

**TOWN COUNCIL MEETING
September 16, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on September 16, 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, Town Solicitor Wyatt A. Brochu, Chief of Police Edward A. Mello, Public Works Director Michael C. Gray, Town Planner Lisa Breyer, Recreation Director Andrew Wade 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 6:34 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 6:35 P.M. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:46 P.M. See Board of Water and Sewer Commissioners Meeting Minutes.

IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Proclamations:

- 1) No. 2019-18: Designating October as Community Planning Month

Councilor Beye read the Proclamation for Community Planning Month

A motion was made by Vice President Meagher with second by Councilor Beye to adopt the 2019-18 Proclamation for October as Community Planning Month. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

B) Presentations:

- 1) Gould Island by David Sommers, Gould Island Advisory Chair

David Sommers reviewed and explained the following topics regarding Gould Island: The Army Corps restoration of South Gould; status and level of the cleanup; recreation on the island would require further cleanup; ownership status by the Federal Government and State RI DEM; expense of further cleanup by the Town; August 15th site visit; future choice options; chemical cleanup; RIDEM recreation direction with walking trails; overnight campsites; Jamestown Historical Society interest on place signs and next steps.

Vice President Meagher stated this could be an amazing opportunity.

President White also agreed with the opportunity, stating the Town is interested in improving all the islands.

Mr. Sommers stressed that this is a once and a lifetime opportunity.

Councilor Piva assured support and agreed with a Resolution.

The consensus of the Council was support of the initiative and consider the Resolution at the next meeting.

Heidi Hill of East Shore Road questioned the funding.

Mr. Sommers advised 10 million was an approximate guess, based on the restoration provided by the Federal Government.

A motion was made by Vice President Meagher to consider a Resolution supporting RIDEM initiative for Gould Island on October 7th supporting RIDEM Gould Island with second by Councilor Piva. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

V. OPEN FORUM

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

Frank Meyer of Southwest Avenue stated the initiative of Gould Island sounds familiar to the promises in Beavertail. He explained promises regarding open space and recreation of Beavertail, including bunker cleanup and lighting. He requested effort on keeping the promises in Beavertail. He also questioned his offer to provide a presentation of Beavertail.

Vice President Meagher advised the power point should be considered at a future meeting and was not placed on this agenda for Gould Island presentation was previously scheduled.

Millie Feeney of Hamilton Ave. questioned if she could speak on parking.

Vice President Meagher advised that item is on the agenda and to hold her comments until the item is heard during New Business.

Mrs. Feeney continued with her concerns on parking at the beach as follows: Forty Getty residents, resident only passes, and suggested moving the location on where passes are sold.

Keri Hague of Cedar Ridge Trail commented on her opposition of the cell tower, due to the marketability of her home, impact on visual beauty of the island, and unknown health concerns.

Charlotte Zarlengo of Seaside Drive commented on the Jamestown Shore lots and explained the final 10 have problem titles. She hopes this would be completed soon.

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

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

Interim Town Administrator Collins reported on Advertisements and locations and advised we are receiving applications

- 2) Conservation Easements/Restrictions Jamestown Shores

Interim Town Administrator Collins reported on Connancicut Island Land Trust. She further explained the Town will be signing off on 22 lots. She also stated 10 lots still need clearance. The next step in the process is to work with the Solicitors Office on a budget and options moving forward.

Town Solicitor Ruggiero advised this will be placed on a future agenda for consideration.

Interim Town Administrator Collins suggested doing redemptions yearly.

Interim Town Administrator Collins also advised on the current status of measuring for cell phone service. She also explained the RFP for the Golf Course and that Public Works Director Gray will be facilitating the pre bid to be held on September 17, 2019.

VII. UNFINISHED BUSINESS

- A) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule: September October 7th and October 21st at 6:30 p.m.
 - 2) Schedule Hearing Date and Discussion of Hearing Process: Museler Appeal

Town Solicitor Ruggiero advised he is available the week of October the 20th and it may take two or three hearings for this appeal.

Vice President Meagher questioned if this could be done during the day.

Town Solicitor Ruggiero advised on meeting during the day and explained the process.

Discussion ensued on availability and it was determined it would be October 22nd at 11 A.M.

3) Schedule Special Meeting for the review of Town Administrator Applicants

Discussion ensued on availability ad it was determined it would be October 9th at 11 A.M.

It was noted the Clerk's Office will provide the Council with binders of applicants.

VIII. NEW BUSINESS

A) Discussion on Parking at Beach Facilities

Vice President Meagher advised she placed this on agenda due to Park Dock and Mackerel Cove parking issues.

Recreation Director Wade advised on the work done in late spring with Chief Mello to address some parking concerns. He advised on the additional 10 resident only spots; no parking on Fort Getty Road and parking issues on Fox Run. He further emphasized this is a difficult issue to completely address as 2,400 passes were sold for 100 parking spots.

Vice President Meagher advised on parking on Fox Run and enabling enforcement with ordinance changes. She also commented on Park Dock and the daily pass fee compared to the fine.

Recreation Director Wade clarified regarding the sale of beach passes. He further explained what defines eligibility for a pass. He also stated he prefer passes be sold at the Recreation Center.

Discussion ensued on parking and revenue from the sale of passes.

Chief Mello commented on parking issues on Hamilton, towing, fines and enforcement.

Discussion ensued on parking in the area of Mackerel Cove, Fox Run and Park Dock.

A motion was made by Vice President Meagher with second by Councilor Piva to request the Traffic Commission review parking in the area of Fox Run. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

IX. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

- A) Discussion on Noise Ordinance Amendments to Article III- Sections- 22-66 C, 22-66 D, 22-66 E, 22-71; Proposed by Chief Edward A. Mello

Vice President Meagher stated this was a great first draft.

Chief Mello advised the difficulty on enforcement of the Noise Ordinance and explained potential amendments on noise and construction activities.

Discussion ensued on construction noise.

Councilor Piva questioned next steps.

Town Solicitor Ruggiero advised on procedure, parameters, and guidelines moving forward

President White expressed the need to consider the potential amendments and was not ready to set a Public Hearing date.

Discussion ensued on public events and variances.

It was noted this would be placed on a future agenda.

Frank Meyer of Southwest Avenue discussed the hardship placed on landscapers with additional regulations. He stated the phrase “make hay while the sun shines” should not only apply to farmers. He further suggested a simplistic ordinance, with having sunset and sunrise as parameters vs. actual times. He also asked for consideration between the Jewish work week and Christian work week.

X. CONSENT AGENDA

A motion was made by Vice President Meagher with second by Councilor Beye 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) Adoption of Town Council Minutes
 - 1) August 28, 2019 (special meeting)
 - 2) September 3, 2019 (executive session)
 - 3) September 3, 2019 (regular meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Zoning Board of Review (July 23, 2019)
- C) CRMC Notices
 - 1) Joint Public Notice RE-Notice of CRMC File No: 2019-06-014 and RI DEM No: WQC 19-123 DP19-174 Jamestown Boatyard
- D) Public Notice
 - 1) Zoning Board of Review Notice of ESJ Inc. /JTN LLC/ Simpatico Jamestown 13 Narragansett Ave

- 2) Zoning Board of Review Notice of William & Glenna McCaffrey of 232 Beacon Ave.
- E) Abatements/Addenda of Taxes
 Total Abatements \$ 1,219.59 Total Addenda \$ 1,666.66
- Account/Abatement Amount**
- 1) Abatements to 1998 Motor Vehicle Tax Roll
 - a) 06-0379-50 \$235.27
 - 2) Abatements to 1999 Motor Vehicle Tax Roll
 - a) 06-0379-50M \$251.27
 - 3) Abatements to 2000 Motor Vehicle Tax Roll
 - a) 06-0379-50M \$179.91
 - 4) Abatements to 2019 Motor Vehicle Tax Roll
 - a) 07-0367-00M \$ 2.84
 - b) 08-1081-80M \$ 60.56
 - c) 11-0133-97M \$131.78
 - d) 19-0029-87M \$235.21
 - e) 19-0762-06M \$ 44.93
 - f) 19-0980-13M \$ 77.82
 - 5) Addenda to Real Estate and Real Property 2019 Tax Roll
 - a) 18-0604-82 \$868.78
 - b) 22-0186-00 \$547.88
 - c) 23-0453-28 \$250.00
- F) Award of Bids:
- 1) Public Works Department
 - a) New 2019 Four Wheel Drive Utility Truck
 - b) New 2019 Four Wheel Drive Extended Cab Pickup Truck and Plow
 - c) New 2019 Four Wheel Drive Dump Truck with Plow and Sander
 - d) New 7X14 Enclosed Trailer
 - e) New 44,000 GVW Dump Truck and Plow
 - f) New 44,000 GVW Hook Lift Truck, Plow, and Body Options
- G) Authorization of Agreement:
- 1) Energy Agreement with Constellation

XI. 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 and Proclamations and Resolutions from other RI cities and towns consists of the following:

- A) Communications
 - 1) Letter of Mark Baker regarding Beavertail State Park
 - 2) Letter of Kayla E. O'Rourke, Special Assistant Attorney General regarding Dickinson v. Jamestown Board of Canvassers and Murphy v. Jamestown Board of Canvassers
 - 3) Email of Al McKibben regarding Construction Noise on East Shore Road

XII. EXECUTIVE SESSION

- A) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Geoffrey Hamlin and Kristan Hamlin v. Zoning Board of Review of the Town of Jamestown, CA No. NC-2018-0373 and CA No. NC-2019-0166

A motion made by Vice President Meagher with second by Councilor Piva pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Geoffrey Hamlin and Kristan Hamlin v. Zoning Board of Review of the Town of Jamestown, CA No. NC-2018-0373 and CA No. NC-2019-0166 at 8:32 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 9:16 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.

XIII. 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 9:17 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk