

TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, November 18, 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 October 21, 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 project reports
- a) Town Wells
- b) Water Treatment Plant
- c) Transfer Pumping/Reservoir
- d) Distribution System
- e) Wastewater Treatment Facility

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

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Resolution:
 - 1) No. 2019-20:Resolution for the Authorization of \$2,900,000 Bonds and/or Notes for Jamestown Golf Course/ Facilities and Related Equipment at 245 Conanicus Avenue

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. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following RENEWAL applications have been received by the Town Council for licenses under said Act, for the year December 1, 2019 to November 30, 2020 (duly advertised in the Jamestown Press on October 17th and October 24th);Continued from November 4, 2019, and reviewed for application completeness on November 13, 2019
 - 1) Approval of Incomplete Application for Renewal of Class BV Limited Liquor License:
 - a) Johnny Angels Clam Shack LLC dba: Angel's Kitchen- 23 Narragansett Ave.
- B) Set the Class B Limited Liquor License Cap at Three
- C) Town Council adjourns as the Liquor Licensing Board
- D) LICENSES AND PERMITS
 - 1) Approval of Victualing License with extended hours RENEWAL application, upon resolution of debts, taxes, State approval and appropriate signatures for the year December 1, 2019 to November 30, 2020 (duly advertised in the *Jamestown Press* October 31st, November 7th and November 14th editions):
 - a) Cumberland Farms, Inc. dba: Cumberland Farms Store #1108- 41 North Main Road

- E) Incomplete Renewal Application for Victualing & Holiday License
(December 1, 2019- November 30, 2020; Continued from November 4, 2019, and reviewed for Completeness on November 13, 2019:
 - 1) Ace's Pizza dba Ace's Pizza
 - 2) Johnny Angels Clam Shack, LLC dba: Angels Kitchen

- F) One Day Event License Applications
 - 1) Applicant: Jamestown Education Foundation
Event: Biennial Gala
Dates: September 11, 2020
Location: Fort Getty Pavilion
 - a) Request for Waiver of Fee's

 - 2) Applicant: Go Forth Nicholas Baccari Foundation
Event: Peyton's Pace 5K
Dates: May 17, 2020
Location: Fort Getty Pavilion
 - a) Request for Waiver of Fee's

 - 3) Applicant: Jamestown Rhode Race
Event: Rhode Races & Events Inc.
Dates: September 19, 2020
Location: Fort Getty Pavilion

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- None
- B) Non-scheduled request to address

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

- A) Town Administrator's Report: Christina D. Collins, Interim Town Administrator
 - 1) Eldred Avenue Field
 - 2) Golf Course Club House Update
 - 3) North Road

VIII. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule: November 19, 2019 at 9 A.M.; November 20, 2019 at noon; November 22,2019 and November 26, 2019 at 11 A.M.; December 2,2019 at 5:30 and 6:30 P.M. and December 16, 2019 at 6:30 p.m.
 - 2) Schedule Hearing Date and Discussion of Hearing Process: Sears Appeal

IX. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Review of Harbor Operating Budget and Long Range Infrastructure Plan
- B) Release of Funds Regarding 2016 RIDEM Grant Lawn Avenue

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Public Hearing on Amendment to Jamestown Code of Ordinances regarding Chapter 70 Traffic and Parking- Melrose Avenue and Watson Avenue

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) October 21, 2019 (regular meeting)
 - 2) October 21, 2019 (executive session)
 - 3) November 4, 2019 (regular meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Harbor Commission (March 13, 2019)
 - 2) Jamestown Harbor Commission (May 8, 2019)
 - 3) Jamestown Harbor Commission (June 12, 2019)
 - 4) Jamestown Harbor Commission (July 10, 2019)
 - 5) Jamestown Harbor Commission (August 14, 2019)
 - 6) Jamestown Harbor Commission (September 11, 2019)

C) Request of Tax Assessor for Specific Abatements & Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 1992 TAX ROLL		
08-0861-00		\$72.83
MOTOR VEHICLE ABATEMENTS TO 2009 TAX ROLL		
06-0168-47M		\$50.11
REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
01-0165-00	Plat 5, Lot 76	\$4.83
06-0165-10	Plat 8, Lot 261	\$1,763.76
REAL ESTATE ADDENDA TO 2019 TAX ROLL		
13-2282-50	Plat 8, Lot 663	\$1,293.95
TOTAL ABATEMENTS		\$ 1,891.53
TOTAL ADDENDA		\$ 1,293.95

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) Copy of Letter to: Christina Collins
From: A.E. FROOKS, LT. US Coast Guard
Dated: October 18, 2019
Re: Liquefied Petroleum Gas
- 2) Copy of Letter to: Christina Collins
From: Steven Brown, Executive Director ACLU
Dated: November 4, 2019
Re: Public Intoxication

B) Proclamations and Resolutions from other Rhode Island Cities and Towns

- 1) Resolution of the Smithfield School Committee regarding Field Trip Funding Law

XIII. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion and/or potential action and/or vote on the following:

- A) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential Litigation-Pension Service Credit Maryanne Crawford

- B) Pursuant to RIGL § 42-46-5(a) Subsection (2) Pending Litigation (IBPO Retiree Pension Benefits: File No. Balzer vs. Town of Jamestown, C.A. No. 1:19-cv-00109-WES-PAS; Dube, et al, vs. Town of Jamestown, C.A. No. 1:19-cv-00018-WES-PAS

XIV. 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 eliese@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on November 13, 2019

**TOWN OF JAMESTOWN
TOWN COUNCIL MEETING
for
TOWN, WATER AND SEWER MATTERS**
Jamestown Town Hall
Council Chambers
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Monday, November 18, 2019 @ 6:30 PM

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I. CALL TO ORDER/ROLL CALL:

II. AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS:

III. READING AND APPROVAL OF MINUTES:

Discussion and potential action

- 1) 10/21/19 (regular meeting)

IV. OPEN FORUM:

- 1) Scheduled request to address
- 2) Non-scheduled request to address

V. REPORT OF TOWN OFFICIALS:

Status reports, discussion and potential action

- 1) Pumping report
- 2) Town project reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility

VI. LETTERS AND COMMUNICATIONS:

(None)

VII. UNFINISHED BUSINESS:

(None)

VIII. NEW BUSINESS:

(None)

IX. TOWN BUSINESS:

(None)

X. ADJOURNMENT:

ALL NOTE: This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call 1-800-745-5555 or 423-1212 not less than 3 business days prior to this meeting.

Pursuant to RIGL 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website, at the Town Hall and the Jamestown Philomenian Library.

In addition to the three above-mentioned locations, notice also may be posted from time to time, at the following locations: Jamestown Police Station and on the Internet at www.jamestownri.gov

This notice was posted at the following locations no later than Friday, November 15, 2019

Jamestown Town Hall
Jamestown Philomenian Library
Secretary of State's website
Town of Jamestown's website

**TOWN OF JAMESTOWN
TOWN COUNCIL MEETING
for
TOWN, WATER AND SEWER MATTERS**

October 21, 2019

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 6:32 PM by Commission President Michael G. White.

The following members were present:

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

Also present were:

Christina D. Collins, Finance Director/Interim Town Administrator
Erin F. Liese, Town Clerk
Peter D. Ruggiero Esq., Town Solicitor
Michael Gray PE, Public Works Director
Denise Jennings, Water and Sewer Clerk

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None)

READING AND APPROVAL OF MINUTES

1) 09/16/19 (regular meeting)

Motion was made by Commissioner Meagher, seconded by Commissioner Beye to accept the 09/16/19 regular meeting minutes. So unanimously voted.

OPEN FORUM

Commission President White noted that this open forum would be for water and sewer matters only.

1) Scheduled requests to address:

(No scheduled requests)

2) Non-scheduled request to address:

(None)

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

The Public Works Director reported the following:

- Pumping was down for the month of September and compared to the previous year.
- JR-1 is remains on for the season.
- Rainfall was down for the month of September.
- No water was transferred during the month of September.
- North Reservoir is @ 47MG, usable storage-60MG
- South Pond is @ capacity, usable storage-6MG

2) **Town project reports:** (See attached *Project Update Report dated October 2019*)

Transfer Pumping/Reservoir

The Public Works Director reported the following:

- Highway Staff continues progress on the installation of the the wooden bridge and the approaches to the bridge.
- Highway staff is also working on the reconstruction of the dam. The soil needs to be graded and backfilled. Work will continue until the end of November on the dam.
- Paving of the bike path will be completed Spring 2020.

Distribution System

The Public Works Director reported the following:

- Water storage tanks-Inspection was completed on the water storage tanks last week, which was previously delayed due to camera failure. The preliminary report state that the old storage tank will only require external paint, as the inside coating is still in good condition. When he receives the full report, he will update the Commission.
- Cross-connection-The town's cross-connection program requires each commercial customer to have a backflow device. Water staff has inspected all commercial properties and notice will go out to all who are not in compliance.

Following clarification on a few items, it was the consensus of the Commission to accept the Public Works Director's report, as presented.

LETTERS AND COMMUNICATIONS

(None)

UNFINISHED BUSINESS

(None)

NEW BUSINESS

(None)

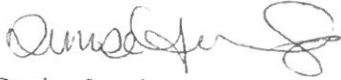
TOWN BUSINESS

(None)

ADJOURNMENT

There being no further business before the Commission, motion was made by Commission Vice-President Meagher, seconded by Commissioner Piva to adjourn the Water and Sewer meeting at 6:37 PM. So unanimously voted.

Attest:



Denise Jennings
Water and Sewer Clerk

xc: Commission Members (5)
Town Administrator
Town Solicitor
Public Works Director
Town Clerk

Project Update October 2019

WELLS

JR-1, JR-3

- JR-1 has been turned on for the season. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir.

TREATMENT PLANT

- Staff has been performing maintenance on the membrane filtration equipment.

TRANSFER PUMPING/RESERVOIR

- No water was transferred from South Pond.
- The bridge structure is in place and crews have been working on completing the approaches to the bridge and regrading along the Dam. The reconstruction of the dam requires the soil to be graded and backfilled in lifts and compacted. The soil used for the dam is material stockpiled from the construction of the bike path. Work will continue until the end of the month on the Dam. I have attached photos taken of the bridge and dam work.

DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

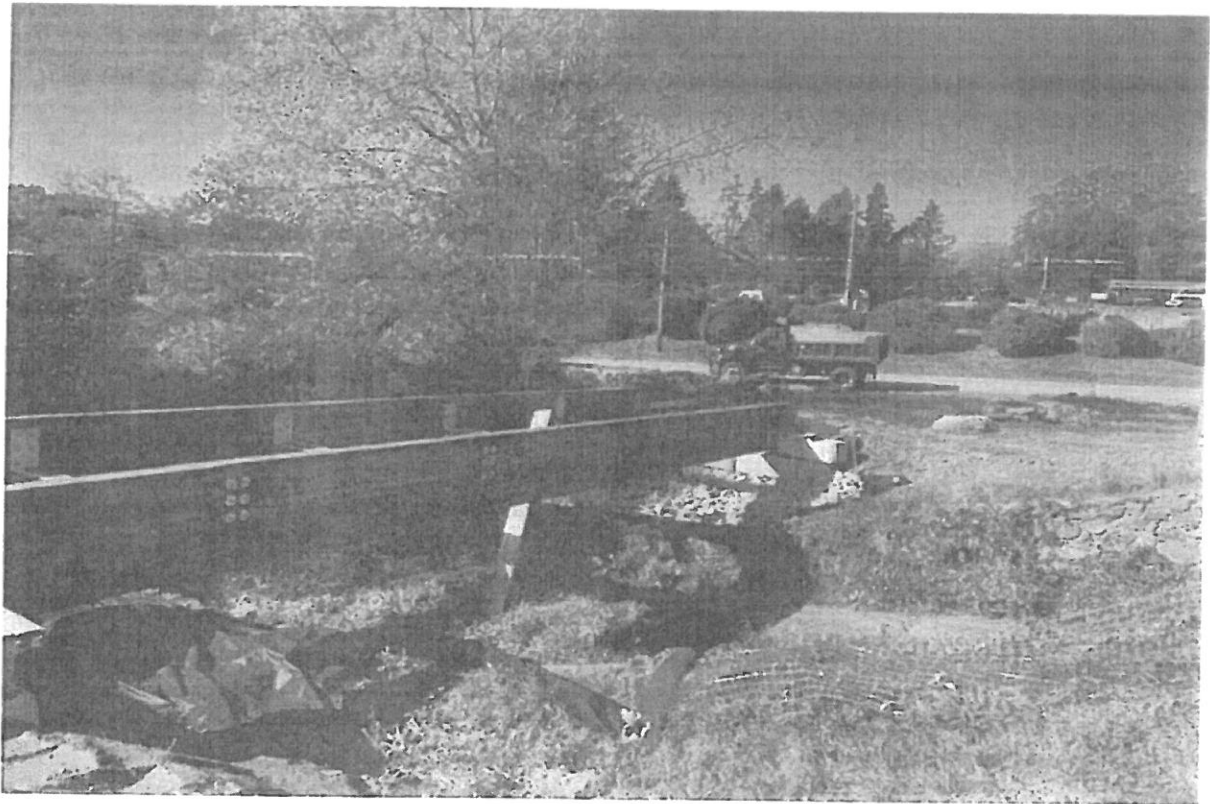
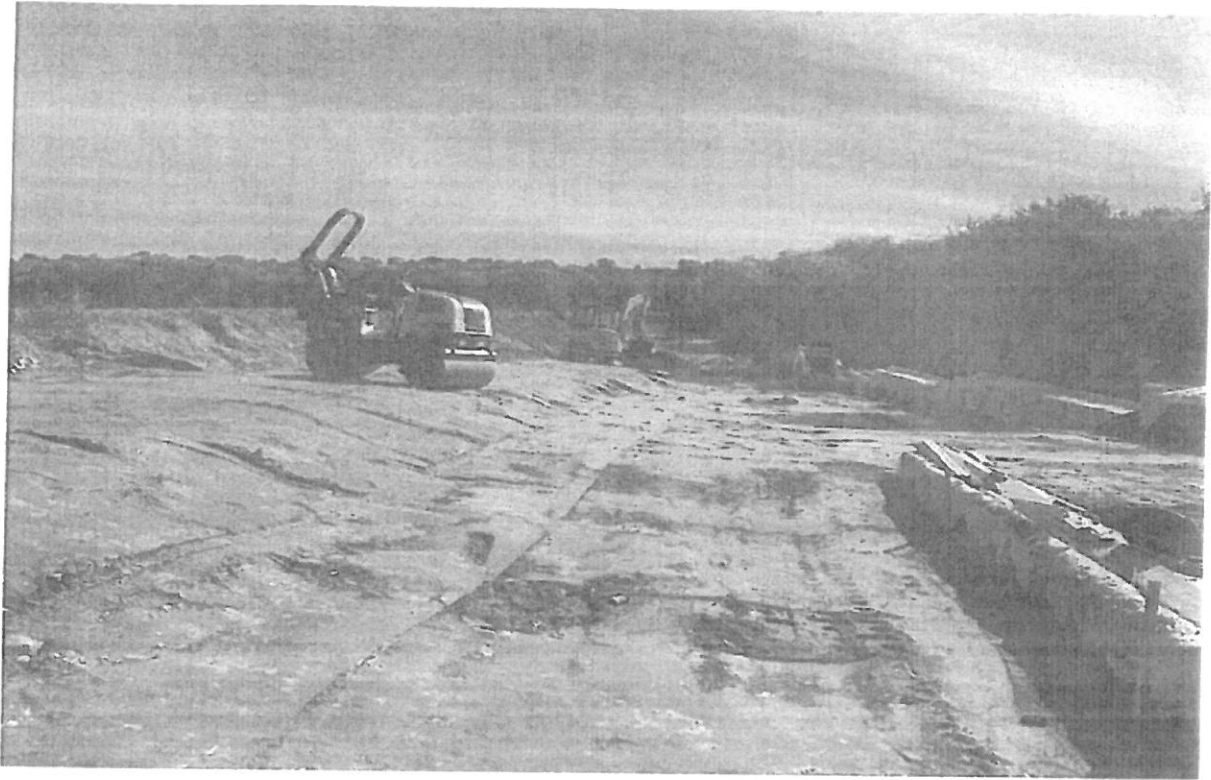
North Pond @ 47 MG

Usable Storage 60 Million Gallons

- There were no leaks reported for September.
- Our Cross-Connection program requires each commercial customer to have a backflow device (check valve) at the meter to protect the water distribution system from cross connection. Staff from the water department have inspected all 97 commercial properties for backflow devices. Owners that were found to be not in compliance with our regulations will receive a notice to install a backflow device.
- Inspections operations of both water storage tanks began on September 18th. Work had to be postponed due to a malfunction of the inspection camera. A future date will be scheduled.

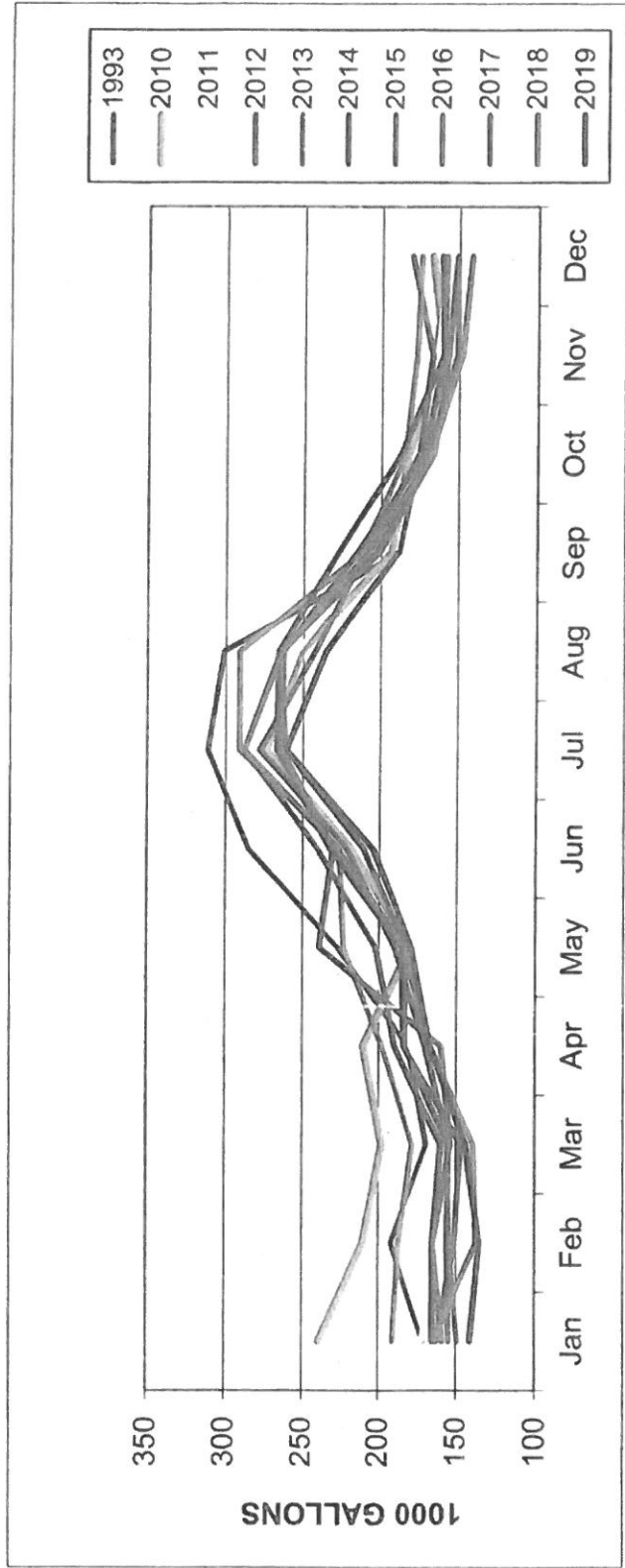
WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for September was 0.14 million gallons per day. The peak daily flow was 0.23 million gallons. The permitted monthly average is 0.73 million gallons per day as a condition of our discharge permit. There were no sanitary sewer overflows for the month of September. There was 1.252 million gallons of effluent delivered to the golf course for irrigation.



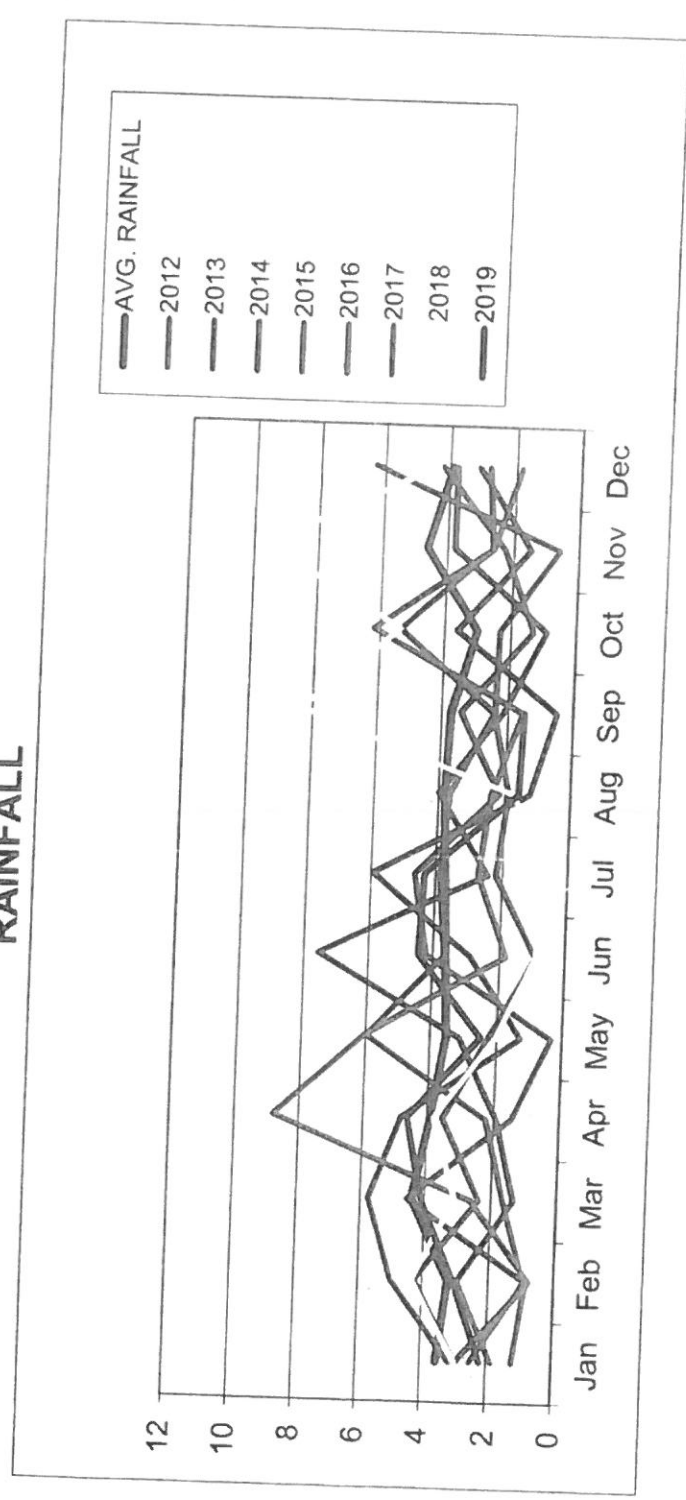
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Jan	171	172	173	239	172	155	191	163	165	159	149	165	141
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167
May	227	202	195	180	212	190	223	185	239	202	183	184	179
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189
Oct	175	187	259	182	175	175	184	187	172	166	170	168	
Nov	166	175	226	160	164	167	177	160	160	157	151	148	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	

PUMPING REPORT

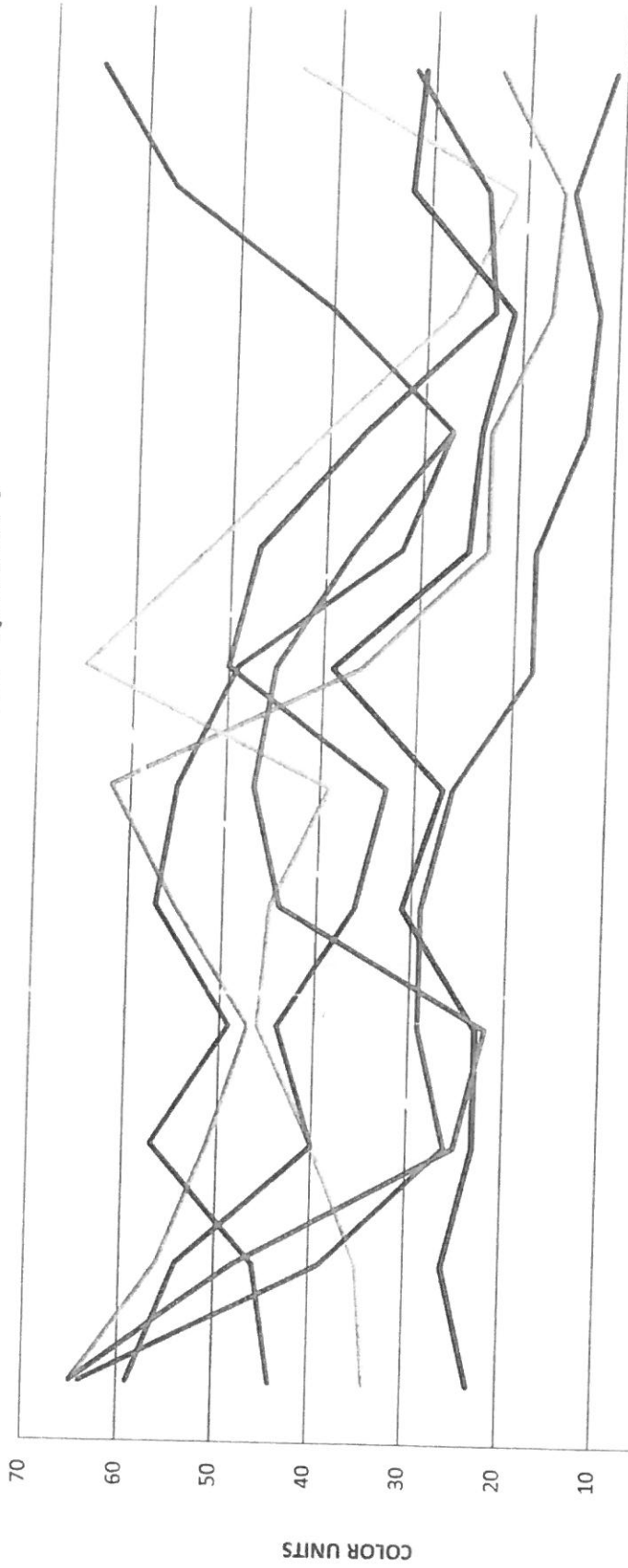


	AVG. RAINFALL												
	2011	2012	2013	2014	2015	2016	2017	2018	2019				
Jan	3.5	4.22	1.85	3.1	1.22	2.94	2.94	2.94	2.19				
Feb	3.2	3.09	2.94	4.98	0.86	4.25	0.76	2.94	2.19				
Mar	4.4	1.32	1.32	5.74	4.53	2.36	2.62	4.33	3.06				
Apr	3.9	4.25	1.92	4.8	1.47	3.53	8.8	3.07	4.11				
May	3.5	2.32	3.11	1.27	0.32	2.24	6.03	3.79	4.61				
Jun	3.6	4.4	7.55	2.86	4.2	0.89	1.79	2.03	2.46				
Jul	3.7	2.01	2.42	5.93	4.63	2.19	2.7	0.89	4.44				
Aug	3.8	5.23	3.98	1.23	2.17	1.88	2.4	0.61	4.33				
Sep	3.7	5.41	2.13	0.5	3.41	2.42	1.54	1.73	1.58				
Oct	3	7.18	0.9	3.61	1.31	5.33	6.18	8.35	1.49				
Nov	4.6	4.05	3.76	1.47	2.27	2.63	2.61	5.34					
Dec	3.9	2.51	3.76	3.1	4.2	2.79	1.81	9.61					
Total	44.8	45.99	35.64	38.59	30.59	33.45	40.18	47.02	28.27				

RAINFALL



Transfer Pumping NORTH POND WATER QUALITY



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2012	65	56	51	47	55	62	36	23	23	17	16	23
2013	26	22	27	35	33	58	63	33	34	25	18	24
2014	34	35	40	46	45	39	65	52	40	27	21	44
2015	59	54	40	44	36	33	50	47	36	23	24	32
2016	64	39	26	29	29	26	18	18	13	12	15	11
2017	23	26	23	23	31	27	39	25	24	21	32	31
2018	44	46	57	49	57	55	49	32	27	40	57	65
2019	65	48	25	22	44	47	45	37	27			



TOWN OF JAMESTOWN WWTF
MONTHLY REPORT
September 2019

Douglas Ouellette, Superintendent

Parameters

	<u>Monthly Avg.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	0.1380 MGD	.73 MGD	
Daily Max	0.2250 MGD		
BOD Removal	98.8%	85%	% Removed
TSS Removal	98.5%	85%	% Removed
Fecal Coliform	2.0	No limit, report only	
Enterococci	1.41	(<35 cfu/100ml Monthly)	(<276 cfu/100ml Daily)

Environmental Compliance (Violations)

There were 0 violations to report for September 2019

Complaints

There was 1 complaint received for September 2019.

Alarms

There was 1 low CL2 alarm for September 2019

Septage

The facility received 5000 gallons for September 2019

Sludge Production

The facility processed 25,500 gallons of sludge through Wastewater Services Incorporated.

Maintenance Management

At pumping station#2 the #1 pump was replaced and the old one was sent out to be rebuilt. 500' of sewer line were cleaned and inspected in Shoreby Hills. 72 work orders completed.

Chemical Use

The facility used 366.9 gallons of Sodium hypochlorite and 0 pounds of lime for process control.

Collection System

30 pump station inspections were completed. 12 Gen Set inspections were performed. All stations are operating as designed.

Energy Use

Energy use for September 2019 was: 167 Kwh

Precipitation

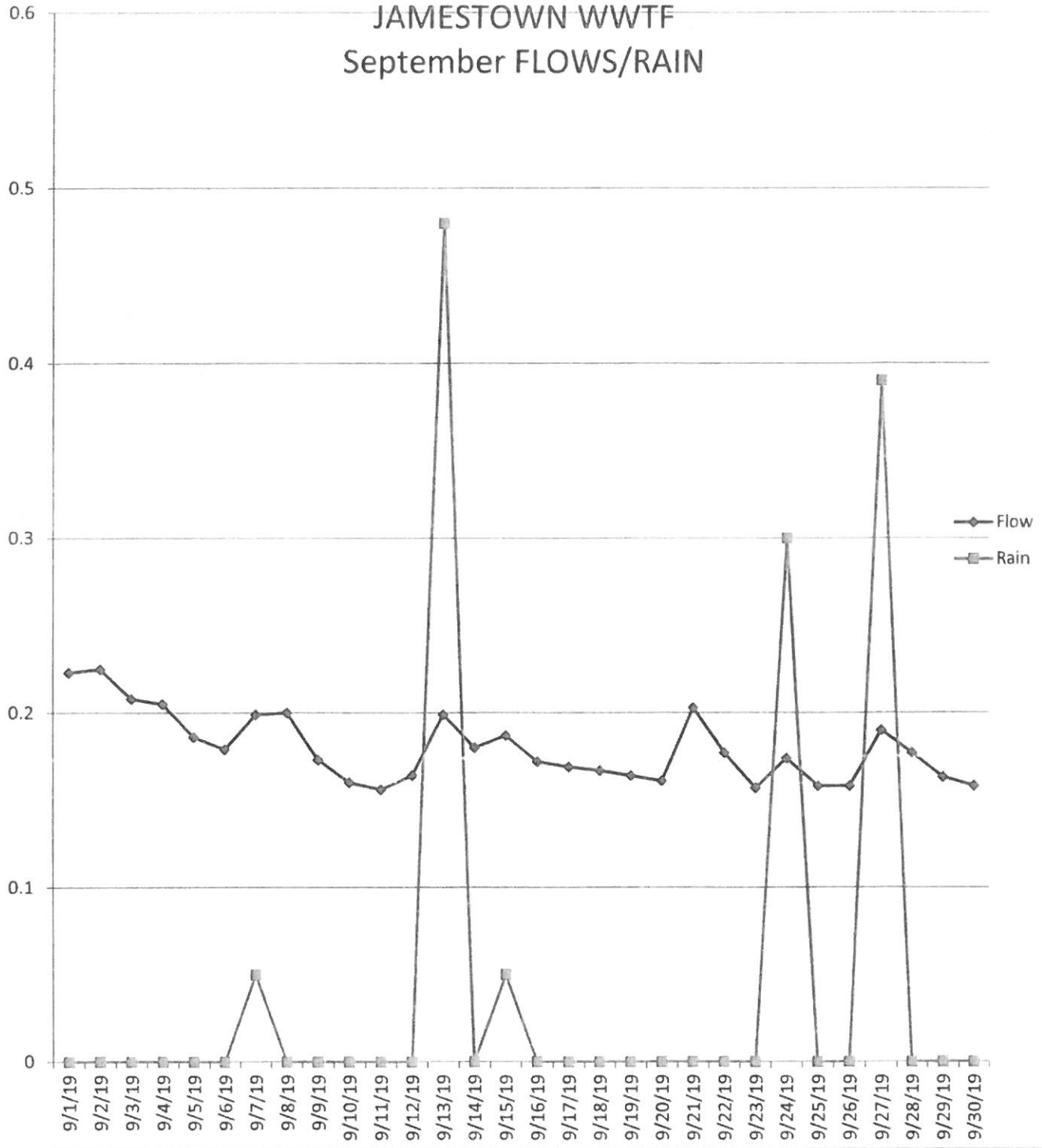
Precipitation for September was 1.27"

Golf Course

The facility pumped 1.252 MG to the pond and 61.59 gallons of sodium hypochlorite was used to further disinfect the recycled effluent.

Graphs

JAMESTOWN WWTF September FLOWS/RAIN



Project Update November 2019

WELLS

JR-1, JR-3

- JR-1 has been turned on for the season. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir. Water Department staff installed a new water pipe between the well and the transmission main.

TREATMENT PLANT

- Staff has been performing maintenance on treatment plant equipment and preparing equipment that is located outdoors for winter conditions.
- I will be attending a meeting with RIDOH on November 20, 2019 to discuss opportunities for water reuse from the RITBA pump station located at Tashtassuc Road and North Main Road. Currently all water collected by the pump station is discharged to a water quality basin located at the off ramp at Route 138 where it ultimately flows to the Bay.

TRANSFER PUMPING/RESERVOIR

- No water was transferred from South Pond.
- The bridge structure is complete and approximately 200 linear feet of dam has been regraded and seeded. Work has been postponed on the dam while the DPW crews work on North Main Road before winter conditions.

DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

North Pond @ 47 MG

Usable Storage 60 Million Gallons

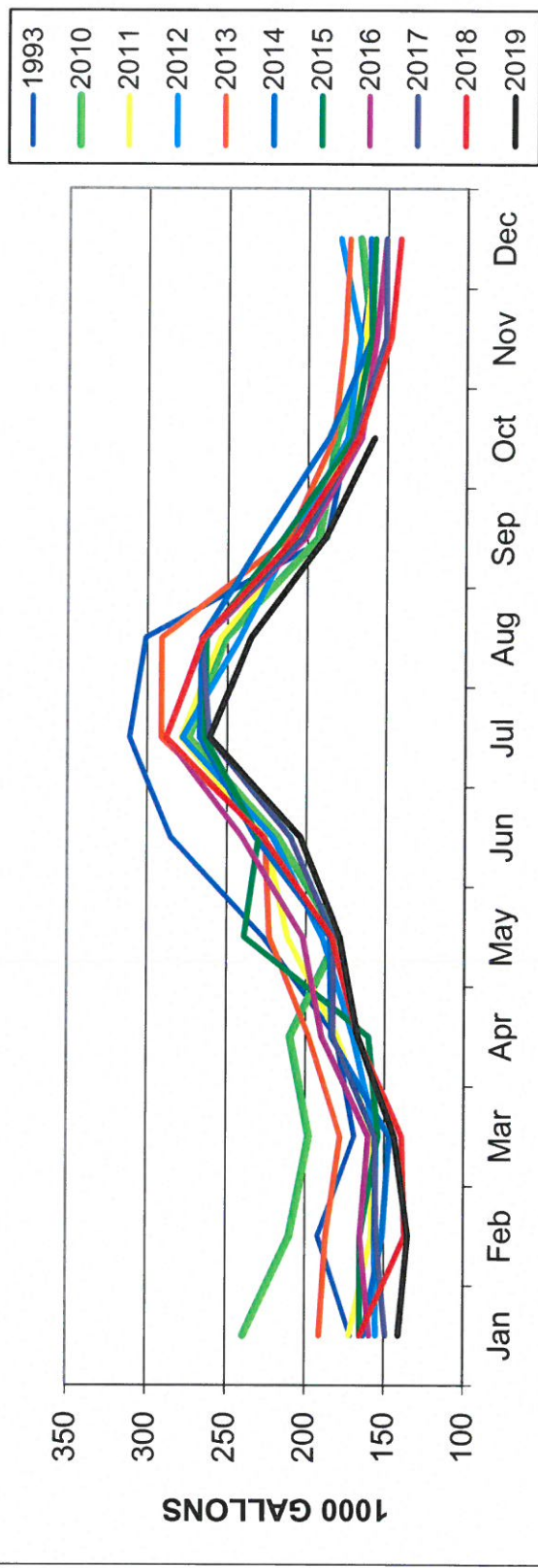
- There were no leaks reported for October.
- Staff replaced a water service connection at 85 Hamilton Avenue

WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for October was 0.21 million gallons per day. The peak daily flow was 0.49 million gallons. The permitted monthly average is 0.73 million gallons per day as a condition of our discharge permit. There were no sanitary sewer overflows for the month of October. There was 6000 gallons of effluent delivered to the golf course for irrigation. The system has been turned off for the winter season.

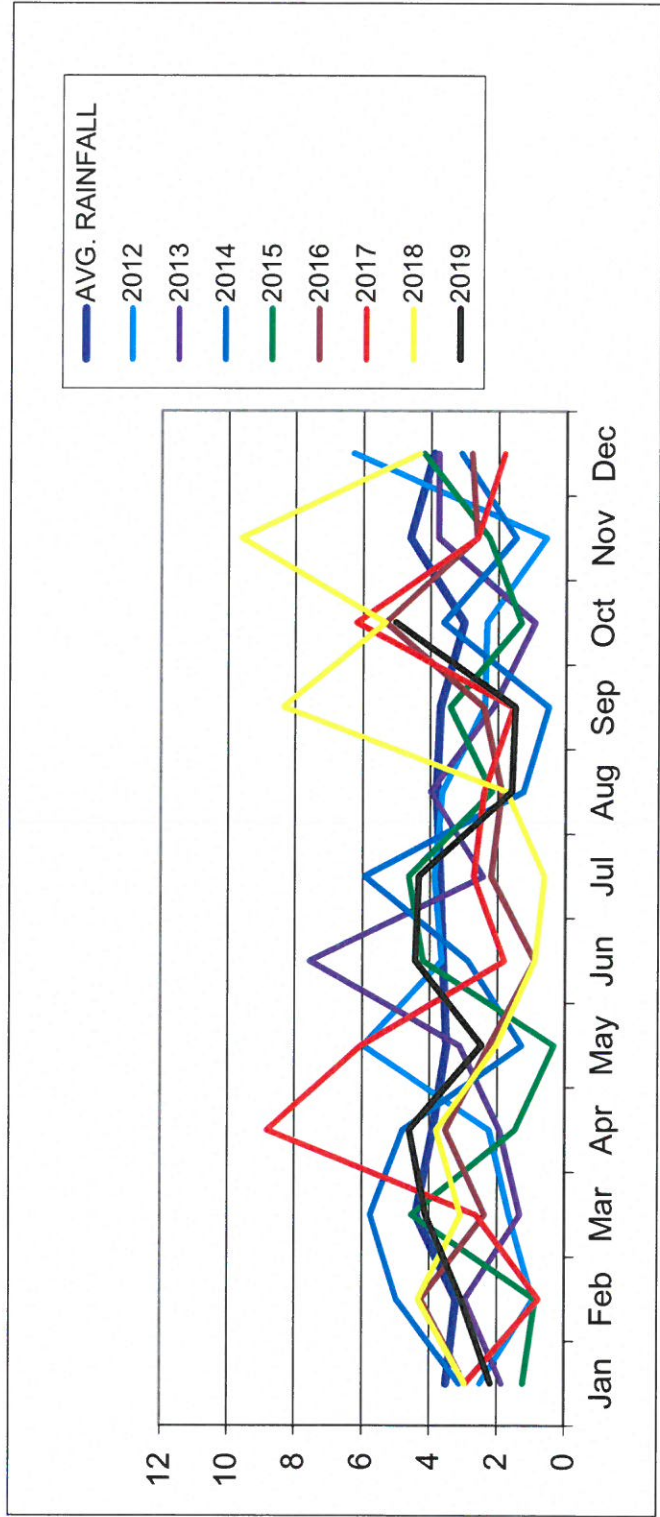
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Jul	311	296	277	274	279	278	291	267	264	288	261	288	261
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189
Oct	175	187	259	182	175	175	184	187	172	166	170	168	158
Nov	166	175	226	160	164	167	177	160	160	157	151	148	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	

PUMPING REPORT

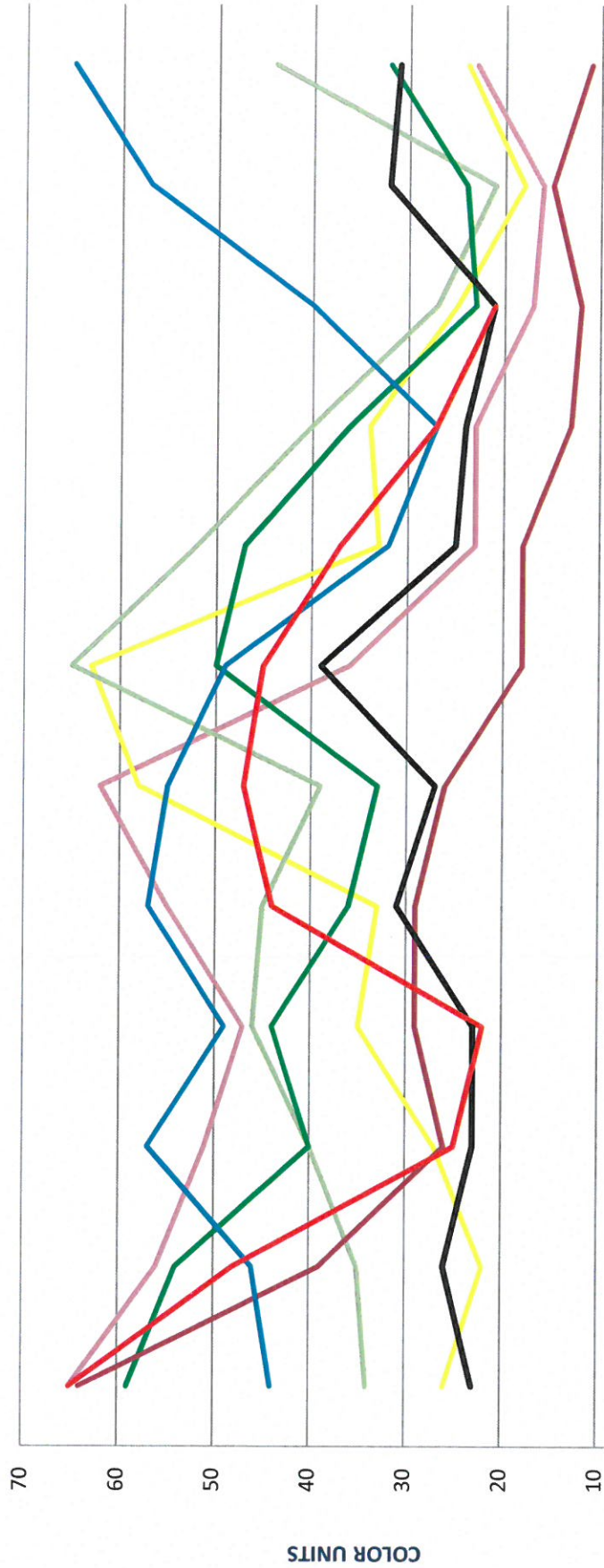


	2011	2012	2013	2014	2015	2016	2017	2018	2019
Jan	3.5	4.22	1.85	3.1	1.22	2.94	2.94	2.94	2.19
Feb	3.2	3.09	2.94	4.98	0.86	4.25	0.76	4.33	3.06
Mar	4.4	1.32	1.32	5.74	4.53	2.36	2.62	3.07	4.11
Apr	3.9	4.25	1.92	4.8	1.47	3.53	8.8	3.79	4.61
May	3.5	2.32	3.11	1.27	0.32	2.24	6.03	2.03	2.46
Jun	3.6	4.4	7.55	2.86	4.2	0.89	1.79	0.89	4.44
Jul	3.7	3.86	2.42	5.93	4.63	2.19	2.7	0.61	4.33
Aug	3.8	3.64	3.98	1.23	2.17	1.88	2.4	1.73	1.58
Sep	3.7	5.41	2.13	0.5	3.41	2.42	1.54	8.35	1.49
Oct	3	7.18	0.9	3.61	1.31	5.33	6.18	5.34	5.04
Nov	4.6	4.05	3.76	1.47	2.27	2.63	2.61	9.61	
Dec	3.9	2.51	3.76	3.1	4.2	2.79	1.81	4.33	
Total	44.8	45.99	35.64	38.59	30.59	33.45	40.18	47.02	33.31

RAINFALL



Transfer Pumping NORTH POND WATER QUALITY



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2012	65	56	51	47	55	62	36	23	23	17	16	23
2013	26	22	27	35	33	58	63	33	34	25	18	24
2014	34	35	40	46	45	39	65	52	40	27	21	44
2015	59	54	40	44	36	33	50	47	36	23	24	32
2016	64	39	26	29	29	26	18	18	13	12	15	11
2017	23	26	23	23	31	27	39	25	24	21	32	31
2018	44	46	57	49	57	55	49	32	27	40	57	65
2019	65	48	25	22	44	47	45	37	27	21		



TOWN OF JAMESTOWN WWTF
MONTHLY REPORT
October 2019

Douglas Ouellette, Superintendent

Parameters

	<u>Monthly Avg.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	0.2085 MGD	.73 MGD	
Daily Max	0.4890 MGD		
BOD Removal	100.0%	85%	% Removed
TSS Removal	98.6%	85%	% Removed
Fecal Coliform	2.3	No limit, report only	
Enterococci	1.97	(<35 cfu/100ml Monthly)	(<276 cfu/100ml Daily)

Environmental Compliance (Violations)

There were 0 violations to report for October 2019

Complaints

There were no complaints received for October 2019.

Alarms

There were 4 generator alarms and 1 RAS Pump alarm all on 10-16-2019 and all related to power outages due to high winds.

Septage

The facility received no septage for October 2019

Sludge Production

The facility processed 69,500 gallons of sludge through Wastewater Services Incorporated.

Maintenance Management

The RAS Room floor, pump bases, and VFD bases were scraped and repainted. 880' of sewer line were cleaned and inspected. 80 work orders completed.

Chemical Use

The facility used 407 gallons of Sodium hypochlorite and 0 pounds of lime for process control.

Collection System

31 pump station inspections were completed. 12 Gen Set inspections were performed. All stations are operating as designed.

Energy Use

Energy use for the month was: 157 Kwh

Precipitation

Precipitation measured in at 5.02"

Golf Course

The facility only pumped 6000 gal to the pond, at the course operators request we have shut down the operation for the season.



Town of Jamestown

Resolution of the Town Council

No. 2019- 20

**RESOLUTION OF THE TOWN COUNCIL
AUTHORIZING ISSUANCE OF UP TO \$2,900,000 IN BONDS AND/OR NOTES FOR
JAMESTOWN GOLF COURSE AND FACILITIES AT 245 CONANICUS AVENUE AND
RELATED EQUIPMENT**

RESOLVED THAT:

Section 1. Pursuant to Local Acts 147 and 150 of the Public Laws of 2018, the approval of the voters of the Town on November 8, 2018 and Chapter 45-12 of the General Laws of the State of Rhode Island, the Finance Director and the President of the Town Council are authorized to borrow and issue bonds in the name of the Town up to the amount of Two Million Nine Hundred Thousand dollars (\$2,900,000.00) to finance new construction, demolition, renovations and/or improvements to Jamestown golf course and facilities at 245 Conanicus Avenue and related equipment and other costs related thereto including payment of costs of issuance and repayment of any advances made from the golf or general fund heretofore made for architectural and engineering costs.

Section 2. The bonds shall be signed by the manual or facsimile signatures of the Finance Director and the President of the Town Council. The manner of sale, denominations, maturities, interest rates and other terms, conditions and details of any bonds issued hereunder may be fixed by the aforesaid officers authorized to sign the bonds or notes. Any bonds issued under this Resolution and any other authorized issue of bonds of the town may be consolidated and issued at the same time as a single bond issue.

Section 3. The designation of a securities depository and paying agent, not fixed by provisions of law, may be fixed by the Finance Director.

Section 4. The Finance Director is hereby authorized to execute and deliver on behalf of the Town such additional agreements as are necessary to effect the issuance of bonds hereunder, the due authorization thereof being conclusively demonstrated by his or her execution and delivery of such agreements. The Finance Director is hereby authorized to deliver such bonds to the purchasers thereof and said officer is authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that the interest on the bonds will be excludable from gross income for federal income tax purposes, and to refrain from all actions which would cause interest on the bonds to be subject to federal income taxes on such part of such bonds, if any, that may qualify as such. The Finance Director is authorized to deem the bonds, and to the extent not deemed to be, to designate the Bonds as "qualified tax-exempt obligations" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended on such part of such bonds, if any, that may qualify as such. The Finance Director is hereby authorized to take such action as to comply with Rule 15 c 2 - 12 (b) (5) of the Securities and Exchange Commission and is authorized to execute and deliver a Continuing Disclosure Certificate.

Section 5. Pending the issuance of bonds under Section 1 hereof, the Finance Director may expend funds from the general treasury of the Town for the purposes specified in Section 1 under contracts awarded by this Council. Any advances made under this Section 5 shall be repaid without interest from the proceeds of bonds or notes issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds.

Section 6. The Town hereby declares that it reasonably expects to reimburse the expenditures authorized in Section 5 with proceeds of debt to be issued by the Town. This Resolution is a declaration of official intent under Treasury Regulation 1.103-18.

Section 7. This Resolution shall take effect upon its passage.

LEGAL ADVERTISEMENT: Please insert in October 31st, November 7th, and 14th Jamestown Press editions in the "Legal Ad" section. (*just like the Zoning Board of Review ads are placed*).

JAMESTOWN, RHODE ISLAND

NOTICE OF A PUBLIC HEARING

NOTICE is hereby given that there will be a public hearing by and before the Town Council of the Town of Jamestown on November 18, 2019 at 6:30 p.m. at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI pursuant to 5-24-1 of the General Laws of Rhode Island, 1956, and as amended, upon the following applications:

VICTUALING LICENSE WITH EXTENDED HOURS:

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

APPLICATION OF CUMBERLAND FARMS, INC., dba: **Cumberland Farms Store #1108**, for renewal of additional operational hours between 5:00 a.m. and 6:00 a.m. for said establishment, holder of a Victualing License issued by the Town of Jamestown. If granted, this will allow this establishment to continue to be open from 5:00 a.m. to 2:00 a.m. daily (RIGL 5-24-1 allows this establishment to be open until 2:00 a.m.).

All interested persons are notified to be present at said hearing to be heard for or against the granting of said application. All interested persons at said hearing shall be given an opportunity to be heard on said application.

The above application will be in order for hearing at a meeting of the Town Council on **MONDAY, NOVEMBER 18, 2019 at 6:30 p.m.** at the Jamestown Town Hall, 93 Narragansett Avenue, in said Jamestown, at which time and place all remonstrates may make their objections against granting this license.

By Order of the Town Council
Erin F. Liese, CMC
Town Clerk

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, contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email eliese@jamestownri.net not less than three(3) business days prior to the meeting.



Town of Jamestown

Finance Department

Town Hall

93 Narragansett Avenue

Jamestown, Rhode Island 02835-1199

401-423-9809 Fax 401-423-7229

Email: ccollins@jamestownri.net

Christina D. Collins
Finance Director

MEMORANDUM TO: Honorable Town Council

FROM: Interim Town Administrator, Christina D. Collins

DATE: 11/14/2019

SUBJECT: Town Administrator's Update

Jamestown Golf Course Clubhouse –Bill Burgin and his staff have been working on revisions to the design drawings for the clubhouse building to reduce costs. Public Works Director Michael Gray will discuss the changes.

North Main Road - Cardi Corporation mobilized crews during the week of November 4th for reconstruction of North Main Road. During the week crews reclaimed the existing pavement, graded and compacted the gravel base to prepare the road for paving. On Saturday November 9th Cardi completed the binder course of asphalt on North Main Road between Severance Lane and Laurel Lane. This week DPW has been completing shoulder restoration along the new roadway and installing drainage grates on the catch basins. Additional road paving will be weather dependent or delayed until the spring. Asphalt Plants typically close the second week of December.

Eldred Avenue Fields - The Parks & Recreation Department has closed Eldred Avenue Field for the winter. Over the past two months work has been done to improve field conditions at the site and our hope is that by keeping the facility closed to the public will allow the work that was completed to remain intact and set ourselves up for a successful spring growing season. Working with the Jamestown Youth Soccer Association, as well as other known user groups, all are in support of this decision to protect the already improved conditions of the fields.

*Carolyn M. Sears
Six Antham Street
Jamestown, RI 02835*

October 25, 2019

To the Jamestown Town Council,

I am appealing the decision of the Harbor Commission on 10/9/19 and would like to retain my permit to keep a mooring (306 C) in Dutch Harbor.

I was not able to utilize the mooring this past summer because of work on a large project which extended through the summer months. This project was scheduled to be completed in the spring of 2019 but major problems and delays in scheduling caused the backup.

I own the same 30 foot sailing vessel that I purchased new in 1989 and as I am sure you know it is quite expensive to keep a boat at a marina. This mooring is particularly important to me because I will be fully retired and on a fixed income. Having a mooring will keep boating affordable.


I realize that I have asked for previous grace periods and I think that in some circumstances the rules ought to be somewhat flexible so that individuals are not forced out of boating due to the loss of a mooring.

In addition, I was not informed that my request was on the agenda at the October 9, 2019 meeting of the Harbor Commission so I did not attend to present my case. I have always complied with all regulations including paying all mooring fees and performing all required maintenance on the mooring itself.

I hope you will see fit to grant me the opportunity to retain my permit for mooring 306 C in Dutch Harbor.

Thank you,

Respectfully,


Carolyn M. Sears

RECEIVED
TOWN OF JAMESTOWN, RI
19 OCT 28 AM 9:33



Jamestown Harbor Office
 250 Conanicus Avenue
 Jamestown, RI 02835
 401-423-7190

Request for Appeal

Appeals of actions by the Harbor Master or Executive Director other than violations of section 78-27 may be appealed to the Harbor Commission. Written appeals must be filed with Harbor Clerk within 30 days of incident or notice.

Appeals of the decision of the Harbor Commission may be appealed to the Town Council. Written final appeals must be filed Town Clerk within 20 days of the mailing date of the Harbor Commission decision.

Name of Appellant: CAROLYN M. SEARS
 Address: 6 ANTHAM ST. JAMESTOWN
 Phone: (401) 423-2243
 Mooring Permit #: 306C

You are appealing a decision of (circle one): Harbormaster or Harbor Commission

Date that you received notice of the decision that is subject of this appeal: 10/9/19

Please attach a copy of the written decision that is the subject of this appeal. If the written decision that you are appealing covers more than one issue, please describe below the specific decisions you are appealing or attach a separate sheet.

A FORMAL DECISION BY THE HARBOR COMMISSION HAS NOT BEEN RECEIVED. I DID RECEIVE AN E-MAIL STATING THAT THE APPEAL HAD BEEN DENIED ON 10/9/19 OR SOMETIME AFTER BUT I DELETED THE EMAIL.

In the space below, please indicate the reason for your appeal. Indicate any details and facts that will help the appeal board understand your position. You will be able to present this and other information to the appeals board at the time of your hearing.

I WAS NOT NOTIFIED THAT I WAS ON THE AGENDA FOR THE 10/9/19 MEETING AND THEREFORE DID NOT ATTEND TO PRESENT MY CASE.

Carolyn M. Sears
 Appellant Signature

10/25/19
 Date

Laren Mantoya
 Request for Appeal received by (Name & Signature)

Oct 25, 2019
 Date Received



Edward A. Mello
Chief of Police

JAMESTOWN POLICE DEPARTMENT

250 Conanicus Avenue, Jamestown, RI 02835

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

www.jamestownri.net/police



MEMORANDUM

TO: Christina Collins
FROM: Chief Edward A. Mello
DATE: November 14, 2019
SUBJECT: 2020/2021 Harbor Operating Budget

Tina

Please find attached the proposed 2020/2021 Harbor Operating Budget and the Long Range Infrastructure Plan. The Harbor Commission approved both at the November 13, 2019 meeting. This must be submitted to the Council following your review.

Respectfully,

Chief Edward Mello

PROPOSED 2020/2021 JHC OPERATING BUDGET

Approved by the JHC on 11/13/2019

Description	2018-2019 Approved Budget	2018-2019 Actual Revenues	2019-2020 Approved Budget	2020-2021 Draft Budget
Trust - Dock Reimbursement	\$ -	\$ 74,213.50	\$ -	\$ -
Resident Moorings	\$ 70,000.00	\$ 72,955.04	\$ 67,000.00	\$ 73,000.00
Commercial Moorings	\$ 105,000.00	\$ 123,043.31	\$ 125,000.00	\$ 123,000.00
Non-Resident Moorings	\$ 15,000.00	\$ 15,278.46	\$ 14,000.00	\$ 15,500.00
West Ferry Outhauls	\$ 10,000.00	\$ 9,290.00	\$ 10,500.00	\$ 9,000.00
Ft. Getty Outhauls	\$ 10,000.00	\$ 11,514.00	\$ 10,000.00	\$ 11,000.00
Beach Permits	\$ 9,000.00	\$ 11,145.00	\$ 9,500.00	\$ 11,000.00
Ft. Getty Dock	\$ 4,000.00	\$ 5,446.00	\$ 6,500.00	\$ 5,000.00
Misc Rev. Admin/Late fee	\$ 2,000.00	\$ 5,615.00	\$ 2,300.00	\$ 3,000.00
Wait List Fees	\$ 4,000.00	\$ 4,824.00	\$ 4,500.00	\$ 5,000.00
Club Moorings	\$ 8,000.00	\$ 9,555.00	\$ 8,200.00	\$ 9,500.00
WF Dingy Dock	\$ 4,000.00	\$ 5,105.00	\$ 4,500.00	\$ 5,000.00
	\$ 241,000.00	\$ 347,984.31	\$ 262,000.00	\$ 270,000.00
Description	2018-2019 Approved Budget	2018-2019 Actual Expenditures	2019-2020 Approved Budget	2020-2021 Draft Budget
Harbormaster Salary	\$ 35,000.00	\$ 32,621.91	\$ 35,000.00	\$ 36,000.00
Harbor Clerk Salary	\$ 22,500.00	\$ 22,120.31	\$ 25,000.00	\$ 25,000.00
Harbormaster Asst Salary	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00
Administrative Fees To Town	\$ 15,000.00	\$ 15,000.00	\$ 20,000.00	\$ 25,000.00
Office Equip Purchase	\$ 2,000.00	\$ 2,039.70	\$ 2,000.00	\$ 2,000.00
Gas for Harbor Car	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -
Boat Maint/Repairs	\$ 8,000.00	\$ 6,185.14	\$ 8,000.00	\$ 8,000.00
Maint Docks & Harbor	\$ 35,000.00	\$ 51,498.05	\$ 36,500.00	\$ 47,300.00
EF Floating Docks	\$ 8,500.00	\$ 2,476.18	\$ 8,500.00	\$ 8,500.00
Pumpout Maintenance/Restrooms	\$ 12,000.00	\$ 2,739.07	\$ 12,000.00	\$ 10,000.00
Patrol Craft Purch/Fixtures	\$ 2,000.00	\$ -	\$ 2,000.00	\$ 2,000.00
Data Package	\$ 1,000.00	\$ 519.53	\$ 1,000.00	\$ 1,000.00
Office Supplies	\$ 2,000.00	\$ 2,909.73	\$ 3,000.00	\$ 3,000.00
Printing & Mailing	\$ 2,000.00	\$ 1,177.12	\$ 2,000.00	\$ 2,000.00
Telephone	\$ 2,000.00	\$ 1,346.23	\$ 2,000.00	\$ 2,000.00
Uniforms	\$ 500.00	\$ -	\$ 500.00	\$ 500.00
Car Repair	\$ 2,500.00	\$ 1,687.15	\$ 2,500.00	\$ 2,500.00
Boat & Car Fuel	\$ 2,500.00	\$ 1,964.81	\$ 2,500.00	\$ 3,500.00
Training & Dues	\$ 500.00	\$ -	\$ 500.00	\$ 500.00
Equipment	\$ -	\$ 2,000.00	\$ -	\$ 2,000.00
Boat Capitalization Fund	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 25,000.00
Channel Markers & Buoys	\$ 25,000.00	\$ 30,374.12	\$ 31,000.00	\$ 20,000.00
FICA	\$ 6,000.00	\$ 4,096.12	\$ 6,000.00	\$ 6,000.00
Blue Cross/Dental	\$ 7,000.00	\$ 8,680.84	\$ 9,000.00	\$ 10,000.00
Worker's Compensation	\$ 4,000.00	\$ 4,000.00	\$ 4,500.00	\$ 5,000.00
Retirement	\$ 6,000.00	\$ 5,868.63	\$ 6,000.00	\$ 6,700.00
Boat & Liability Ins.	\$ 4,000.00	\$ 4,000.00	\$ 6,500.00	\$ 6,500.00
Depreciation		\$ 21,163.91		
	\$ 241,000.00	\$ 224,468.55	\$ 262,000.00	\$ 270,000.00

PROPOSED 2020/2021 LONG RANGE INFRASTRUCTURE PLAN
 Approved by JHC: 11/13/2019

PROJECT	EST. COST	FY 20/21	FY 21/22	FY 22/23	FY23/24	FY24/25	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							
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 OF JAMESTOWN
Parks & Recreation Office
P.O. Box 377
41 Conanicus Ave.
JAMESTOWN, RHODE ISLAND 02835

Recreation Office (401) 423-7260
Teen Center (401) 423-7261
Fort Getty (401) 423-7211
Fax (401) 423-7229

Memo

To: Christina D. Collins, Interim Town Administrator
From: Andrew Wade, Parks & Recreation Director
cc: Erin Liese, Town Clerk; Lisa Bryer, Town Planner
Date: November 7, 2019
Re: 2016 RIDEM Grant – Lawn Avenue: Release of Funds

On September 22, 2016, the RIDEM awarded the Town of Jamestown a \$400,000.00 Recreation Development Grant in response to the town's application for site improvements to the Lawn Avenue Recreation Complex. Scope of work for the project was to include the following:

- Newly constructed 6' wide ADA accessible fitness trail around the perimeter of the baseball/softball fields that will be approximately ¼ mile in length.
- Installation of Wood framed dugouts on the Little League, Softball, & Full Sized baseball fields.
- Expansion of Skate Park over the existing basketball court including elements for beginner skate boarders.
- Installation of new full sized basketball court.
- Installation of 10,000-gallon rainwater collection cistern for field irrigation.

In the June of 2017, the town awarded a bid to Weston and Sampson to develop site plans, bid, and construction documents related to the planned onsite improvements. Site plans and bid documents were developed for the project; however, we were never able to put the project out to bid due to concerns raised by the Narragansett Indian Tribe to the state. The existence of this project has also put a hold on the town's "Safe Routes to School" project that has been in existence for over 10 years.

In September of 2018, the Town was granted a 2-year extension to the grant period expiring in September of 2020. Numerous attempts by members of the town's administration were made to reach an agreement with the Narragansett Indian Tribe to allow for the completion of the project without any success. With no resolution to this matter expected to occur in the near future, it is my recommendation to release the awarded funds back to the State of Rhode Island. It is my hope that this will allow for a resolution to the town's Safe Routes project by simplifying the conversation with the Narragansett Indian Tribe as well as keeping the Town of Jamestown in good standing with the State of Rhode Island so that we may be viewed positively in future grant rounds.

**PUBLIC HEARING NOTICE
TOWN OF JAMESTOWN**

Notice is hereby given that the Town Council of the Town of Jamestown will conduct a public hearing on November 18, 2019 at 6:30 P.M. at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding Chapter 70 – Traffic and Vehicles. Opportunity shall be given to all persons interested to be heard upon the matter at the public hearing. The following proposed ordinance amendment is under consideration and may be adopted and/or altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the public hearing. The proposed amendment is available for review and/or purchase at the Town Clerk’s Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays and on the Town’s web site at www.jamestownri.gov.

Section 1. Be it hereby ordained by the Town Council of the Town of Jamestown that the Jamestown Code of Ordinances, Chapter 70, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~strike through~~ are to be deleted from the ordinance; words underlined are to be added to the ordinance.

See Exhibit A, attached hereto and incorporated herein by reference.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 70 of the Town of Jamestown’s Code of Ordinances.

Section 3. This Ordinance shall take effect upon its passage.

Exhibit A

Melrose Avenue, no parking on the east side from the intersection of Watson Avenue to the southern driveway entrance to Melrose School. ~~north to the intersection of West Passage Drive.~~ No parking on the west side from the intersection of Watson Avenue north to the end.

By Order of the Town Council
Erin F. Liese, CMC
Town Clerk

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, contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or by email to eliese@jamestownri.net not less than three (3) business days prior to the meeting.

**TOWN COUNCIL MEETING
October 21, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on October 21, 2019. Town Council Members present were as follows: Michael G. White, Mary E. Meagher, Nancy A. Beye, Randall White, and William J. Piva, Jr. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, Chief of Police Edward A. Mello, Public Works Director Michael C. Gray, IT Consultant Mike Glier and Water and Sewer Clerk, Denise Jennings.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President White called the meeting of the Jamestown Town Council to order at 6:30 P.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

A motion was made by Vice President Meagher with second by Councilor Beye to Convene as the Board of Water and Sewer Commissioners. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

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 6:31 P.M. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:38 P.M. See Board of Water and Sewer Commissioners Meeting Minutes.

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Presentations:

- 1) Cell Phone Assessment- RF Drive Test Survey Results presented by:
Ben Revette, PE, Senior Associate, Dewberry Engineers Inc. and
Marlon DePaz, Principal MOD Data Tech Inc.

Ben Revette, PE, Senior Associate from Dewberry Engineers Inc. and Marlon DePaz, Principal MOD Data Tech Inc. presented their findings from the Cell Phone Assessment RF Drive Test Survey conducted September 17, 2019.

IT Consultant Michael Glier advised on the land fill site.

A Resident from the audience suggested to construct the tower higher than 125 feet at the Transfer Station.

Jim Rugh of America Way, commented on the need to provide a solution to North end cellular service.

Melissa O Brien of Cedar Ridge, questioned placement on the water tower.

Discussion ensued on cellular service providers and how they utilize signals.

Amy Urban of Sampan Ave. questioned health concerns regarding placement of a cell tower.

Mr. DePaz advised on health concerns and everything he has read from American Cancer, World Health and reputable websites state that towers are generally safe.

Discussion ensued on health concerns.

President White advised we do not have health experts present this evening and that will not be addressed tonight.

Discussion ensued on fiber optics.

A Resident explained he lives in a terrible location for cell service; however is against the construction of a cell tower. The tower will be ugly no matter how you disguise it.

Derek Reveron of America Way, advised that Wi-Fi calling is great; however when Cox recently provided an update, when there is no power there is no cell service. This also effects land lines during power outages. He emphasized the safety concern.

President White advised he gets great reception; however his son does not. He has experienced both. He further explained the importance to research all alternatives and will provide updates as information becomes available on the website. He also thanked Mr. Revette and Mr. DePaz for their work on the study.

Jane Murray of Cedar Lane, provided the Council with information regarding the Cedar Lane site and research the Cedar Lane Site Committee has performed. She also commented on the historic district.

Karen Buetens of Columbia Lane stated they have no coverage outside and serious concern with workman. She also commented on the issue of equity and the need to develop a clear plan on this issue.

Vice President Meagher confirmed that the assessment has identified the real problem regarding the lack of service. She also commented on the equity and the potential cost. She further explained the staff chose two sites for good reason.

Karen Buetens of Columbia Lane questioned next steps.

Vice President Meagher advised the staff is working through the information received.

Councilor White suggested the next step would be to determine the cost of the tower and provide estimate of cost at the next meeting.

President White tasked the staff with providing a potential cost. He also advised these things take time.

Tierney Grace of Columbia Lane suggested setting up a timeline.

Discussion ensued on potential cost.

Councilor Piva questioned the different types of models and the need to have an estimate of cost.

Public Works Director Gray suggested having an updated presentation; with reference to the initial presentation with the public that is now engaged. He commented on providing the estimate for cost, however many things go into the site preparation. He stated he could determine a reasonable estimate on two sites and suggested a presentation at a future meeting.

Vice President Meagher advised on the report provided in the spring that was based on carrier data.

A motion was made by Vice President Meagher with second by Councilor Piva to direct the staff to provide an update and cost estimate at the November meeting. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

Claudine Charron of Cedar Lane stated residents have not seen the cost to tax payers. She commented on the scenic views and requested alternatives to the Cedar Lane Site.

A Resident provided the Council with material regarding alternatives to traditional cell towers such as flags and trees.

Discussion ensued on cell tower.

President White stated they will keep the public informed as they move through this issue.

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. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

A) One Day Event License Applications:

- 1) Applicant Tom Harris
Event: Jamestown Christmas tree Lighting Ceremony
Dates: December 7, 2019
Location: East Ferry

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Jamestown Christmas Tree Lighting on December 7, 2019.

Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 2) Applicant Conanicut Island Art Association
Event: Conanicut Island Arts Holiday Art & Crafts
Dates: December 7, 2019
Location: Lawn School

A motion was made by Councilor White with second by Councilor Meagher to approve the Conanicut Island Art Association Holiday Art & Crafts on December 7, 2019.

Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 3) Applicant American Cancer Society
Event: Jingle Bell Jump
Dates: December 15, 2019
Location: Jamestown Rec Center and East Ferry Beach

The applicant advised the Jingle Bell Jump is a type of polar plunge.

A motion was made by Vice President Meagher with second by Councilor White to approve the Jingle Bell Jump on December 15, 2019. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 4) Applicant Jamestown Community Band
Event: Holiday Concert
Dates: December 17, 2019
Location: Recreation Center

A motion was made by Councilor Beye with second by Councilor Meagher to approve the Jamestown Community Band Holiday Concert on December 17, 2019. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

VI. OPEN FORUM

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

A Resident requested the town take over maintenance on power and tree lines. She further explained what Block Island has done and the need to investigate where resources are going.

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

- A) Town Administrator's Report: Christina D. Collins, Interim Town Administrator

Interim Town Administrator Collins reported she did not have other additions to written report. She requested Public Works Director Gray explain the results of the pre bid regarding the Golf Course.

Public Works Director Gray advised on the pre bid and bids received for the golf course. He commented on the range of the bids and advised all were over budget.

Discussion ensued on budget of bid.

VIII. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Discussion on the Whale's Tail Gift Proposal Withdrawal
 - 1) Communication of The Whale's Tail Donor Committee (Pat Tuff, Wendy Ross and Joan Swift) dated October 15, 2019; regarding notice to withdraw gift of Whale's Tail Sculpture

Vice President Meagher suggested a letter of thanks should be sent to the Whale's Tail Donor Committee and read proposed letter to be sent.

A motion was made by Vice President Meagher with second by Councilor Beye to send letter of thanks to the Whale's Tail Donor Committee Pat Tuff, Wendy Ross and Joan Swift. Vote: 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: October 22, 2019 at 9:30 a.m. and 11:00 a.m.; November 4, 2019 and November 18, 2019 at 6:30 p.m.

Upcoming dates were reviewed.

IX. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Approval of Conservation Easement between the Town of Jamestown and Conanicut Island Land Trust for the following properties:
 - 1) Jamestown Shores Plat No. 4 Lots: 196, 202, 203, 211, 212, 213, 216, 250, 251, and 529.
 - 2) Jamestown Shores Plat No. 1 Lots: 60, 61, 115, 116, 119, 120, 138, 170, 251, 287, 316, and 320.
 - 3) Jamestown Shores Plat No. 3 Lots: 30, 51, 52, 60, 120, and 220.
 - 4) Jamestown Shores Plat No. 5 Lots: 42, 67, 68, and 69.

A motion was made by President White second by Vice President Meagher to approve the Conservation Easement between the Town of Jamestown and Conanicut Island Land Trust for the following properties: Jamestown Shores Plat No. 4 Lots: 196, 202, 203, 211, 212, 213, 216, 250, 251, and 529; Jamestown Shores Plat No. 1 Lots: 60, 61, 115, 116, 119, 120, 138, 170, 251, 287, 316, and 320; Jamestown Shores Plat No. 3 Lots: 30, 51, 52, 60, 120, and 220; and Jamestown Shores Plat No. 5 Lots: 42, 67, 68, and 69. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- B) Discussion on the Jamestown Housing Authority
 - 1) Communication of Bernie Courtney dated September 10, 2019 regarding Management Complaints and future appointment of Commissioners

Vice President Meagher referenced a concern letter received regarding management and complaints. She further advised on HUD's policies and improvements being implemented to address the concerns.

Councilor Beye advised meetings are not held as listed and she did miss the last two meetings for that reason. She also commented on the need for all committees to have training in the area of open meetings.

Vice President Meagher advised on having Solicitor Petrarca provide training.

Town Solicitor Ruggiero advised the Housing Authority has their own Counsel.

Barbra Szepotowski of Seaside Drive and thanked Councilor Beye for her service on the board. She also explained the board wants to meet all the requirements of the Open Meetings Law.

Interim Town Administrator Collins advised Town Clerk Liese has sent correspondence to all boards regarding Open Meetings guidelines and will work with the Solicitors Office to set up a training.

- C) Discussion Regarding the Purchase of Streetlights from National Grid as provided by RIGL § 39-30-1.

Public Works Director Gray advised this has been in process for long time. He further explained the transition process with National Grid. He also stated the fee of \$5,000.00 will be waived due to the training he attended.

Discussion ensued on LED, types of lighting and ownership abilities.

A motion was made by Vice President Meagher with second by Councilor Beye to send letter as provided to National Grid. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS
Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Jamestown Representative Member for Discover Newport (One vacancy with a remaining term ending date of September, 2020); permission to advertise

Interim Town Administrator Collins advised on the vacancy.

A motion was made by Vice President Meagher with second by Councilor Beye to advertise for the Jamestown Representative Member for the Discover Newport with experience in tourism or hospitality field. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

XI. CONSENT AGENDA

A motion was made by Vice President Meagher with second by Councilor White to approve and accept the Consent Agenda. Vote: 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) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Philomenian Library Trustees (September 10, 2019)

- B) Public Notice
- 1) Zoning Board of Review Notice of Christian & Elaine Infantolino Applicant and Barbara A. Infantolino, Owner of 28 Reservoir Circle
 - 2) Zoning Board of Review Notice of Geoff Hamlin 134 Battery Lane
- C) Request of Tax Assessor for Specific Abatements & Addenda of Taxes
Detailed Abatements are part of the attachments available to the public at the Office of the Town Clerk and on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>
- 1) Total of 6 Accounts for Abatement: \$ 3,528.30
 - 2) Total of 3 Accounts for Addenda: \$ 1,053.04

MOTOR VEHICLE ABATEMENTS TO 2019 TAX ROLL		
02-0575-00M Berger, G. Spencer	Uncollectable/ taxpayer is deceased.	\$27.30
REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
03-0990-00 Coble, Carolyn A	Plat 5, Lots 301 & 511 – Foreclosure on lot 301, remove Elderly exemption from account.	\$1,544.84
03-1522-30 Creed, Joseph	Plat 8, Lot 607 – Tax Appeal – Updated field card data	\$751.87
06-0037-75 Falla, Marian & Dupre Robert	Plat 9, Lot 285 – Tax Appeal – Updated field card data	\$743.82
07-1116-00 Gutierrez, Marsha & A. O.	Plat 9, Lot 195 – Tax Appeal – Updated field card data	\$361.45
19-1122-20 Smith, Cynthia	Plat 8, Lot 346– Tax Appeal – Updated field card data	\$99.02
ADDENDA TO 2019 TAX ROLL		
03-0990-00 Coble, Carolyn A	Plat 5, Lot 511 – Reissue of bill without elderly exemption	\$553.04
18-0730-80 Rose, Laura L & Hall, William T.	Plat 8, Lot 488, Unit 301 was sold on 9/30/2019, Removed Veteran’s exemption.	\$250.00
19-0581-00 Shalvey, Adam & Brooks, Abbigail	Plat 1, Lot 134, was sold on 9/30/2019, Removed Veteran’s exemption.	\$250.00
TOTAL ABATEMENTS		\$ 3,528.30
TOTAL ADDENDA		\$ 1,053.04

- D) Award of Bids: Continued from October 7, 2019
- 1) Public Works Department Road Paving to Cardi Corporation Inc. in the amount not to exceed \$592,173 for the following:
 - a) Bituminous Surface Course - \$71.00 per Ton

- b) Bituminous Binder Course - \$66.50 per Ton
- c) Pavement Reclamation - \$1.70 per Square Yard
- d) Fine Grading and Compaction - \$ 1.50 per Square Yard
- e) Bituminous Surface Course (Bike Path) - \$89.50 per Ton
- f) Bituminous Binder Course (Bike Path) - \$89.50 per Ton

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

Councilor Piva requested Communication Item 2; letter of Kayla E. O'Rourke, Special Assistant at the Attorney General's Office regarding Dickinson v. Jamestown Board of Canvassers and Murphy v. Jamestown Board of Canvassers to be placed on the next agenda for further discussion.

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

The Communications consists of the following:

- A) Communications
 - 1) Copy of Letter to: Town Council
From: Keri Hague
Dated: October 8, 2019
Re: Cell Tower and Cellular Service
 - 2) Copy of Letter to: Town Council
From: Adam Phillips
Dated: October 8, 2019
Re: Cell Tower and Cellular Service
 - 3) Copy of Letter to: Coastal Resources Management Council & Rhode Island Department of Environmental Management
From: Ann Kuhn-Hines, Conservation Commission Chair
Dated: August 26, 2019
RE: CRMC Application File Number 2019-06-014- Jamestown Boat Yard Inc.
 - 4) Copy of Letter to: Town Council
From: Mary Lou Sanborn
Dated: October 10, 2019
RE: Attorney General Open Meeting Determination

- 5) Copy of Email to: Erin Liese, Town Clerk
From: Chris Cannon & Carol Hopkins
Dated: October 14, 2019
RE: Cell Tower and Cellular Service
- 6) Copy of Letter to: Michael E. White, President
From: Charles H. Di Luglio
Dated: October 10, 2019
RE: Cell Tower and Cellular Service
- 7) Copy of Email to: Town Council
From: Alexander Allen
Dated: October 15, 2019
RE: Cellular Equipment
- 8) Copy of Letter to: Town Council
From: Deb Barone, Jane Murray, and Doug Brill
Dated: October 9, 2019
RE: Cell Tower and Cellular Service

B) Communications- Previously Received from October 7, 2019

- 1) Copy of Letter to: Town Council
From: James Rugh, President East Passage Estates Lot Owners'
Dated: September 11, 2019
Re: Cell Tower and Cellular Service
- 2) Copy of Letter to: Town Council
From: Joan Jordan
Dated: September 12, 2019
Re: Cell Tower and Cellular Service
- 3) Copy of Letter to: Town Council
From: Sarah Baines
Dated: September 10, 2019
Re: Cell Tower and Cellular Service
- 4) Copy of Letter to: Town Council Members
From: John Conroy
Dated: September 11, 2019
Re: Cell Tower and Cellular Service
- 5) Copy of Letter to: Town Councilors
From: Joan & John Biddick
Dated: September 14, 2019
Re: Cell Tower and Cellular Service

- 6) Copy of Letter to: Town Council
From: Jamie Engberg
Dated: September 15, 2019
Re: Cell Tower and Cellular Service

- 7) Copy of Letter to: Town Council
From: Robert Marcello
Re: Cell Tower and Cellular Service

XIII. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion and/or potential action and/or vote on the following:

- A) Pursuant to RIGL § 42-46-5(a) Subsection (5) Beavertail Lease

A motion made by Vice President Meagher with second by Councilor Piva to enter Executive Session pursuant to RIGL § 42-46-5(a) Subsection (5) Beavertail Lease at 8:35 p.m. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Town Council reconvened the regular meeting at 9:00 P.M. It was announced no action was taken in Executive Session:

A motion was made by Vice President Meagher with second by Councilor Piva to seal the Minutes of the Executive Session. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

XIV. ADJOURNMENT

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

The regular meeting was adjourned at 9:01 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk

**TOWN COUNCIL MEETING
November 4, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on November 4, 2019. Town Council Members present were as follows: Michael G. White, Nancy A. Beye, Randall White, and William J. Piva, Jr. Vice President Mary Meagher was not present. Also present Interim Town Administrator Christina D. Collins, Town Solicitor Peter D. Ruggiero, Chief of Police Edward A. Mello, Senior Services Director Betsey Anderson and Town Planner Lisa Bryer.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President White called the meeting of the Jamestown Town Council to order at 6:31 P.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

A motion was made by Councilor White with second by Councilor Piva to convene as the Alcoholic Beverage Licensing Board for the Town of Jamestown and open the Public Hearing at 6:32 P.M. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

III. 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. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

A) Town Council Sitting as the Alcoholic Beverage Licensing Board

Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following RENEWAL applications have been received by the Town Council for licenses under said Act, for the year December 1, 2019 to November 30, 2020 (duly advertised in the Jamestown Press on October 17th and October 24th); as reviewed for application completeness on October 30, 2019:

Council President White stated the licenses that are incomplete; will have conditions placed for outstanding items to be completed prior to the issuance.

- 1) Approval of Complete Application for Renewal of Class A (Package Store) Retail Liquor License: Varsha, Inc. dba: Jamestown Wine & Spirits 30 Southwest Ave

No public comment regarding the license renewal.

A motion was made by Councilor White with second by Councilor Beye to approve the Complete Application of Varsha, Inc. dba: Jamestown Wine CLASS A (PACKAGE STORE) – RETAIL Liquor License renewal. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 2) Approval of Incomplete Application for Renewal of Class A (Package Store) Retail Liquor License: Tunstall LLC dba: Grapes & Gourmet 9 Ferry Wharf

No public comment regarding the license renewal.

A motion was made by Councilor Piva with second by Councilor White to approve Incomplete Application of Tunstall LLC dba: Grapes & Gourmet CLASS A (PACKAGE STORE) – RETAIL Liquor License renewal; subject to State Tax Clearance obtained prior to issuance. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 3) Set the Class A (Package Store) Retail Liquor License Cap at Two

A motion was made by Councilor Piva with second by Councilor White to set the CLASS A (PACKAGE STORE) – RETAIL Liquor License Cap at TWO (2). Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 4) Approval of Incomplete Application for Renewal Class B Tavern Liquor License: Bay Voyage, LLC. dba: Bay Voyage- 150 Conanicus Ave.

No public comment regarding the license renewal.

A motion was made by Councilor Beye with second by Councilor Piva to approve the Incomplete Application of Bay Voyage, LLC dba: Bay Voyage CLASS B - TAVERN Liquor License renewal; subject to State Tax and Water and Sewer Tax Clearance obtained prior to issuance. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 5) Set the Class B Tavern Liquor License Cap at One

A motion was made by Councilor Piva with second by Councilor White to set the CLASS B – TAVERN Liquor License Cap at ONE (1). Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 6) Approval of Complete Application for Renewal of Class BV Limited Liquor License: Lucky Ridge Co. LLC dba: Spinnaker's Café- 3 Ferry Wharf

No public comment regarding the license renewal.

A motion was made by Councilor White with second by Councilor Beye to approve the Complete Application of Lucky Ridge Co. LLC dba: Spinnaker's Café CLASS B – VICTUALER – LIMITED Liquor License renewal. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 7) Approval of Incomplete Application for Renewal of Class BV Limited Liquor License:
 - a) Village Hearth Bakery dba: Village Hearth Bakery- 2 Watson Ave.

No public comment regarding the license renewal.

A motion was made by Councilor Piva second by Councilor White to approve the Incomplete Application of Village Hearth Bakery dba: Village Hearth Bakery CLASS B – VICTUALER – LIMITED Liquor License renewal; subject to the State Tax Clearance obtained prior to issuance. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- b) Johnny Angels Clam Shack LLC dba: Angel's Kitchen- 23 Narragansett Ave.

Councilor Piva stated he felt that Johnny Angels Clam Shack LLC dba: Angel's Kitchen had too many items incomplete to renew the license at this time and suggested moving this renewal to the next meeting in November.

No public comment regarding the license renewal.

Interim Town Administrator Collins advised on the expiration of the license.

A motion was made by Councilor Piva second by Councilor Beye to continue the matter of CLASS B – VICTUALER – LIMITED Liquor License renewal for Johnny Angels Clam Shack LLC dba Angel's Kitchen to the November 18, 2019 Town Council meeting for consideration. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 8) Set the Class B Limited Liquor License Cap at Three

A motion was made by Councilor Piva with second by Councilor Beye to continue to the November 18, 2019 meeting to set the CLASS B – VICTUALER – LIMITED Liquor License Cap at THREE (3). Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 9) Approval of Complete Application for Renewal of Class B Victualer Liquor License:
 - a) New England Golf Course Management, Inc. dba: Jamestown Golf and Country Club- 245 Conanicus Ave.
 - b) Jamestown Restaurant Group LLC dba Narragansett Café- 25 Narragansett Ave.
 - c) ESJ, Inc. dba: Simpatico Jamestown- 13 Narragansett Ave.

No public comment regarding the license renewals.

A motion was made by Councilor Beye with second by Councilor Piva to approve the Complete Applications of New England Golf Course Management dba: Jamestown Golf and Country Club, Jamestown Restaurant Group LLC dba: Jamestown Golf and Country Club, and ESJ, Inc. dba: Simpatico Jamestown for CLASS B – VICTUALER Liquor License renewal. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 10) Approval of Incomplete Application for Renewal of Class B Victualer Liquor License:
- a) Islandish, Ltd. dba: Chopmist Charlies- 40 Narragansett Ave.
 - b) Slice of Heaven, Inc. dba: Slice of Heaven- 32 Narragansett Ave.
 - c) KALI, LLC dba: J22 Tap & Table- 22 Narragansett Ave.

No public comment regarding the license renewals.

Councilor Beye questioned the State Tax Clearance.

Interim Town Administrator Collins advised it is up to the business owner to ensure their taxes are in order with the State.

A motion was made by Councilor Piva with second by Councilor Beye to approve Incomplete Applications of Islandish Ltd. dba: Chopmist Charlies, Slice of Heaven Inc. dba: Slice of Heaven, and KALI LLC dba: J22 Tap & Title for CLASS B – VICTUALER Liquor License renewals subject to the State Tax Clearance obtained prior to issuance. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 11) Set the Class B Victualer Liquor License Cap at Six

A motion was made by Councilor White with second by Councilor Piva to set the CLASS B – VICTUALER Liquor License Cap at Six (6). Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 12) Approval of Complete Application for Renewal of Class D Full Club Liquor License Renewals:
- a) Conanicut Yacht Club- 40 Bay View Drive

No public comment regarding the license renewal.

A motion was made by Councilor Beye with second by Councilor White to approve the Complete Application of Conanicut Yacht Club for a CLASS D – FULL Liquor License renewal. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 13) Set the Class D Full Club Liquor License Cap at One

A motion was made by Councilor Piva with second by Councilor White to set the CLASS D – FULL (CLUB) Liquor License Cap at ONE (1). Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- B) Town Council adjourns as the Liquor Licensing Board

A motion was made by Councilor Beye with second by Councilor White to adjourn as the Alcoholic Beverage Licensing Board and close the public hearing at 6:42 P.M. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- C) One Day Event License Applications
- 1) Applicant 8th Grade Class
Event: Yard Sale Fundraiser
Dates: December 7, 2019
Location: Jamestown Fire Department
 - a) Request for Waiver of Application Fee

A motion was made by Councilor White with second by Councilor Beye to approve the 8th Grade Class Yard Sale on December 7, 2019 at the Jamestown Fire Department and waive the application fee. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- D) Complete Renewal Applications for Multi-License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019-Victualing License, Holiday License and Entertainment License
- 1) Conanicut Yacht Club dba: Conanicut Yacht Club
 - 2) ESJ, Inc. dba: Simpatico Jamestown
 - 3) Jamestown Restaurant Group dba: Narragansett Café
 - 4) KALI LLC dba: J22 Tap & Table

A motion was made by Councilor Piva with second by Councilor Beye to approve the Complete Multi-License Renewals for December 1, 2019 – November 30, 2020 as listed 1-4. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- E) Incomplete Renewal Applications for Multi-License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019-Victualing License, Holiday License and Entertainment License
- 1) Bay Voyage LLC dba: Bay Voyage

A motion was made by Councilor White with second by Councilor Beye to approve the Incomplete Multi-License Renewal of Bay Voyage LLC for December 1, 2019 – November 30, 2020; subject to application being complete prior to issuance. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

It was noted the following license renewals were complete as of November 4, 2019.

- 2) Islandish LTD dba: Chopmist Charlie's- Piva Beye
- 3) Village Hearth dba: The Village Hearth-

A motion was made by Councilor White with second by Councilor Beye to approve the Complete Multi-License Renewals for December 1, 2019 – November 30, 2020 as listed 2 & 3. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- F) Complete Renewal Application for Entertainment License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019:
- 1) Jamestown Beer Holdings LLC dba: Jamestown Beer Holdings

A motion was made by Councilor White with second by Councilor Piva to approve the Complete Entertainment License for December 1, 2019 – November 30, 2020 of Jamestown Beer Holdings LLC dba: Jamestown Beer Holdings. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- G) Complete Renewal Application for Victualing License (December 1, 2019- November 30, 2020), as reviewed for Completeness on October 30, 2019:
- 1) Live & Learn dba: Live & Learn

A motion was made by Councilor Beye with second by Councilor Piva to approve the Complete Victualing License of Live & Learn dba: Live & Learn for December 1, 2019 – November 30, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

Town Clerk Liese advised on the complete applications for Victualing & Holiday License as reviewed November 4, 2019.

- H) Complete Renewal Application for Victualing & Holiday License (December 1, 2019- November 30, 2020) as reviewed for Completeness on October 30, 2019:
- 1) Cumberland Farms Inc. dba: Cumberland Farms #1108
 - 2) Lucky Ridge Co., LLC. Db: Spinnakers Café
 - 3) New England Golf Course Management Inc. dba: Jamestown Golf and Country Club aka: The Caddy Shack
 - 4) Tallulah's Taqueria LLC dba: Tallulah's Shack
 - 5) TMT Enterprises, Inc. dba: McQuade's Market
 - 6) Tunstall LLC dba: Grapes & Gourmet
 - 7) Varsha, Inc. dba: Jamestown Wine & Spirits
 - 8) Slice of Heaven, Inc. dba: Slice of Heaven
 - 9) A&J, Inc. dba: East Ferry Deli

A motion was made by Councilor White with second by Councilor Piva to approve the Complete Victualing & Holiday License for December 1, 2019 – November 30, 2020 as listed 1-9. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- I) Incomplete Renewal Application for Victualing & Holiday License (December 1, 2019- November 30, 2020) as reviewed for Completeness on October 30, 2019:
- 1) Ace's Pizza dba Ace's Pizza
 - 2) Johnny Angels Clam Shack, LLC dba: Angels Kitchen

A motion was made by Councilor Piva with second by Councilor White to continue the Incomplete Victualing & Holiday License Application, as listed 1 & 2; to November 18, 2019 Town Council meeting. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

J) Incomplete Renewal Application for Holiday License (December 1, 2019- November 30, 2020) as reviewed for Completeness on October 30, 2019:

- 1) Deb's Beads dba: The Purple Door
- 2) Clark Board Yard & Marine Works, LLC dba: Clark Boatyard & Marine Works
- 3) Zeeks Creek Bait & Tackle
- 4) Jamestown Boat Yard
- 5) Young Beauty Corp dba: Young Nails & Spa

A motion was made by Councilor Piva with second by Councilor Beye to approve the Incomplete Holiday License for December 1, 2019 – November 30, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

Council President White advised the following applications are now complete as of November 4th:

- 1) All Ashore Cottage Outfitters
- 2) Secret Garden
- 3) Hodgkiss Farm
- 4) Jamestown Boat Yard
- 5) Young Beauty Corp dba: Young Nails & Spa
- 6) Jamestown Beer Holdings, LLC
- 7) McQuade's Laundry
- 8) Jamestown Hardware
- 9) Conanicut Marine Store dba: The Conanicut Marine Store

A motion was made by Councilor Piva with second by Councilor Beye to approve the Complete Holiday License for December 1, 2019 – November 30, 2020; as listed 1-9. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

Councilor Piva questioned process moving forward with outstanding licenses.

Interim Town Administrator Collins advised.

IV. OPEN FORUM

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

Claudine Charron of Cedar Lane, handed out information regarding restrictive covenants and requested Cedar Lane be removed as a potential location for a cell tower.

Council President White stated we cannot vote this evening; however the staff will review what was presented.

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

- A) Town Administrator's Report: Christina D. Collins, Interim Town Administrator
 - 1) Cell Tower
 - 2) North Road Paving

- 3) Jamestown Clubhouse Update
- 4) Senior Center Office

Interim Town Administrator Collins briefly updated the Council on the following items: Cell Tower, North Road Paving, Jamestown Clubhouse and Senior Center Office.

VI. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule: November 18th at 6:30 p.m. and November 22nd and November 26th at 11 a.m.

Meeting dates were reviewed.

Interim Town Administrator Collins advised on a joint meeting needed regarding budget items with the School.

It was determined the preference would be to hold that meeting prior to the regular Council meeting on December 2, 2019 at 5:30 P.M.

VII. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Request of the Jamestown Traffic Committee to the Rhode Island State Traffic Committee to install a four-way stop at Walcott Avenue and High Street

Chief Mello spoke on the need for the installation of four-way stop sign. He further explained the previous attempt of residents and that the State Traffic Commission had denied their request. The local traffic committee further reviewed and felt appropriate for the Council on behalf of Interim Town Administrator Collins to seek for the approval of the four-way stop.

Discussion ensued on the installation of a stop sign and other measures to control speed.

A motion was made by Councilor Piva with second by Councilor White to approve the recommendation by the Jamestown Traffic Committee to request the Rhode Island State Traffic Committee to install a four-way stop at Walcott Avenue and High Street and direct the Town Administrator send the proposed letter to the State Traffic Committee. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- B) Request by RIDEM for a Lease Extension of the Original Lease Agreement dated January 14, 1980; between the Town of Jamestown and State of Rhode Island; regarding Beavertail State Park

Interim Town Administrator Collins advised on conditions and terms for the proposed Beavertail Lease Agreement with RIDEM.

A motion was made by Councilor Piva with second by Councilor Beye to approve the Beavertail Lease Extension between the Town of Jamestown and the State of Rhode Island.

Councilor White noted the absence of the citizen who had made their opinions known regarding Beavertail. He further explained his opinion that the State is in a better position than the Town to maintain the property.

Interim Collins stated DEM was very interested in comments or concerns of the Town and she further explained their interest for a continued partnership

Back to the Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- C) Request of the Conanicut Island Sailing Foundation on an Amendment of the Memorandum of Agreement between the Town of Jamestown and the Conanicut Island Sailing Foundation

Meg Myles, Director of the Conanicut Island Sailing Foundation explained her request for an amendment of the Memorandum of Agreement for the storage of trailers and equipment in Fort Getty, due to the burden to move the equipment. She also requested reporting deadline be moved from November 1st to November 15th. She also stated Recreation Director Wade had identified a location for the storage of those trailers.

Discussion ensued on the reporting as of November 15th. It was the consensus of the Council that was not an issue.

Councilor White also stated the memorandum is reviewable annually and absence of competing use, seems acceptable to approve the storage.

Interim Town Administrator Collins stated an emergency removal provision will need to be added to the agreement.

Councilor Piva questioned how much storage.

Myles explained the equipment proposed for storage and the logistics in moving the trailers.

Councilor Beye questioned liability.

Interim Town Administrator Collins advised they would have coverage.

Councilor Piva remarked he is never been a fan of storing private property on the Town's land. He further explained this could be the start of a slippery slope.

Myles further explained the relationship with the Recreation Department and program.

Discussion ensued on the storage of equipment in Fort Getty.

Councilor White explained this is a unique experiment and program has served the Town well and due to relationship and is ever evolving and he would be in favor for a one year trial.

Councilor Piva questioned why in favor now, when the Council was not in favor of storage in April.

Councilor White explained he was educated on the program after his meeting with Ms. Myles today.

Councilor Beye stated she agreed with program; however had to think of all the people. She also expressed that she did not feel comfortable with the Town storing private property.

Council President White stated he sees the Conanicut Island Sailing Foundation as part of the Town Recreation program and further explained Recreation Director Wade was supportive. He advised amend the one year agreement and re review after a year.

Discussion ensued on the use of Fort Getty.

Discussion ensued on the support of the program.

A motion was made by Councilor White with second by Councilor Beye to approve the amendment of the Memorandum of Agreement between the Town of Jamestown and the Conanicut Island Sailing Foundation to extend the reporting requirement to November 15th. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

A motion was made by Councilor White with a second from Council President White to to approve the amendment of the Memorandum of Agreement between the Town of Jamestown and the Conanicut Island Sailing Foundation to store their trailers and equipment in Fort Getty as approved by the Recreation Director for a one year experimental basis and to include the emergency removal condition. Vote: President White, Aye; Councilor Beye, Nay; Councilor White, Aye; Councilor Piva, Nay

Council President White announced the motion fails.

VIII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:

- A) Discussion on Amendment to the Code of Ordinances regarding Chapter 70 Traffic and Vehicles regarding Melrose Avenue; Proposed by the Jamestown Traffic Committee

Chief Mello advised on ordinance revisions that were addressed in March and April. He also explained this revision was evaluated by the Jamestown Traffic Committee and resubmitted to the Council for consideration regarding Melrose Avenue. He stated this would need to be scheduled for advertising for a Public Hearing.

A motion was made by Councilor Piva with a second by Councilor White to advertise the proposed amendment in the Jamestown Press on November 7th and 14th for a Public Hearing scheduled on November 18th. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

IX. CONSENT AGENDA

A motion was made by Councilor Piva with second by Councilor Beye to approve the Consent Agenda. Vote: President White, 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) October 7, 2019 (regular meeting)
 - 2) October 7, 2019 (executive session)
 - 3) October 9, 2019 (special meeting)
 - 4) October 9, 2019 (executive session)
 - 5) October 15, 2019 (special meeting)
 - 6) October 15, 2019 (executive session)
 - 7) October 22, 2019 at 9:30 a.m. (special meeting)
 - 8) October 22, 2019 at 9:30 a.m. (executive session)
 - 9) October 22, 2019 at 11:00 a.m. (special meeting)
- B) Minutes of Boards/Commissions/Committees
- 1) Jamestown Planning Commission (August 21, 2019)
 - 2) Jamestown Planning Commission (September 4, 2019)
 - 3) Jamestown Planning Commission (September 18, 2019)
 - 4) Jamestown Zoning Board of Review (September 24, 2019)
- C) Request of Tax Assessor for Specific Abatements & Addenda of Taxes
Detailed Abatements are part of the attachments available to the public at the Office of the Town Clerk and on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2019-meetings-minutes/2019-meetings>

MOTOR VEHICLE ABATEMENTS TO 2010 TAX ROLL		
01-0206-00M Alves, Henry J	Uncollectable/ taxpayer is deceased.	\$446.67
MOTOR VEHICLE ABATEMENTS TO 2011 TAX ROLL		
01-0206-00M Alves, Henry J	Uncollectable/ taxpayer is deceased.	\$397.57
MOTOR VEHICLE ABATEMENTS TO 2018 TAX ROLL		
07-0960-00M Greiser, Mary L	Uncollectable/ taxpayer is deceased.	\$11.00
MOTOR VEHICLE ABATEMENTS TO 2019 TAX ROLL		
02-0004-25M BMW Financial Services NA LLC	Motor Vehicle – 2016 BMW – Reg.# 502446, returned leased vehicle on 10/4/2018	\$85.44
02-1380-98M Brown, James Jr.	Motor Vehicle- soldier / sailor exempt	\$60.55
REAL ESTATE ABATEMENTS TO 2019 TAX ROLL		
18-0001-40 Racquet Road Properties	Plat 9, Lot 334 – Per RIGL 44-5-71-Demolition, removal and grading complete as of 10/16/19	\$405.37
ADDENDA TO 2019 TAX ROLL		
23-1069-70 Woodbine, Nicholas K	Plat 5, Lot 129, was sold on 10/16/2019, Removed Veteran's exemption.	\$250.00
TOTAL ABATEMENTS		\$ 1,406.60
TOTAL ADDENDA		\$ 250.00

X. 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.

Councilor White and Councilor Piva questioned Mr. Murphy letter regarding the legality and questioned the Solicitor.

Town Solicitor Ruggiero advised on the Charter and would research and advise the Council at the next meeting.

John Flinton of North Road, stated he knew he was out of order, but questioned the status of the Cell Tower report. He commented on the need of cell phone reception in the North End. He further recommended the tower be placed on the Jamestown Bridge.

Council President White stated we understand the lack of cell service in the North end.

A motion was made by Councilor Beye with a second by Councilor White to accept the Communications. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

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

A) Communications

- 1) Copy of Finding & Notice of Violation to: David Grubb
From: Brian Harrington, Sr. Environmental Scientist Coastal Resources Management Council
Dated: October 17, 2019
Re: 30 Bay View
- 2) Copy of Letter to: Town Council
From: Hugh A. Murphy
Dated: October 23, 2019
Re: Jamestown Town Charter Sections 218-220
- 3) Copy of Letter to: Town Council
From: Bobby Parsons, Treasurer Jamestown Food Pantry
Dated: October 16, 2019
Re: Thank you
- 4) Copy of Email to: Town Council
From: David Beutel, Coast Resources Mgt. Council
Dated: October 17, 2019
Re: Preliminary Determination Seakist Aquaculture
- 5) Copy of Email to: Town Council
From: Sharon Purdie
Dated: October 24, 2019
Re: Preliminary Determination on New Oyster Lease Dutch Harbor
- 6) Copy of Email to: Town Council
From: Sharon Purdie
Dated: October 28, 2019
Re: Preliminary Determination on New Oyster Lease Dutch Harbor
- 7) Copy of Letter to: Town Council
From: Carolyn M. Sears
Dated: October 25, 2019
Re: Harbor Appeal
- 8) Copy of Letter to: Town Council
From: Frank & Karen O' Donnell
Dated: October 8, 2019
Re: Cell Tower
- 9) Copy of Letter to: Town Council
From: James Rugh
Dated: October 29, 2019
Re: Cell Tower

- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
1) Resolution of the Exeter-West Greenwich School District School Committee regarding Field Trip Funding Law

A motion was made by Councilor Piva with a second by Councilor Beye to accept the Resolution from other Rhode Island Cities and Towns. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

XI. ADJOURNMENT

A motion was made by Councilor Beye with second by Councilor White to adjourn. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye.

The regular meeting was adjourned at 7:40 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the March 13, 2019 Meeting of the Jamestown Harbor Commission
Approved: 5/8/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, March 13, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Harsch called the meeting to order at 6:00 PM with roll call:

Present:

William Harsch, Vice-Chairman
James Heagney, Commissioner
Wayne Banks, Commissioner
Eric Lexow, Commissioner
Steven Bois, Commissioner

Absent:

David Cain, Chairman
Dan Wurzbacher, Commissioner
George Souza, Conservation Commission Liaison

Also in attendance:

Chief Mello, Executive Director
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, February 13, 2019

Commissioner Banks moved to approve the minutes; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

Commissioner Lexow moved to move up New Business item A; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

XI. NEW BUSINESS

A. Jamestown Boat Yard – Marina Project Presentation (No action – Informational Only)

John Murphy addressed the Jamestown Harbor Commission regarding a plan to extend the marina perimeter and an existing dock.

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled Requests to Address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non-Scheduled requests to address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello reported that on the March 18th agenda the Town Council will be considering the Harbor Management Ordinance change to move the Zeek's Creek Conservation Zone from 1000' to 500'. Executive Director Chief Mello stated that he expects that action to take place by April 1. Also, the Town Council approved the Harbor rates and the 2019/2010 budget, and the LRIP has been adopted into the town capital plan for consideration.

Executive Director Chief Mello reported that Ramon has the new tough and go dock at East Ferry 75% complete. The new dock will be much more user friendly and better functioning. The dock should be installed and ready for use by June 1.

At Ft. Getty a contractor will be rebuilding the bulkhead and replacing broken timbers and Ramon will build a new gangway.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell had nothing to report.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

The budget was not available.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney had nothing to report.

B. Facilities - Review, discussion and/or potential action and/or vote

Commissioner Banks stated the upweller request is on the agenda and will hold off until that item comes up.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Chairman Cain was absent.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Chairman Cain was absent.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Chairman Cain was absent; Commissioner Bois stated there are no updates.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza was absent.

IX. OLD BUSINESS

**A. Appeal – Mr. Chris Museler; re: Mooring location; 5/8/2018 – Review, discussion and/or potential vote;
Continued from December 12, 2018**

Mr. Quentin Anthony restated his client's case for appealing the location of his mooring. Mr. Anthony submitted seven (7) new documents to the Jamestown Harbor Commission.

Executive Director Chief Mello informed the Jamestown Harbor Commission of the timeline of events since Mr. Museler applied for a mooring in September of 2017.

Mr. Anthony indicated that Mr. Museler's appeal included the primary mooring he was issued and the guest mooring permit he was denied.

Executive Director Chief Mello stated that Mr. Museler was neither denied nor issued a guest mooring permit.

Commissioner Bois moved to allow Executive Director Chief Mello to ask Mr. Museler questions; Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

Executive Director Chief Mello asked Mr. Museler where it was stated that he was denied a guest mooring permit.

Mr. Museler could not provide documentation showing he was denied a guest mooring permit.

Commissioner Banks moved to close the appeal and allow for discussion among the members of the Jamestown Harbor Commission; Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

Commissioner Bois moved to continue this item until after the Town Council votes on the Conservation Zone change to the Harbor Management Ordinance; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

Vice-Chairman Harsch moved to request that the Town Solicitor, David Petrarca, research the applicability of the CRMC Red Book; Commissioner Banks seconded. So voted; 5 ayes, 0 nays.

Vice-Chairman Harsch moved that the Jamestown Harbor Commission does not interpret Mr. Museler's appeal to include the guest mooring permit in the discussion. Mr. Museler will have to go through the motions of the application process for a guest mooring and this motion is to dismiss any discussion of the guest mooring from Mr. Museler's appeal; Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

X. CORRESPONDENCE

A. Letter from Alexander Knowles – Re: Proposed Changes to Harbor Ordinance; 2/8/2019

B. Letter from Karen Benson – Re: Revisions to Harbor Ordinance; 2/20/2019

Vice-Chairman Harsch moved to accept Correspondence items A and B; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

XI. NEW BUSINESS

B. Request from Anthony and Joseph Pinheiro to install upwellers at Ft. Getty Pier

Anthony Pinheiro addressed the Jamestown Harbor Commission requesting permission to place upwellers at the Ft. Getty Pier.

Executive Director Chief Mello stated that he met with Tony and Joe Pinheiro and they had a complete presentation prepared for the installation of the upwellers on one of their slips at Ft. Getty Pier that they have been renting from the town.

Commissioner Banks stated that the Facilities Committee recommends approving the request under the following conditions:

- 1-year pilot program subject to reassessment in Dec 2019
- No equipment left on the dock apart from designated 8x10 storage area
- Sorter, shelving and storage bins to be removed from pontoon boat when not in use
- Insurance/Bond requirements to be evaluated by the town
- Harbormaster has full authority to order removal of all equipment at any time
- Removal of equipment based upon predicted inclement weather conditions
- Lease rate to be consistent with rate for vessel during pilot program, subject to reassessment in Dec 2019
- Vessels and all equipment when not in use will be removed from town property

Commissioner Bois moved to recommend the project move forward to the Town Council for approval based on the recommendations stated; Commissioner Banks seconded. So voted; 5 ayes, 0 nays.

C. Qualified Service Provider List

Executive Director Chief Mello requested the Jamestown Harbor Commission continue this item until the next meeting.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

There was no Continued Open Forum.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Commissioner Lexow moved to adjourn at 8:00 PM, Commissioner Banks seconded. So voted; (5 ayes, 0 nays).

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the May 8, 2019 Meeting of the Jamestown Harbor Commission
Approved: 6/12/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, May 8, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Harsch called the meeting to order at 6:39 PM with roll call:

Present:

William Harsch, Vice-Chairman
James Heagney, Commissioner
Wayne Banks, Commissioner
Eric Lexow, Commissioner
Steven Bois, Commissioner

Absent:

Dan Wurzbacher, Commissioner
George Souza, Conservation Commission Liaison

Also in attendance:

Chief Mello, Executive Director
Mark Campbell, Harbormaster
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, March 13, 2019

Commissioner Lexow moved to approve the minutes; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled Requests to Address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non-Scheduled requests to address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello reported that the East Ferry touch and go replacement is being built by Ramon; the deck is constructed and the floatation devices will be attached tomorrow. Regan is setting the pilings and angling the deck and affixing the float. The project should be completed in about one week. Regan will also be replacing some broken stringers. The docks at West Ferry are spread out for Ramon to repair and the pumpouts will be operational by the end of next week.

Executive Director Chief Mello also reported that the concrete is done at Ft. Getty pier and the clean up to the approach and gangway will be completed soon. The decking on the pier is being replaced and is about 75% complete.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell reported that he is back for the season and the Freedom is commissioned and launched. The Ribcraft will go in when the docks are in on the west side.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

The budget was not available but Executive Director Chief Mello stated we will have that available ASAP.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney had nothing to report.

B. Facilities - Review, discussion and/or potential action and/or vote

Commissioner Banks had nothing to report.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Chairman Cain resigned; Commissioner Banks volunteered to be the point person for this topic.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Chairman Cain resigned; Vice-Chairman Harsch volunteered to be the point person on this topic.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois stated that the restoration is progressing, however bird nesting season has brought some of the activities to a halt. DEM has agreed to post signage.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza was absent.

IX. OLD BUSINESS

A. Appeal – Mr. Chris Museler; re: Mooring location; 5/8/2018 – Review, discussion and/or potential vote; Continued from December 12, 2018

Mr. Quentin Anthony stated that Executive Director Chief Mello has indicated that Mr. Museler's mooring can be moved to the location he is requesting, so the appeal is moot.

Vice-Chairman Harsch stated that the appeal is off the table.

X. CORRESPONDENCE

A. Letter from Executive Director Chief Mello to Tony and Joe Pinheiro – Re: Upweller approval by Town Council; 4/10/2019

Executive Director Chief Mello stated that this is a letter of support from the Jamestown Harbor Commission and the Town Council which states that the Town Council approved the recommendation and it is to serve as official notification to the Pinheiro's to allow them to complete the application process to CRMC.

XI. NEW BUSINESS

Vice-Chairman Harsch moved to move up item 11(B); Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

B. Qualified Service Provider List - Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that this is a practice for each year to have the Harbormaster approve the list and then Harbor Commission votes to place the mooring inspectors on the Qualified Mooring Inspector and Installer list.

Commissioner Lexow moved to accept the list; Commissioner Banks seconded. So voted; 5 ayes, 0 nays.

A. Appeal – Mr. Chris Museler; re: Denial of Guest Mooring Permit; 4/18/2019 – Review, discussion, and/or potential action and/or vote

Vice-Chairman Harsch asked the staff to lay the groundwork for the appeal.

Executive Director Chief Mello distributed to the Jamestown Harbor Commission a map of Mr. Museler's property, the Harbor Management Ordinance language on riparian moorings, CRMC's definition of riparian moorings, and a map Mr. Museler submitted to the Harbor Office indicating the location he wants his mooring.

Executive Director Chief Mello stated that Mr. Museler applied in early 2018 for a guest mooring and no action was taken on that application because of ongoing discussions and the appeal of the location of Mr. Museler's primary mooring. Now that

the primary mooring appeal is resolved, Mr. Museler's application for a guest mooring was denied on the grounds that the proposed mooring location will not reside within the lateral extensions of his property lines.

A discussion on the other moorings issued to properties on Westwind Drive ensued.

Executive Director Chief Mello stated that CRMC brought it to our attention that the moorings should not have been issued to the properties on Westwind Drive where there is not enough water within the lateral extensions of the property lines to support a mooring. After the meeting with CRMC where this was discussed we ceased to issue new permits. We will continue to issue renewal permits for the existing moorings but those moorings are considered non-conforming and no new non-conforming permits will be issued.

Mr. Quentin Anthony asked Executive Director Chief Mello questions about riparian moorings in the area, CRMC's letter of approval of the Harbor Management Ordinance.

A discussion ensued on grandfathering the existing non-conforming moorings.

Harbormaster Campbell stated that the Harbor Management Ordinance says that riparian property owners are entitled to apply for a mooring. The Harbor Management Ordinance does not say that they are entitled to a mooring.

Commissioner Bois moved to ask Executive Director Chief Mello to gather the following information - do the properties adjacent to Mr. Museler's have guest moorings and do other towns in the area interpret the CRMC definition of riparian moorings the same way? Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

Vice-Chairman Harsch moved to continue this item until the June 12th meeting of the Jamestown Harbor Commission, Commissioner Lexow seconded.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

There was no Continued Open Forum.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Commissioner Banks moved to adjourn at 8:15PM; Commissioner Bois seconded. So voted; 5 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the June 12, 2019 Meeting of the Jamestown Harbor Commission
Approved: 7/10/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, June 12, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Harsch called the meeting to order at 6:35 PM with roll call:

Present:

William Harsch, Vice-Chairman
James Heagney, Commissioner
Eric Lexow, Commissioner
Steven Bois, Commissioner
Dan Wurzbacher, Commissioner

Absent:

Wayne Banks, Commissioner

Also in attendance:

George Souza, Conservation Commission Liaison
Chief Mello, Executive Director
Mark Campbell, Harbormaster
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, May 8, 2019

Commissioner Lexow moved to approve the minutes; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled Requests to Address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non-Scheduled requests to address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello reported that staff is working with the Public Works department to prepare the Harbor assets for the season; the pumpouts are operational and all of the docks are in. Executive Director Chief Mello stated that he is hoping to have a summary of all of the work completed to improve the Harbor assets this year for the August meeting.

Vice-Chairman Harsch asked Executive Director Chief Mello about the work being done at Ft. Getty.

Executive Director Chief Mello stated that there have been planks on the deck of the pier that have been replaced, the bulkhead has been replaced and the gangway is now handicap accessible. The erosion around the bulkhead has been fixed and the paving will be done soon, as well as the guardrails being replaced. The work will be completed soon.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell suggested to the Jamestown Harbor Commission that they check out the new floating dock at East

Ferry, that it is a great improvement from the old dock.

Harbormaster Campbell also reported that Memorial Day was pretty quiet and he participated in the blessing of the fleet on Saturday. The fireworks will be on July 1st this year and he will support that event.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

The budget was not available but Executive Director Chief Mello stated we will have that available ASAP, and that this year was an anomaly for the budget as we spent a lot of funds on the maintenance of docks and harbors. If the operating budget will not support the expense we will have to use funds from the reserve account.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney had nothing to report.

B. Facilities - Review, discussion and/or potential action and/or vote

Commissioner Banks had nothing to report.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Commissioner Banks was absent.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Vice-Chairman Harsch had nothing to report.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois had nothing to report.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza had nothing to report.

IX. OLD BUSINESS

A. Appeal – Mr. Chris Museler; re: Mooring location; 5/8/2018 – Review, discussion and/or potential vote; Continued from December 12, 2018

Mr. Quentin Anthony stated that it is his understanding that the mooring will be relocated and he would like to suspend this appeal.

Vice-Chairman Harsch moved to suspend this item until August 14th; Commissioner Bois seconded. So voted; 5 ayes, 0 nays.

B. Appeal – Mr. Chris Museler; re: Denial of Guest Mooring Permit; 4/18/2019 – Review, discussion, and/or potential action and/or vote

Executive Director Chief Mello addressed the Jamestown Harbor Commission with the closing arguments for the Town's position on denying Mr. Museler's appeal.

Executive Director Chief Mello stated that in Mr. Museler's pursuit of the primary mooring CRMC had informed Town staff that we had to adhere to the rules and regulations set forth in the CRMC Red Book.

Executive Director Chief Mello stated that the guest mooring would lie outside of the lateral extensions of the property lines, and that CRMC notified Town staff that we must adhere to the rules and regulations of the State of RI.

Mr. Quentin Anthony objected to Executive Director Chief Mello's statement claiming it is hearsay.

Vice-Chairman Harsch determined that in Executive Director Chief Mello's capacity as the Chief of Police he is authorized to make a representation and if Mr. Anthony wants to object to that he may.

Executive Director Chief Mello stated that in Town's exhibit 4, the CRMC Red Book's definition of a Riparian Mooring, which states that a "Riparian Mooring" indicates that a mooring rented by a riparian property owner under a permit granted by a municipality located within coastal waters bordering that property as bounded by the seaward extension of that property's lateral lot lines. Executive Director Chief Mello further stated that the Town's ordinance requires the Harbormaster to issue moorings with the availability of space and in accordance with state and local regulations and that was offered in Town's

exhibit 3.

Executive Director Chief Mello stated that the information requested by the commission on other Town's policies is irrelevant, but also many times in line with the ordinance we have in Jamestown. Executive Director Chief Mello pointed out that any past practices of issuing mooring which were not compliant with CRMC regulations are also irrelevant. Errors of the past do not require us to continue issuing moorings in error in the future.

Executive Director Chief Mello stated that by our estimations there are approximately 80 properties in Jamestown that are riparian properties that do not have the space or the access to the water that would allow for the issuance of any mooring.

Executive Director Chief Mello stated that, in closing, any action by the Harbor Commission that is not a denial of the appeal would be a violation of CRMC rules, and by that a violation of our own ordinance.

Mr. Anthony asked if we had gathered the information requested from the last meeting.

Town Solicitor David Petrarca stated that nothing formal was sent to the commission.

Mr. Anthony began his closing argument by stating that the Harbor Commission is duty bound to enforce the Harbor ordinance as written. Mr. Anthony referred to two Supreme Court cases that stated that members of Boards and Commissions must accept "the validity and enforceability of the visions of the ordinance they are tasked to enforce.

Mr. Anthony stated that the denial of the Guest Mooring by the Harbor Office is based on the determination that a provision of the ordinance is invalid and questions the validity of the ordinance as it is written. Mr. Anthony stated that the ordinance has a definition of Riparian Property but not a Riparian Mooring so either that is wrong or the provision regarding Guest Moorings is invalid and that is why the denial of the Guest Mooring is wrong, that it declares a part of the Harbor ordinance as invalid.

Mr. Anthony submitted seven additional exhibits to the Jamestown Harbor Commission.

In conclusion, Mr. Anthony stated that Mr. Museler is entitled to a Guest Mooring based on the current Harbor ordinance.

Vice-Chairman Harsch asked Mr. Anthony if he was finished and then asked Executive Director Chief Mello and Town Solicitor Petrarca if they had any comments.

Executive Director Chief Mello followed up with a clarification on Mr. Anthony's closing remarks, that it was implied that riparian property owners have a right to Guest Moorings. The language in the ordinance states that Riparian property owners may have Guest Moorings are entitled to apply. Nowhere in the ordinance language does it say they shall have one.

Town Solicitor David Petrarca advised the Jamestown Harbor Commission to deliberate amongst themselves, to weigh the evidence and to make their own conclusions. Under Section 78-30 (of the Harbor Management Ordinance) the Jamestown Harbor Commission has the power to stand in the shoes of the Harbormaster who made this decision and to review it based on the ordinance.

Vice-Chairman Harsch asked if any members of the Jamestown Harbor Commission wanted to hear from the Harbormaster.

There were no questions for the Harbormaster.

Commissioner Wurzbacher moved to close the Public Hearing stage of this proceeding and to open up discussion within the Jamestown Harbor Commission; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

Vice-Chairman Harsch stated that the commission will now discuss the appeal amongst themselves.

Commissioner Bois stated that he had requested information on the other town's in the area and if they are imposing something similar, if there is any information on that.

Town Solicitor Petrarca stated that that information was forwarded to the commission members, and he compiled sections from four other towns in the area, and the definitions and ordinances vary greatly. Some actually use the (CRMC) Red Book definition in their ordinance and others do not mention it at all. There is one ordinance that does not mention the word "riparian" ever.

Vice-Chairman Harsch began by offering his view on the matter, stating that he noticed in Quentin's Exhibit 4 (RIGL 46-4-6.9) he made reference to it and subsection (b), which comes after (a) that grants powers to the town, states that "No powers or duties granted herein shall be construed to abrogate the powers or duties granted to the coastal resource management council as provided in chapter 23 of this title, as amended. So it appears to me that we have an explicit inclusion of exactly the same provision that you have to pay attention to the Coastal Resources Management Council and what its rules and regulations are.

Vice-Chairman Harsch states that Mr. Anthony has made much of his argument as to the obligation of this body (Jamestown Harbor Commission) has to observe the town ordinance as approved by CRMC. Going back and looking at our ordinance, Section 78-26 entitled *Mooring and Outhaul Regulations* with the subsection (a) *Permitting*, states that "No mooring or outhaul shall be located or maintained in the harbor or coastal waters of Jamestown without a permit that has been issued for the use of such mooring or outhaul by the harbormaster. No mooring or outhaul shall be permitted until the harbormaster has determined that conforms to the specifications set forth in this article and in any other conditions established by the state or town."

Vice-Chairman Harsch stated that he sees Coastal Resources Management Council swept into the guidance on how the harbormaster is to conduct himself in making a discretionary determination on mooring compliance and that it is essentially a reference to the Red Book.

Vice-Chairman Harsch also looked at the section of the ordinance that discusses Class 1a riparian moorings and quoted from Section 78-26 (c) of the ordinance "Owners of riparian property, including individual owners and the owners or directors of profit or nonprofit associations, partnerships, corporations or such other legal entities owning riparian property, are entitled to apply, with priority over other mooring permit classes, for up to two moorings per property parcel directly adjacent to the shorefront property parcel. They may apply for additional class 1 moorings, up to four in total, without priority over other mooring permit classes. In both cases, applications are subject, as determined by the harbormaster, to the availability of space and to state and local regulations."

Vice-Chairman Harsch stated that, in his mind, the Coastal Resources Management Council is present in our ordinance now, as it presently exists. That means that the harbormaster has the responsibility to address what is required by state and local regulations. There are two places in our ordinance where it preserves the powers of the CRMC.

Vice-Chairman Harsch stated that this topic of riparian moorings being issued between the lateral extensions of the property lines has not been thought through as a limitation on riparian moorings being issued and that there are a number of moorings in Jamestown that do not comply with this regulation. The proposed amendments to the ordinance attempt to clarify the matter and the time of being relaxed about this is over. We are bound by the Red Book and now that the issue is squarely on the table we have to face it.

Vice-Chairman Harsch moved to not reverse, in other words accept the determination of the Harbormaster, on the question of a guest mooring being allowed to Mr. Museler in accord with his application; Commissioner Heagney seconded. So voted; 3 ayes (Vice-Chairman Harsch, Commissioner Heagney, Commissioner Bois), 2 nays (Commissioner Wurzbacher, Commissioner Lexow).

Town Solicitor Petrarca stated that the motion passes.

X. CORRESPONDENCE

A. Email from David Cain; Re: Resignation; 5/7/2019

Vice-Chairman Harsch stated that former Chairman Cain has resigned.

XI. NEW BUSINESS

A. Pinheiro Aquaculture Site Visit

Executive Director Chief Mello stated that he spoke to Joe about two weeks ago and he has provided the insurance biner but he still needs to provide the CRMC approval letter and also, the aquaculture site is not yet up and running so we should remove this item from the agenda until he is prepared.

B. Election of the Chair and Vice-Chair as needed – Review, discussion, and/or potential action and/or vote

Commissioner Bois moved to appoint Vice-Chairman Harsch as the Chairman, Commissioner Wurzbacher seconded. So voted; 5 ayes, 0 nays.

The Jamestown Harbor Commission did not appoint a Vice-Chairman at this time and will hold off until Commissioner Banks

is present.

C. Appointment of Sub-Committee Members – Review, discussion and/or potential action and/or vote

1. Traffic Committee

2. Mooring Implementation

Executive Director Chief Mello stated that the individual appointed to the Traffic Committee will be a part of that committee and sit on the board.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

There was no Continued Open Forum.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Commissioner Bois moved to adjourn at 8:00PM; Commissioner Heagney seconded. So voted; 5 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the July 10, 2019 Meeting of the Jamestown Harbor Commission
Approved: 8/14/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, July 10, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Chairman Harsch called the meeting to order at 6:36 PM with roll call:

Present:

William Harsch, Chairman
Wayne Banks, Commissioner
Eric Lexow, Commissioner
Steven Bois, Commissioner
Dan Wurzbacher, Commissioner
Michael Junge, Commissioner

Absent:

James Heagney, Commissioner

Also in attendance:

George Souza, Conservation Commission Liaison
Town Solicitor, David Petrarca
Chief Mello, Executive Director
Mark Campbell, Harbormaster
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, June 12, 2019

Commissioner Wurzbacher moved to approve the minutes; Chairman Harsch seconded. So voted; 5 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled Requests to Address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non-Scheduled requests to address.

Commissioner Wurzbacher moved to move up item 11(A); Commissioner Bois seconded. So voted; 6 ayes, 0 nays.

XI. NEW BUSINESS

A. Appeal – Edward Flanagan; re: Denial of Mooring Permit; 7/2/2019 – Review, discussion and/or potential vote

Executive Director Chief Mello stated that Mr. Flanagan applied for a mooring to be placed in the same location as the mooring the prior owner of his property had permitted more than five years ago. The prior property owner had a non-conforming mooring there and also leased a portion of a strip of land that is riparian. That mooring should not have existed and was given up 5 years ago. The permit was denied because the ordinance does not allow for someone to apply for a mooring based off of the lease of a portion of a parcel of land; they must lease the entire parcel to apply for a mooring as a riparian.

Mr. Flanagan stated that he is asking the Jamestown Harbor Commission for an exemption and to allow him to permit a non-riparian mooring at that location.

Chairman Harsch asked Town Solicitor David Petrarca his opinion.

Town Solicitor Petrarca stated that once the non-conforming mooring permit lapsed you cannot go back to allowing a non-conforming mooring to be permitted. There is not a part of the ordinance that allows the Jamestown Harbor Commission to grant an exception and to do so would be a deviation from the Harbor Management Ordinance.

Chairman Harsch moved to deny the appeal based on the condition that the Jamestown Harbor Commission does not have the power to grant exceptions to the Harbor Management Ordinance.

Chairman Harsch asked Mr. Flanagan if he would like to pursue the permit as a riparian.

Mr. Flanagan stated no.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello had nothing to report outside of Harbormaster Campbell's report.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell reported that the fireworks and the fourth of July went smoothly, there were no major incidents. The next event is the Save the Bay swim that he will be supporting and after that are the festivals in Newport that he has minimal involvement in, outside of a major incident occurring.

Chairman Harsch asked Harbormaster Campbell about the Fools Rules.

Harbormaster Campbell stated that he does support that event, as well, but it is not until August.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that we will hopefully have the complete financial report from last fiscal year for the August meeting.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney was absent.

B. Facilities - Review, discussion and/or potential action and/or vote

Commissioner Banks reported that the work done to the Ft. Getty pier looks great and he urged everyone to go out and take a look at the result.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Commissioner Banks had nothing to report.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

This committee is vacant.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois stated that the committee is planning a site visit for later in the summer or early fall.

Executive Director Chief Mello reported that Town Administrator Andy Nota was asked to plan the site visit and Harbormaster Campbell has been working on the transportation arrangements to make that happen.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza reported that the Conservation Commission is aware that there is an upweller at Ft. Getty.

Executive Director Chief Mello stated that Tony and Joe Pinheiro were permitted by the Town to install an upweller at Ft. Getty pier on a pilot program that ends December 31 of this year. The equipment installed at Ft. Getty is not what was approved by the Jamestown Harbor Commission and the Town Council and the condition is not what was anticipated.

Executive Director Chief Mello stated that he will be documenting the project and will provide a report at the end of the approved pilot project timeframe of December 31.

Chairman Harsch asked Conservation Commission Liaison Souza if the Conservation Commission had an opinion on the project.

Conservation Commission Liaison Souza stated that they were neutral.

IX. OLD BUSINESS

A. Election of Vice-Chair as needed – Review, discussion, and/or potential action and/or vote

Chairman Harsch moved to appoint Commissioner Banks as the Vice-Chairman of the Jamestown Harbor Commission; Commissioner Wurzbacher seconded. So voted; 6 ayes, 0 nays.

B. Appointment of Sub-Committee Members – Review, discussion and/or potential action and/or vote

1. Traffic Committee

2. Mooring Implementation

Executive Director Chief Mello stated that the Traffic Committee is not a chartered committee but that is an advisory board to the Town Council. The Traffic Committee meets each month and when it was established they expected a member from the Jamestown Harbor Commission to serve on that board.

Executive Director Chief Mello stated that the Mooring Implementation sub-committee is not time consuming. The last time they were active was when two boat yards were requesting an increase in the number of commercial moorings they were permitted to have installed. The involvement is usually limited to the member meeting with staff and reporting back to the commission.

Commissioner Bois moved to appoint Commissioner Junge to the Traffic Committee; Chairman Harsch seconded. So voted; 6 ayes, 0 nays.

Commissioner Bois moved to appoint Vice-Chairman Banks to the Mooring Implementation sub-committee; Commissioner Wurzbacher seconded. So voted; 6 ayes, 0 nays.

Vice-Chairman Banks asked about the Pinheiro letter that was sent to him and forwarded to staff for inclusion and discussion at the last meeting.

Executive Director Chief Mello stated that the letter was on the agenda and it was discussed; however, they are not operating under the approved conditions so it was suggested that the Jamestown Harbor Commission hold off on taking any action at this time.

C. Appeal – Mr. Chris Museler; re: Denial of Guest Mooring Permit; 4/18/2019 – Review, discussion, and/or potential action and/or vote; Possible motion to reconsider vote & decision from the June 12th meeting in which the Harbor Commission affirmed the Harbormaster's denial of the Guest Mooring Permit.

Chairman Harsch stated that it is normal for members of a Commission that are voting to express the reasons for their vote and their opinions on the matter in question. Chairman Harsch is concerned that a couple of members did not express themselves at the last meeting and feels that they should have the opportunity to do so.

Chairman Harsch moved that the Jamestown Harbor Commission reconsider the vote taken at the last meeting and to allow members to express their views and when they vote to make a comment on the record as to the reasons for their vote. Commissioner Wurzbacher seconded. So voted; 6 ayes, 0 nays.

Chairman Harsch asked Town Solicitor Petrarca if he contacted the council for Mr. Museler to inform them that this would be on the agenda again tonight.

Town Solicitor Petrarca stated that yes, he did contact Mr. Museler's council.

A discussion on Robert's Rules and the type of information and discussion that should take place ensued.

Town Solicitor Petrarca stated that any member can make a motion to reconsider if they feel a member has may a certain rational for how they voted that might have made a difference in the vote. Town Solicitor Petrarca stated that the members may discuss amongst themselves, but that no new testimony or documentation should be introduced.

Commissioner Wurzbacher asked to speak and stated that he voted against denying the appeal and would like to share the

context in which he is approaching his decision with. Commissioner Wurzbacher stated that he is looking out for coastal landowners in his role on the Harbor Commission. Commissioner Wurzbacher stated that he has considered a lot of different factors in the Museler's appeal and as we've moved through that process, and as riparian landowners, they have a right to a mooring and that the guest mooring is a difficult thing to deny.

Commissioner Lexow stated that he agrees with Commissioner Wurzbacher.

Chairman Harsch moved to reaffirm the vote taken to deny the guest mooring permit; Commissioner Bois seconded.

Executive Director Chief Mello stated that the challenge, procedurally, is that this matter has been heard over the course of three meetings and only three members have been present at all three of those meetings who have heard all of the testimony.

Town Solicitor Petrarca stated that when there is a motion to reconsider a vote it has to be the same members voting that voted during the original vote.

Executive Director Chief Mello stated we should take a roll call vote and that voting affirmative is voting to uphold the decision from the last meeting to deny the appeal.

Commissioner Bois voted aye.

Commissioner Lexow voted nay.

Commissioner Wurzbacher voted nay.

Chairman Harsch voted aye.

Town Solicitor Petrarca stated that it is a tie vote and that the motion does not carry and that the vote from the last meeting stands.

Commissioner Bois moved to move forward; Commissioner Junge seconded.

Commissioner Bois asked Town Solicitor Petrarca if the Museler's can appeal to the Town Council.

Town Solicitor Petrarca stated that once they receive the decision letter they can appeal the decision to the Town Council.

Commissioner Bois stated that he feels like we should accept that process and move on so he will make a motion in that regard.

Commissioner Bois moved to accept the process as it is and to move on; Commissioner Junge seconded. So voted; 6 ayes, 0 nays.

X. CORRESPONDENCE

There was no Correspondence.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

There was no Continued Open Forum.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Commissioner Bois moved to adjourn at 7:32PM; Commissioner Heagney seconded. So voted; 6 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the August 14, 2019 Meeting of the Jamestown Harbor Commission
Approved: 9/11/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, August 14, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Banks called the meeting to order at 6:30 PM with roll call:

Present:

James Heagney, Commissioner
Wayne Banks, Vice-Chairman
Eric Lexow, Commissioner
Steven Bois, Commissioner
Dan Wurzbacher, Commissioner
Michael Junge, Commissioner

Absent:

William Harsch, Chairman

Also in attendance:

Chief Edward Mello, Executive Director
Mark Campbell, Harbormaster
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, July 10, 2019

Vice-Chairman Banks moved to approve the minutes; Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

(Commissioner Junge arrives.)

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled Requests to Address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

There were no Non-Scheduled requests to address.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello had nothing to report.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell reported that since the last meeting he supported the Save the Bay swim and the Fools' Rules regatta. Harbormaster Campbell stated that he will also be supporting a trip for several people to Gould Island tomorrow so the restoration committee can explain what they have accomplished.

Harbormaster Campbell reported that there is an issue with the Evinrude engine on the Freedom that will hopefully be a minor problem and an easy fix.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that we will hopefully have the complete financial report from last fiscal year for the September meeting and it will be ready for the FY 2021/2022 budget planning.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney had nothing to report.

B. Facilities - Review, discussion and/or potential action and/or vote

Vice-Chairman Banks had nothing to report.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Commissioner Banks had nothing to report.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that the next Traffic Committee meeting will be in September.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois stated that at 7AM tomorrow there will be three or four boats going to Gould Island for a site visit.

Executive Director Chief Mello reported that Town Administrator Andy Nota was asked to plan the site visit and Harbormaster Campbell has been working on the transportation arrangements to make that happen.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza was absent.

IX. OLD BUSINESS

A. Mr. Chris Museler – Relocation Appeal – Review, discussion, and/or potential action and/or vote

Executive Director Chief Mello stated that at the June meeting all of the pieces were in place for this matter to be resolved, as the Conservation Zone was relocated to the 500' line. The Jamestown Harbor Commission indicated that Mr. Museler had 60 days to resolve this matter;

Harbormaster Campbell will update you on the status of the resolution.

Harbormaster Campbell stated that within days of the appeal he made contact with Mr. Museler and went through the email chain to where Mr. Museler indicated where he would like the mooring to be located. Harbormaster Campbell stated he asked Mr. Museler to confirm the location and Mr. Museler stated that he was too busy. A month went by and Harbormaster Campbell again reached out to Mr. Museler and Mr. Museler replied with two proposed locations.

Harbormaster Campbell looked at the locations and one option would not work and one option was a possibility. Mr. Museler stated that he wanted Aquidneck Mooring to look at the locations. Aquidneck Mooring took Mr. Museler on their boat and they dropped a marker where he wanted the mooring to be placed, which is outside of the 1000' line, coincidentally.

Harbormaster Campbell went out at the extreme low tide to look at the water depth, which measured 8.5'. With a 4000' block that sits 3' high Harbormaster Campbell stated that he feels this is not a good location that the keel of the sailboat could hit the block. Harbormaster Campbell contacted Aquidneck Mooring and told them what he saw at low tide and that he doesn't think this is a good spot.

X. CORRESPONDENCE

A. Letter to Mr. and Mrs. Museler from the Jamestown Harbor Commission – Re: Appeal of Guest Mooring Application Denial filed on April 17, 2019; 7/18/2019

Commissioner Junge moved to accept Correspondence item A; Commissioner Wurzbacher seconded. So voted; 6 ayes, 0 nays.

Executive Director Chief Mello stated that the letter was drafted by Executive Director Chief Mello and the Town Solicitor and signed by Chairman Harsch.

B. Mr. Quentin Anthony – Guest Mooring Denial Appeal to Town Council Notice; 7/31/2019

Commissioner Junge moved to accept Correspondence item B; Commissioner Lexow seconded. So voted; 6 ayes, 0 nays.

Executive Director Chief Mello stated that he wanted the Jamestown Harbor Commission to know the path the appeal will take. At this point it is on the Town Council agenda for notice only, that they will schedule a hearing at the next meeting. The Town Solicitor will represent the Jamestown Harbor Commission and the Town, and the logistics will be worked out by the attorneys. It is possible that the Mr. Anthony will call on the Jamestown Harbor Commission members to testify.

C. Dumplings Association and Mr. David Laurie – Letter to CRMC re: Notice of Protest and Request for Hearing; 7/23/2019

Commissioner Junge moved to accept Correspondence item C; Commissioner Heagney seconded. So voted; 6 ayes, 0 nays.

XI. NEW BUSINESS

A. West Ferry Outhaul Steps

Executive Director Chief Mello placed this item on the agenda to make the Jamestown Harbor Commission aware of the repairs needed on the stairs. It is an extensive and expensive project that the Facilities committee and the staff should get together to discuss. Executive Director Chief Mello stated that it is worth doing a cost/benefit analysis, but that we do have some materials in inventory and we need to develop a path to plan for the potential replacement. The goal would be to have the repairs done by next season and it will have to be outsourced as it is larger than a town project.

B. Temporary Transfer Request – Mr. Richard Dugan – Review, discussion and/or potential action and/or vote

Commissioner Wurzbacher moved to approve the temporary transfer; Vice-Chairman Banks seconded. So voted; 6 ayes, 0 nays.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

There was no Continued Open Forum.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Commissioner Junge moved to adjourn at 7:32PM; Vice-Chairman Banks seconded. So voted; 6 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk



Jamestown Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835
401-423-7190

**TOWN OF JAMESTOWN
HARBOR COMMISSION**

Minutes of the September 11, 2019 Meeting of the Jamestown Harbor Commission
Amended: 10/9/2019 Approved: 10/9/2019

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, September 11, 2019 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

I. CALL TO ORDER AND ROLL CALL

Vice-Chairman Banks called the meeting to order at 6:30 PM with roll call:

Present:

James Heagney, Commissioner
Wayne Banks, Vice-Chairman
Eric Lexow, Commissioner
Steven Bois, Commissioner
Dan Wurzbacher, Commissioner
Michael Junge, Commissioner

Absent:

William Harsch, Chairman

Also in attendance:

Chief Edward Mello, Executive Director
Mark Campbell, Harbormaster
George Souza, Conservation Commission Liaison
Kim Devlin, Harbor Clerk

II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote

A. Wednesday, August 14, 2019

Harbor Clerk Devlin requested the minutes be amended to reflect the adjournment time to be 7:32PM.

Vice-Chairman Banks moved to approve the minutes with the amended adjournment time; Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

III. OPEN FORUM

A. Scheduled Requests to Address

There were no Scheduled Requests to Address.

B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote

Mrs. Mary Marshall addressed the Jamestown Harbor Commission regarding her opposition to the Jamestown Boat Yard expansion.

Executive Director Chief Mello stated that if the Jamestown Harbor Commission would like to discuss this item it must be on the agenda and reminded the Jamestown Harbor Commission that this issue is regarding docks, not moorings, which is not under the Harbor Commission purview. If the Jamestown Harbor Commission has concerns they should follow the proper channels forward their concerns to the Town Council for review.

Vice-Chairman Banks moved to place the Jamestown Boat Yard expansion on the agenda for the next Jamestown Harbor Commission meeting; Commissioner Lexow seconded. So voted; 6 ayes, 0 nays.

IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello had nothing to report.

V. HARBORMASTER REPORT- Review, discussion and/or potential action and/or vote

Harbormaster Campbell had nothing to report.

VI. MARINE DEVELOPMENT FUND BUDGET

A. 2018/2019

MDF YTD Budget- Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that he spoke with the Finance Director and we are waiting for the insurance claim for the dock to be settled before submitting the final budget.

VII. SUB-COMMITTEE REPORTS

A. Budget - Review, discussion and/or potential action and/or vote

Commissioner Heagney asked when the touch and go dock insurance settlement will be finalized.

Executive Director Chief Mello stated that it will hopefully be settled in the next few days, but that we can still begin preparing the budget.

B. Facilities - Review, discussion and/or potential action and/or vote

Commissioner Wurzbacher reported that he and Vice-Chairman Banks met with Executive Director Chief Mello and Public Works Director Mike Gray to look at the West Ferry outhaul stairs and develop a possible plan for the replacement of the stairs.

C. Mooring Implementation - Review, discussion and/or potential action and/or vote

Commissioner Banks had nothing to report.

D. Traffic Committee - Review, discussion and/or potential action and/or vote

Commissioner Junge reported that there is a Traffic Committee meeting next week.

E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote

Commissioner Bois reported that on August 15th members from DEM, CRMC, the Town and State visited Gould Island to view the restoration work that has been done on the island.

Commissioner Bois reported that on September 16th there will be a presentation for the Town Council at the Town Council meeting.

VIII. LIAISON REPORTS

A. Conservation Commission Liaison- Review, discussion and/or potential action and/or vote

Conservation Commission Liaison Souza reported that the Conservation Commission has some concerns about the Jamestown Boat Yard expansion, specifically the dredging. Conservation Commission Liaison Souza reported that Ann Kuhn, on behalf of the Conservation Commission, sent a letter to CRMC voicing those concerns.

IX. OLD BUSINESS

A. Mr. Chris Museler – Relocation Appeal – Review, discussion, and/or potential action and/or vote

Harbormaster Campbell stated that Mr. Museler's mooring has been relocated.

X. CORRESPONDENCE

There was no Correspondence.

XI. NEW BUSINESS

A. West Ferry Outhaul Steps – Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that we have been working on this project for a number of years and that the design and engineering is completed. There are 20 outhauls and there are a number of components failing that create potential hazards. In addition to trying to make this happen during the offseason, we are challenged by the Town lease with Dutch Harbor Boat Yard.

Executive Director Chief Mello stated that we have to demo what is there and then set the concrete and build the stairs in place. The projected cost is \$40,000 for the project, but we are not prepared to make a recommendation at this point.

Vice-Chairman Banks asked what the duration of the project will be.

Executive Director Chief Mello stated that the best case scenario would be a five-week project. We would also notify permit holders of the project.

B. Outhaul Fees at Ft. Getty and West Ferry – Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that the outhaul fees are the same at Ft. Getty and West Ferry; \$500 for recreational permits and \$430 for commercial permits.

Executive Director Chief Mello stated that the services at Ft. Getty and West Ferry are not equivalent. At West Ferry there are stairs that allow you to step right into a boat and at Ft. Getty you would have to wade through the water and maneuver into the boat without a landing.

Executive Director Chief Mello reported the pricing for other commercial outhauls around the island. Dutch Harbor Boat Yard charges \$1428, Conanicut Marine charges \$2250, and Jamestown Boat Yard charges \$1000 maximum. Executive Director Chief Mello stated that all of these locations offer different conditions and access and there are pros and cons to each. Executive Director Chief Mello urged the Jamestown Harbor Commission members to visit the different locations.

Vice-Chairman Banks moved to add this item to the October agenda and to forward the information to the permit holders; Commissioner Junge seconded.

Commissioner Wurzbacher stated that replacing the stairs is related to the fees we charge.

Commissioner Junge stated that we already have an idea that we are below market.

So voted; 6 ayes, 0 nays.

C. Appeal – Ms. Laurie Harper – Appealing Late Fees; 8/15/2019 – Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that Ms. Harper is appealing \$200 in late fees. She was sent notices in March, May and June to her preferred choice of contact, which was her email address. The Online Mooring system status of those emails is that they were sent and they did not bounce back.

Ms. Harper stated that she did not receive the emails, as they were sent to an old email address and that she did not receive an official form of communication.

Commissioner Bois stated that it is her responsibility to keep her account up to date.

Vice-Chairman Banks moved to reduce the late fees by \$100; Commissioner Wurzbacher seconded. So voted; 5 ayes, 1 nay (Junge).

D. Updated Mooring Installer/Inspector List – Review, discussion and/or potential action and/or vote

Vice-Chairman Banks moved to approve the updated Mooring Installer and Inspector list; Commissioner Junge seconded. So voted; 6 ayes, 0 nays.

XII. OPEN FORUM – CONTINUED- Review, discussion and/or potential action and/or vote

There was no Continued Open Forum.

XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote

Vice-Chairman Banks moved to adjourn at 7:22 PM; ~~Vice-Chairman Banks~~ Commissioner Junge seconded. So voted; 6 ayes, 0 nays.

Respectfully submitted,



Kim Devlin
Jamestown Harbor Clerk

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
U.S. Coast Guard
Sector Southeastern New England

1 Little Harbor Road
Woods Hole, MA 02543
Phone: 401-435-2355
Email: Arthur.e.frooks@uscg.mil

16611
October 18, 2019

Ms. Christina Collins
Town Administrator
93 Narragansett Ave
2nd Floor
Jamestown RI, 02835

Dear Ms. Collins:

On August 10, 2018, SEA-3 Providence, LLC submitted its application to reopen the liquefied petroleum gas (LPG) facility located within the Port of Providence premises and resume LPG shipments to Providence, Rhode Island. It was originally operated by another company.

As part of the application process, Sea-3 Providence initiated a waterways suitability assessment to evaluate the safety and security issues and measures associated with LPG tankers traveling on Rhode Island's Narragansett Bay via the East Passage to the Providence River, which were similar to safety measures and security measures taken in the past. After thorough review of that assessment and Sea-3's proposed mitigation measures, the Coast Guard Captain of the Port (COTP) of Sector Southeastern New England, recommended to Rhode Island Coastal Resources Management, the lead agency with primary jurisdiction over the restart of this facility, that the applicable portions of the waterway are suitable for the type and frequency of LPG marine traffic associated with this project. This letter is forwarded to you for awareness.

If you have any questions, please do not hesitate to reach out. I can be reached at the contact information above.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. E. Frooks".

A. E. FROOKS, LT
Chief, Waterways Management Division
U.S. Coast Guard Sector Southeastern New England
By direction

Enclosure

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
U.S. Coast Guard
Sector Southeastern New England

1 Little Harbor Road
Woods Hole, MA 02543
Phone: 401-435-2355
Email: Arthur.e.frooks@uscg.mil

16611
September 20, 2019

LETTER OF RECOMMENDATION FOR SEA-3 PROVIDENCE, LLC, LIQUEFIED
PETROLEUM GAS (LPG) TERMINAL, PROVIDENCE, RHODE ISLAND

Mr. Jeffrey M. Willis, Deputy Director
Rhode Island Coastal Resources Management Council
4808 Tower Hill Road
Oliver Stedman Government Center Rm116
Wakefield, RI 02879-1900

Dear Mr. Willis:

This Letter of Recommendation (LOR) is issued pursuant to 33 CFR 127.009 in response to the Letter of Intent (LOI) submitted by SEA-3 Providence, LLC on August 10, 2018 proposing to transport liquefied petroleum gas (LPG) by ship six to eight times per year to a waterfront berth in Providence, RI. It conveys the Coast Guard's recommendation on the suitability of Narragansett Bay for LPG marine traffic as it relates to navigation safety and maritime security. In addition to meeting the requirements of 33 CFR 127.009, this letter also fulfills the Coast Guard's notification obligations under the Coast Guard's "Guidance Related to Waterfront Liquefied Natural Gas (LNG) Facilities," Navigation and Vessel Inspection Circular (NVIC) 01-2011. Under NVIC 01-2011, this LOR constitutes my advice and is not to be construed as a permit or other "major federal action." It is instead a recommendation, based upon the Coast Guard's expertise in navigation safety and maritime security.

I have reviewed the information in the SEA-3 Providence, LLC LOI and Waterway Suitability Assessment (WSA), and completed an evaluation of the waterway in consultation with a variety of local port stakeholders. I recommend that the applicable portions of Narragansett Bay be considered suitable for the type and frequency of LPG marine traffic associated with this project, as indicated in SEA-3 Providence, LLC's LOI. This recommendation assumes full incorporation by SEA-3 Providence, LLC of the risk management strategies, mitigation measures, and additional resources specified in its LOI. My recommendation is based on a review of the information provided in accordance with 33 CFR 127.007 and 33 CFR 127.009. The reasons supporting my recommendation are outlined below.

My review of the WSA for the subject project submitted by AcuTech Consulting Group on behalf of SEA-3 Providence, LLC focused on the navigation safety and maritime security aspects of LPG vessel transits along the affected waterway. My analysis included an assessment of the risks posed by these transits and possible risk management measures that could be implemented. During the review, the Coast Guard discussed SEA-3 Providence, LLC's proposal with a variety of maritime safety and port security stakeholders. We also participated in a workshop sponsored

by SEA-3 Providence, LLC, which included members of the Area Maritime Security Committee and supporting agencies involved with the enforcement of the Coast Guard safety and security zones. Consideration was also given to the fact that SEA-3 Providence, LLC essentially intends to resume LPG import shipments at a frequency and quantity previously executed, safely, when Enterprise Providence Marine Terminal conducted such operations from 2010 to 2016.


Should there be significant changes to the items described above, the characteristics of the waterway, or to the risk management measures proposed by the applicant, I may reconsider my recommendation.

As with all issues related to waterway safety and security, and pursuant to my authorities as Captain of the Port, I will assess each transit on a case by case basis to identify what, if any, safety and security measures are necessary to safeguard the public health and welfare, critical marine infrastructure and key resources, the port, the marine environment, and the vessel, and may prohibit or control transfers and movements based on an assessment of those factors.

A copy of this letter has been sent to SEA-3 Providence, LLC as well as various echelons in the Coast Guard, the governor of the State of Rhode Island, and the senior elected or appointed official in the cities or towns of Jamestown, Newport, Middletown, Portsmouth, Bristol, Warwick, Cranston, and Providence, Rhode Island.

If you have any questions, you may contact me at Chris.J.Glander@uscg.mil, or my project officer for this proposal, Lieutenant Arthur Fooks. He may be reached at the above address, phone number and e-mail.

Sincerely,



CHRIS J. GLANDER
Captain, U.S. Coast Guard

Enclosure: LOR Supplement

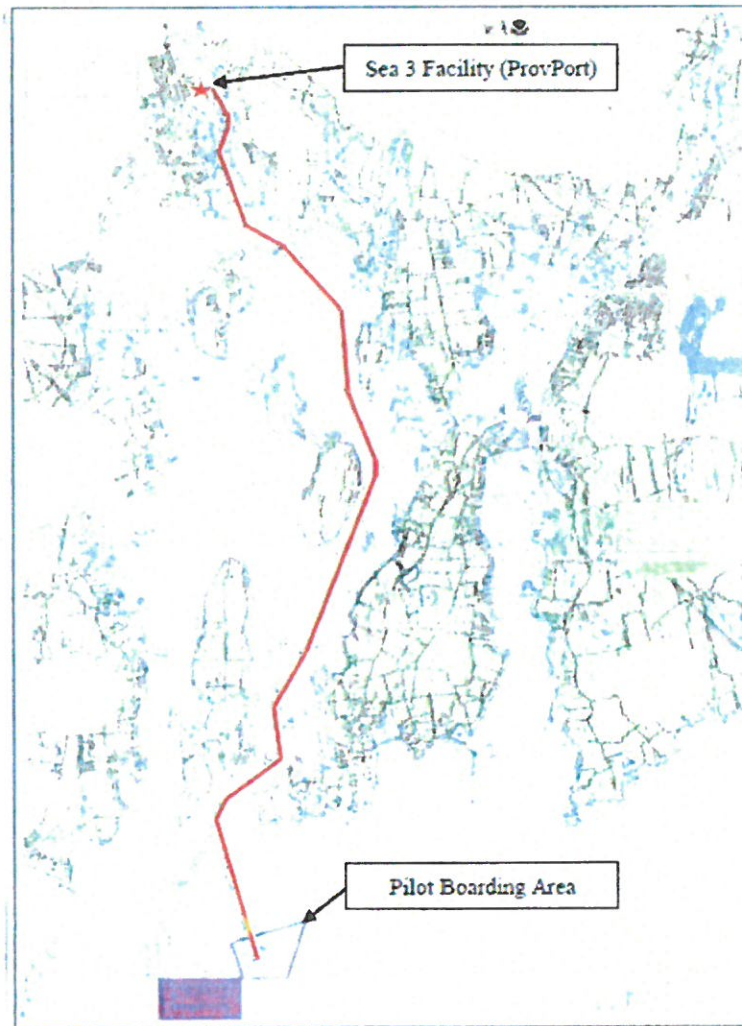
Copy: SEA-3 Providence, LLC
Commandant, U. S. Coast Guard (CG-094, CG-522, CG-541, CG-544)
Commander, First Coast Guard District (dl, dp, de)
Commander, Coast Guard Atlantic Area (Al, Ap)
Governor, State of Rhode Island and Providence Plantations
Jamestown, RI
Newport, RI
Middletown, RI
Portsmouth, RI
Bristol, RI
Cranston, RI
Warwick, RI
Providence, RI

SUPPLEMENT TO THE LETTER OF RECOMMENDATION ISSUED BY COTP SECTOR
SOUTHEASTERN NEW ENGLAND ON JULY 31, 2019

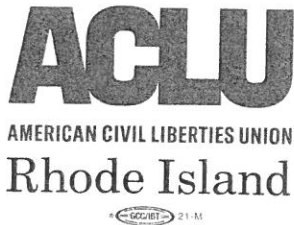
1. This is to supplement my Letter of Recommendation (LOR) dated July 31, 2019 which conveys my determination on the suitability of the applicable portions of Narragansett Bay, as depicted below, for the transportation of liquefied petroleum gas (LPG) by ship as described in the SEA-3 Providence, LLC proposal.

SEA-3 Providence LPG Restart Project, Follow-on Waterway Suitability Assessment

Figure 4 – Entire LPG Carrier Transit Route



2. For the purposes of this analysis, the following assumptions were made:
 - a. The applicant is fully capable of, and would fully implement, any and all risk management measures they identified in their WSA.
 - b. The conditions of the port identified in the WSA fully and accurately describe the action conditions of the port at the time of the WSA submission.
 - c. The conditions of the port have not changed substantially during the analysis process.
 - d. The applicant will fully meet all regulatory requirements including the development and submission of a Facility Security Plan, Emergency Manual and Operations Manual.
3. Our review of SEA-3 Providence, LLC's WSA included an assessment of the risks posed by LPG vessel transits through Narragansett Bay via the East Passage to the Providence River, and potential risk management measures that could be implemented. During our review, the Coast Guard discussed the proposal with a variety of stakeholders at:
 - a. The Southeastern Massachusetts Port Safety and Security Forums held on November 6, 2018, and April 2, 2019.
 - b. The Rhode Island Port Safety and Security Forums held on November 8, 2018, and April 4, 2019.
 - c. The SEA-3 Providence waterways suitability assessment workshop held on December 11, 2018. The agenda of that workshop, attendees, and results are documented in Section 2.4 of the WSA.
4. The WSA outlines a methodical, segment-by-segment review of the transit route, conducted at the workshop, which identifies the navigational hazards and security exposures of each. Based on this review mitigation strategies and resource providers were identified to facilitate safe and secure LPG vessel transits as proposed.
5. My review of the WSA was completed on July 31, 2019 and included input from applicable stakeholders as documented above and in the WSA. Additionally, substantial consideration was given to the fact that SEA-3 Providence, LLC essentially intends to resume LPG import shipments at a frequency and quantity previously conducted, safely and securely, when Enterprise Providence Marine Terminal conducted such operations from 2010 to 2016. Consequently, I am recommending to the Rhode Island Coastal Resources Management Council that the waterway as depicted above and in its current state be considered suitable for LPG marine traffic associated with the SEA-3 Providence, LLC project.



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

November 4, 2019

Christina Collins, Acting Town Manager
Jamestown Town Hall
93 Narragansett Ave., 2nd Fl.
Jamestown, RI 02835

Dear Ms. Collins:

On behalf of the ACLU of Rhode Island and the R.I. Homeless Bill of Rights Defense Committee, I am writing to request that Jamestown take prompt action to repeal Section § 38-92 of your municipal code, dealing with public intoxication, since that ordinance is in clear violation of state law.

The Homeless Bill of Rights Defense Committee is a coalition of individuals and groups working to combat the criminalization of homelessness and to advocate with and for people dealing with homelessness. In those roles, the Committee has been examining municipal ordinances across the state whose enforcement is most likely to affect the homeless.

As a result of that examination, we discovered that Jamestown has on its books the ordinance cited above, banning public intoxication. However, Rhode Island state law unambiguously bars municipalities from legislating on this topic. Specifically, R.I.G.L. § 23-1.10-16(a) prohibits any municipality from adopting or enforcing any "law, ordinance, resolution, or rule having the force of law that includes drinking, being a common drunkard, or being found in an intoxicated condition as one of the elements of the offense giving rise to a criminal or civil penalty or sanction." There can be no question that Section 38-92 of your municipal code is in direct conflict with this statute.

While police may not have cited any individuals in the recent past under this ordinance, we believe it is incumbent upon the Town to repeal it promptly and thus ensure that no charges are unwittingly filed against a person for violating it.

We would appreciate your sharing this letter with your Town Solicitor and apprising us of any steps taken by the Town Council to address this issue. Thank you in advance for your attention to this matter, and I look forward to hearing back from you about it.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven Brown".

Steven Brown
Executive Director

cc: Michael G. White, Council President
Edward Mello, Police Chief
Meghan Smith, Facilitator, RI HBOR Defense Committee



Smithfield School Department

Administration Office
49 Farnum Pike
Smithfield, RI 02917
(401) 231-6606 / Fax (401) 232-0870
www.smithfield-ps.org

Judith Paolucci, Ph. D.
Superintendent

Sara Monaco, Ed. D.
Assistant Superintendent

Smithfield School Committee

Resolution to Modify RI General Law to Permit Charging for Field Trips and Advanced Placement Exams

On April 10th former Commission of Education, Ken Wagner, ruled that in accordance with R.I Gen. Laws 16-38-6(a) there are only three permissible ways to fund school trips:

- 1) "Districts may budget funds for trips, so long as the trip is part of the instructional program and all students have the same ability to attend;
- 2) Fundraising for trips is permissible to supplement district budgeted funds, so long as individual students do not have mandated fundraising targets that must be met as a requirement for participation; and
- 3) Individuals may be charged fees for a trip, but only for trips that are not organized by district using district resources including district funded staff time."

While in accordance with the current law, this ruling will have the unintended consequence of severely reducing, if not eliminating, the types and number of extra-curricular opportunities that can be offered public school students. In essence, this means that once in a lifetime opportunities for students, such as band and choral trips, national competitions, study-tours of major cities and historical sites, and other important programs will be eliminated from public schools in Rhode Island as districts cannot afford the costs of fully funding these enrichment activities. As it now stands, instead of providing for more equity, this ruling may have the unintended consequences of driving families away from public schools and undermining a district's ability to fulfill broadly a component of the RI Basic Education Plan which requires "a school-based program of extra-curricular activities" (see id.,200-RICR § 20-1.3.2(H)).

Additionally, the charging of fees appears to be prohibited for Advanced Placement and other specialized exams. Such exams fees are significant for schools that are expanding AP offerings. Successfully passing exams, moreover, may provide substantive financial benefits to students whose college requirements may be waived for certain classes.

WHEREAS: The Smithfield School Committee strongly believes that it is important to enhance students' social and emotional well-being by encouraging them to make strong connections with faculty and other students at school; and

WHEREAS: The Smithfield School Committee recognizes that special activities such as class trips, band and choral trips, and Close up programs are often signature moments in a student's public school experience; and

WHEREAS: The Smithfield School Committee recognizes that Advanced Placement exams may provide benefits to students in their post-graduate studies; and

WHEREAS: The Smithfield School Committee fully supports equal opportunity for students to participate via a commitment to provide scholarships and aid so that the financial situation of a student does not present a barrier for that student to fully engage in activities supported by the district; and

NOW, THEREFORE, BE IT RESOLVED: That the Smithfield School Committee respectfully requests the Rhode Island General Assembly to amend RIGL § 16-38-6 (a). The following sentence (underlined) should be added to the law:

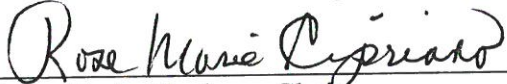
"No public school official or public school employee shall, for any purpose, solicit or exact from any pupil in any public school any contribution or gift of money or any article of value or any pledge to contribute any money or article of value." This prohibition does not apply to school sponsored field trips and AP/specialized exams in which parents can be asked for funding as long as the District provides some funds support to student(s) whose family cannot afford the cost of the trip or exam.

RESOLVED: That the Smithfield School Committee calls on each of our State representatives to support such a legislative change;

RESOLVED: That the Smithfield School Committee calls on RIASC to undertake efforts to promote this change during the upcoming legislative session; and

RESOLVED: That a copy of this Resolution be forwarded to RI State Senators, RI State Representatives, the RI Association of School Committees, the RI Association of School Superintendents, RI Association of School Principals, and the Governor.

WHERETO: The following bear witness:



Rose Marie Cipriano, Chair
Smithfield School Committee