



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, June 17, 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

- A) Approval of Minutes; review, discussion and/or potential action and/or vote
 - 1) May 20, 2019 (regular meeting)
- B) Open Forum

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

 - 1) Scheduled request to address – None.
 - 2) Non-scheduled request to address
- C) Report of Town Officials - Status Reports; review, discussion and/or potential action and/or vote
 - 1) Pumping Report
 - 2) Town Projects Reports (<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>)
 - a) Town Wells

- b) Water Treatment Plant
- c) Transfer Pumping/Reservoir
- d) Distribution System
- e) Wastewater Treatment Facility
- 3) Consumer Confidence Report for calendar year 2018
- D) New Business
 - 1) Adoption of Water Budget Program and approval of Water Rates for FY2019/2020 (July 1, 2019 to June 30, 2020); Total Proposed Budget \$1,258,858, increase of 1.03%; review, discussion and/or potential action and/or vote (<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>)
 - 2) Adoption of Sewer Budget Program and approval of Sewer Rates for FY2019/2020 (July 1, 2019 to June 30, 2020); Total Proposed Budget \$769,554, increase of 4.26%; review, discussion and/or potential action and/or vote (<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>)
- E) Finance Director's Report: Comparison of Budget to Actuals as of May 31, 2019 (<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>)

Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Proclamations
 - 1) No. 2019-10 Honoring Baker's Pharmacy for 42 Years of Service to the Town of Jamestown; review, discussion and/or potential action and/or vote

V. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. 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.

- A) **Town Council Sitting as the Alcoholic Licensing Board**
 - 1) **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **NEW** application has been received by the Town Council for license under said Act, for the period June 17, 2019 to November 30, 2019; duly noticed and advertised in the May 30, 2019 and June 6, 2019 editions of the *Jamestown Press*; review, discussion and/or potential action and/or vote under said title:

CLASS B-M (BREW PUB/MANUFACTURER) LICENSE - RETAIL

Jamestown Beer Holdings LLC
34 Narragansett Avenue
Jamestown, RI 02835

- a) Approval of the **CLASS B-M (BREW PUB/MANUFACTURER) LICENSE - RETAIL LIQUOR LICENSE**; review and discussion and/or potential action and/or vote
 - b) Set the **CLASS B-M (BREW PUB/MANUFACTURER) LICENSE - RETAIL LIQUOR LICENSE CAP AT ONE (1)**; review and discussion and/or potential action and/or vote
- 2) **REQUEST** that the application listed below will be in order for hearing at a meeting of said Licensing Board on Monday, July 8, 2019 at 6:30 p.m. and advertised in the *Jamestown Press*. **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **NEW** application has been received by the Town Council for licenses under said Act, for the period July 8, 2019 to November 30, 2019; review, discussion and/or potential action and/or vote:

CLASS B – VICTUALER

Our Table, LLC
dba: Our Table
29 Narragansett Avenue
Jamestown, RI 02835

- 3) Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956, and as amended, that the following license application has been received under said Act for June 21, 2019:

CLASS F (NON-PROFIT)

Jamestown Historical Society
Museum
92 Narragansett Avenue
Jamestown, RI 02835

- a) Approval of the **CLASS F (NON-PROFIT) LIQUOR LICENSE**; review, discussion and/or potential action and/or vote

- b) Request for waiver of the **CLASS F (NON-PROFIT) LIQUOR LICENSE FEE (\$15.00)**; review, discussion and/or potential action and/or vote

B) Licenses and Permits

- 1) One Day Event/Entertainment License Application; review discussion and/or potential action and/or vote
 - a) Applicant: Jamestown Historical Society
 - Event: Museum Exhibit Opening Reception
 - Date: June 21, 2019, 5:00 – 7:00 p.m.
 - Location: 92 Narragansett Avenue

C) Public Hearings - Ordinances

- 1) Amendment of the Jamestown Code of Ordinances Appendix C – Schedule of Fees - Chapter 42 Parks and Recreation, Sec. 42-58 (c) Parking fee at Mackerel Cove Beach, daily; and Sec. 42-62 Annual Permit for Jamestown Shores Beach; duly advertised in the *Jamestown Press* June 6, 2019 edition; review, discussion and/or potential action and/or vote
- 2) Amendment of the Jamestown Code of Ordinances Chapter 22 Environment, Article IIIA. Construction and Landscape, Sec. 22-69 Activities Related to Building and Landscape Construction, Home and Landscape maintenance; Sec. 22-70 Definitions; Sec. 22-71 Exemptions; Sec. 22-72 Enforcement; Sec. 22-73 Penalties; Sec. 22-74 Sunset Clause (remove); and Sec. 22-74 – Sec. 22-85 Reserved; duly advertised in the *Jamestown Press* June 6, 2019 edition; review, discussion and/or potential action and/or vote
- 3) Amendment of the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles Article III. Specific Street Regulations, Sec. 70-87 Prohibited Parking on Specified Streets, *Fort Getty Road*; duly advertised in the *Jamestown Press* June 6, 2019 edition; review, discussion and/or potential action and/or vote

VI. OPEN FORUM

Please note that under scheduled requests to address, comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- 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) Town Project Updates
 - 2) Legislative Update

VIII. UNFINISHED BUSINESS

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

- A) Ad Hoc Committee on Public Art; review, discussion and/or potential action and/or vote, continued from May 20, 2019
 - 1) Recommendation to the Town Council regarding the proposed Public Art Gift by the Whale's Tail Donor Committee Update
 - a) Memorandum of the Jamestown Ad Hoc Committee for Public Art re: Whale's Tail Proposal
 - b) Approved Minutes of the May 8, 2019 Ad Hoc Committee for Public Art Meeting for review
 - c) Draft Minutes of the June 6, 2019 Ad Hoc Committee for Public Art Meeting for review
- B) Transition update regarding Jamestown Fire Department Independent Contractors to JFD Part-time and Full-time employees in accordance with Federal IRS and State Department of Labor and Training requirements; review, discussion and/or potential action and/or vote, continued from May 20, 2019
- C) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Summer Meeting Schedule: July 8th and August 19th at 6:30 p.m.; review, discussion and/or potential action and/or vote (additional sessions to be added as needed)

IX. NEW BUSINESS

- A) Request of Clean Ocean Access Executive Director Dave McLaughlin for Town Council adoption of a Resolution opposing the proposed Statewide Plastic Bag Ban law that will reintroduce thick plastic bags into our community; review, discussion and/or potential action and/or vote
 - 1) Resolution No. 2019-09
- B) Proposed increase in the Jamestown Transfer Station Sticker Fee for FY 2019-2020 from \$150 to \$170 to cover the cost of the second trash compactor (replacement for 1999 trash compactor); review, discussion and/or potential action and/or vote
- C) Request of former employee Maryanne Crawford regarding MERS pension eligibility; review, discussion and/or potential action and/or vote
- D) Appointment of Interim Town Administrator for the period June 26th to July 9th: Finance Director Christina Collins; review, discussion and/or potential action and/or vote
- E) Town Administrator's Nomination for Town Clerk: Erin Liese; with Town Council approval; review, discussion and/or potential action and/or vote to affirm

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

A) Ordinances

- 1) Proposed Amendments to the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles, Article III. Specific Street Regulations Sec. 70-52 Stop Intersections; and Article IV. Stopping, Standing and Parking Sec. 70-83 Standing or Parking on Steel Pier and Bulkhead; review, discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* June 27, 2019 edition for public hearing on July 8, 2019

- a) Memorandum of Police Chief Mello

B) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote on each listed appointment, vacancy and/or expiring term

- 1) Jamestown Affordable Housing Committee (One vacancy with a three-year term ending date of May 31, 2022); duly advertised; no applicants

- 2) Jamestown Conservation Commission (One vacancy with an unexpired three-year term ending date of December 31, 2020); duly advertised;

- b) Letter of interest for appointment

- i) Susan Gorelick

- 3) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with a three-year term ending date of May 31, 2021 and One Citizen-at-Large vacancy with a three-year term ending date of May 31, 2022); duly advertised; no applicants

- 4) Jamestown Harbor Commission (One vacancy with an unexpired three-year term ending date of December 31, 2019); duly advertised;

- a) Letter of interest for appointment

- i) Michael Junge

- 5) Jamestown Tax Assessment Board of Review Member (One vacancy with a three-year term ending date of May 31, 2022); duly advertised; no applicants

- 6) Jamestown Traffic Committee Harbor Commission Representative Member (One vacancy with a three-year term ending date of December 31, 2019); no recommendation

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 for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

A) Adoption of Town Council Minutes

- 1) May 20, 2019 (regular meeting)

- 2) May 20, 2019 (executive session)

- 3) June 3, 2019 Financial Town Meeting
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Planning Commission (4-03-2019)
 - 2) Jamestown Planning Commission (5-01-2019)
 - 3) Jamestown Zoning Board of Review (4-23-2019)
- C) CRMC Notices
 - 1) June 2019 Calendar
- D) Abatements/Addenda of Taxes Total Abatements: \$3,866.54

Account/Abatement Amount

- 1) Abatements to 1999 Motor Vehicle Tax Roll
 - a) 04-0577-50M \$ 15.79
 - b) 05-0278-00M \$ 8.54
- 2) Abatements to 2003 Motor Vehicle Tax Roll
 - a) 07-1109-50M \$ 79.76
- 3) Abatements to 2004 Motor Vehicle Tax Roll
 - a) 07-1109-50M \$ 20.88
- 4) Abatements to 2005 Motor Vehicle Tax Roll
 - a) 13-1396-05M \$ 40.36
 - b) 15-0044-75M \$ 98.04
- 5) Abatements to 2006 Motor Vehicle Tax Roll
 - a) 13-1396-05M \$ 45.19
 - b) 15-0044-75M \$ 50.82
- 6) Abatements to 2007 Motor Vehicle Tax Roll
 - a) 07-0054-53M \$ 81.13
- 7) Abatements to 2008 Motor Vehicle Tax Roll
 - a) 13-1396-05M \$ 45.19
- 8) Abatements to 2009 Motor Vehicle Tax Roll
 - a) 06-0452-20M \$ 101.58
- 9) Abatements to 2010 Motor Vehicle Tax Roll
 - a) 06-0452-20M \$ 147.81
 - b) 04-0994-00M \$1,096.17
- 10) Abatements to 2011 Motor Vehicle Tax Roll
 - a) 06-0452-20M \$ 31.12
 - b) 04-0994-00M \$ 961.10
 - c) 19-1624-12M \$ 291.65
- 11) Abatements to 2012 Motor Vehicle Tax Roll
 - a) 04-0994-00M \$ 113.12
 - b) 19-1624-12M \$ 231.16
- 12) Abatements to 2013 Motor Vehicle Tax Roll
 - a) 19-1624-12M \$ 16.14
- 13) Abatements to 2015 Motor Vehicle Tax Roll
 - a) 23-0176-50M \$ 124.52
- 14) Abatements to 2016 Motor Vehicle Tax Roll
 - a) 19-0689-99M \$ 27.02
 - b) 23-0176-50M \$ 58.62

- 15) Abatements to 2017 Motor Vehicle Tax Roll
 - a) 06-0214-02M \$ 94.87
- 16) Abatements to 2018 Motor Vehicle Tax Roll
 - a) 06-0214-02M \$ 85.41
- E) Abutter Notifications: Notice is hereby given that the Jamestown Zoning Board of Review will hold a Public Hearing on June 25, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following:
 - 1) Application of Geoff Hamlin, whose property is located at 134 Battery Lane, and further identified as Assessor's Plat 11, Lot 38 pursuant to Article 5, Section 503 to appeal Building Official's refusal to obey Zoning Board of Review decision overruling his Stop Work Order, in which they found him to be arbitrary & capricious, as well as his illegal building permit order about a border wall. Said property is located in a R80 zone and contains 5.28 acres.
 - 2) Application of Jamestown Commons, LLC (J'Town Main Street, LLC, owner) whose property is located at 29 Narragansett Ave., and further identified as Assessor's Plat 9, Lot 631 for a variance from Article 12 (Parking Regulations) Section 82-1203, (Minimum Off-Street Parking Requirements) wherein 10 parking spaces are provided where 16 spaces are required and Section 1111B (Parking Locations and Standards) for relief from parking regulations as to number and location of spaces and a special use permit under Article 3 (Application of District Regulations), Section 82-301 VI C.3 (Uses and Districts) to use the premises as a lunchroom or restaurant (alcoholic beverages). Said property is located in a CD zone and contains 10,434 sq. ft.
- F) One Day Event/Entertainment License Applications
 - 1) Applicant: Jamestown Rocket Hogs
 Event: Annual Fourth of July Fireworks Display
 Date: July 1, 2019
 Location: East Ferry
 - 2) Applicant: Jamestown Yacht Club
 Event: Annual Fools' Rules Regatta
 Date: August 10th, Rain Date August 11th
 Location: East Ferry Beach
- G) Proclamation No. 2019-08 Graduates Week
- H) Acceptance and receipt of Jamestown School Department Upgrade Projects for the Melrose School and Lawn School
 - 1) Lawn School Band Room HVAC System and Melrose School Kitchen Hood Upgrade
 - 2) Lawn School Science Fire/Life Safety System Upgrade and Melrose School Interior Door Upgrades
 - 3) Heating Oil Tank Upgrades and Diesel Fuel Tank Replacement
 - 4) Lawn School Locker Room Privacy Changing Areas Upgrade

- I) Finance Director's Report: Comparison of Budget to Actuals as of May 31, 2019 (<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meeting-minutes/2019-meetings>)

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

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

- A) Communications
- 1) Memorandum of the Jamestown Planning Commission re: Development Plan Approval for Applicant Thomas L. C. Sperry and J'Town Main Street, owner, for Restaurant at 29 Narragansett Avenue
 - 2) Invitation of Attorney General Peter Neronha to the 21st Annual Open Government Summit at Roger Williams University School of Law, Friday, July 19, 2019, 8:30 a.m. to 12:00 noon
 - 3) Letter of RIDOT re: State Traffic Commission improvements in Jamestown, Contract 2013-ET-011A and Contract 2017-ET-004A
 - 4) Letter of Carr Lane residents re: environmental concerns for the affordable housing units on Carr Lane
 - 5) Statewide Planning June 2019 Newsletter
 - 6) Letter of US Department of the Interior Bureau of Ocean Energy Management re: Construction and Operating Plan for Deepwater Wind NE, LLC
 - 7) Email of Didi Suydam re: acceptance of the Ad Hoc Committee for Public Art Meeting Minutes
 - 8) Email of Whale's Tail Donor Committee Member Timothy Tuff requesting the Town Council make a decision on the gift of the sculpture
 - 9) Email of Merrill Sherman in support of the Ad Hoc Committee for Public Art recommendation to accept the gift of the Diepenbrock sculpture and locate it for a three-year period at East Ferry
 - 10) Letter from the Coalition for the Homeless with donation request
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
- 1) Resolution of the Foster Town Council in Support of fully funded E-911 Services
 - 2) Resolution of the Foster Town Council declaring Foster as a Second Amendment Sanctuary Town
 - 3) Resolution of the North Smithfield Town Council in support of fully funded E-911 Services
 - 4) Resolution of the Pawtucket School Committee in Support of legislative proposals for Gun Free Schools
 - 5) Resolution of the Portsmouth Town Council in Support of legislation to establish an Ocean State Climate Adaptation and

- Resilience Fund
- 6) Resolution of the Portsmouth Town Council in Support of an amended Plastic Waste Reduction Act
 - 7) Resolution of the Smithfield School Committee in Support of legislative proposals for Gun Free Schools
 - 8) Resolution of the Warren Town Council requesting the Governor and State Legislators work toward the stabilization of funding and equity in the distribution of State Aid to all RI communities
 - 9) Resolution of the Warren Town Council in Support of an amended Plastic Waste Reduction Act

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

The following matters may be discussed by the Town Council for placement on a future Council agenda for review, discussion, and/or potential action and/or vote. No item listed in this section will be acted upon by the Town Council other than for scheduling purposes.

- A) Paper streets in Jamestown and water access
- B) Proposed Water Resources Protection Committee discussion (July)
- C) Town Council Goals and Objectives for the 2018-2020 Council Term (July)
- D) Taxation items: RIGL § 44-3-12 Visually Impaired Persons – Exemption and RIGL § 44-3-5 Golf Star Parents’ Exemption (July)
- E) Jamestown Invasive Plant Public Awareness Campaign Presentation (July)

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State’s website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at 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 0 not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on June 12, 2019