

**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

<b>MOTOR VEHICLE ABATEMENTS TO 2019 TAX ROLL</b>		
02-0575-00M Berger, G. Spencer	Uncollectable/ taxpayer is deceased.	\$27.30
<b>REAL ESTATE ABATEMENTS TO 2019 TAX ROLL</b>		
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
<b>ADDENDA TO 2019 TAX ROLL</b>		
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
<b>TOTAL ABATEMENTS</b>		<b>\$ 3,528.30</b>
<b>TOTAL ADDENDA</b>		<b>\$ 1,053.04</b>

- 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:

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Erin F. Liese, CMC, Town Clerk