advisory Council on January 24, 2019.

Due to a new infusion of federal dollars, RIDOT will be reviewing the capital programming changes and will no longer require immediate action on Amendment 11.

Please reach out to Kenneth White, Michael Gannon, or Pamela Cotter with any questions on the changes included in this Major Amendment request.



CITY OF NEWPORT  
OFFICE OF THE MAYOR

Jamie Bova  
Mayor

February 4, 2019

Members of the Town Council  
Jamestown Town Hall  
P.O. Box 377  
Jamestown, RI 02835-1199

Dear Council Members:

On Saturday, March 16, 2019, Newport will celebrate its 63<sup>rd</sup> Annual Saint Patrick's Day Parade, and we would be honored if you would participate in the festivities and march in the parade.

Mark your calendar and come join us to celebrate one or all of the following events:

**63<sup>rd</sup> ANNUAL ST. PATRICK'S DAY PARADE**  
**SATURDAY, MARCH 16, 2019**

9:00 AM – Mass at St. Joseph's Church – Corner of Broadway and Mann Ave.  
10:00 AM – Light Irish Breakfast at Newport City Hall – 43 Broadway  
11:00 AM – Prompt Step-Off of Parade from City Hall – 43 Broadway

The excitement of Irish Heritage Month and the St. Patrick's Day Parade are events we wish to share with all of Rhode Island. I do hope you will plan to attend.

Sincerely,

Jamie Bova  
Mayor

JB:pc

RSVP: [pcofield@cityofnewport.com](mailto:pcofield@cityofnewport.com)