

**TOWN COUNCIL MEETING
November 18, 2019**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on November 18, 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, Public Works Director Michael C. Gray, Town Planner Lisa Bryer, Parks and 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 6:32 P.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and announced the Cell Tower discussion is not listed on the agenda as reported in the Jamestown Press. He then led the Pledge of Allegiance.

A motion was made by Councilor Piva with second by Councilor White to Convene as the Board of Water and Sewer Commissioners. Vote: President White, 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 6:33 P.M. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:42 P.M. See Board of Water and Sewer Commissioners Meeting Minutes.

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

Interim Town Administrator Collins advised this is a formality for reimbursement of the Bonds.

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

A motion was made by Councilor Beye with second by Councilor Piva to convene as the Alcoholic Beverage Licensing Board for the Town of Jamestown and open the Public Hearing at 6:44 P.M. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

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 RE-NEWAL 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.

The owner of Johnny Angels Clam Shack LLC advised on the status of outstanding items and apologized for delay.

A motion was made by Councilor Piva second by Councilor Beye to approve the Incomplete Application of Johnny Angels Clam Shack LLC dba: Angels Kitchen CLASS B – VICTUALER – LIMITED Liquor License renewal; subject to the State Tax Clearance and TIPS Certification obtained prior to issuance. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, A

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

A motion was made by Councilor White with second by Councilor Beye 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.

- C) Town Council adjourns as the Liquor Licensing Board

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

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

A motion was made by Councilor Piva with second by Councilor White to approve the Application of Cumberland Farm, Inc. dba: Cumberland Farms Store #1108 for Victualing License with Extended Hours. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 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

Council President White noted the applications were complete as of November 18, 2019.

A motion was made by Councilor Piva with second by Councilor White to approve the Complete Victualing & Holiday License for December 1, 2019 – November 30, 2020 for Ace's Pizza dba: Ace's Pizza and Johnny Angels Clam Shack, LLC dba: Angels Kitchen. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

- 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

A motion was made by Councilor White with second by Councilor Beye to approve the Jamestown Education Foundation Biennial Gala on September 11, 2020 and waive the fees associated. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

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

Chief Mello clarified the event and asked for a continuance as he has not yet met with the organizer of the event.

A motion was made by Councilor Piva with second by Councilor White to continue the application of Go Forth Nicholas Baccari Foundation for the Event on May 17, 2020. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

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

A motion was made by Councilor White with second by Councilor Beye to approve the Event Request of Rhode Races & Events Inc. for the Jamestown Rhode Race on September 19, 2020. Vote: President White, 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-

Karen Buetens of Columbia Lane questioned why the status of Cell Tower was not on the Agenda. She further commented on safety issues and importance of this for a possible resolution.

Council President White advised this was not placed on the agenda for the research is not yet complete.

Constance Rainone of West Reach Drive advised on the difficulty with calls dropping and commented on the safety issue. She explained she tried to call police on Monday and call was dropped. She realized the expense; however there is a potential revenue.

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

- A) Town Administrator's Report: Christina D. Collins, Interim Town Administrator
 - 1) Eldred Avenue Field

Interim Town Administrator Collins advised on Eldred Avenue Field and requested Parks & Recreation Director Wade provide further comments.

Andrew Wade advised on Eldred Avenue Field and further explained he is consulting with Tom Irwin Inc. for improvements to the field. However it is difficult without irrigation.

2) Golf Course Club House Update

Public Works Director Gray advised on the status of the Golf Course Club House. He further explained the bidding process and the need to cut some items to remain within the budget of 2.9 million. He explained on potential cuts such as the elimination of the portico, golf cart storage, design eliminates, eliminate the second floor deck, redesign of screening of mechanicals and elevator shafts, elimination of stamp concrete and reduction of windows and retaining walls. He further explained on the importance of meeting the needs of the initial concept and although cuts will be made it will still be a nice building.

Public Works Director Gray further explained on Golf Cart Storage and the need.

Alma Davenport of Clinton Avenue requested the Council reconsider the distribution of funds for the Golf Course. She recommended using the design and architect fees for the golf course be appropriated from the bond money. She also requested the funding for the repair of the greens also be allocated out of the bond. She further stated former Town Administrator Bob Sutton has a simple presentation on the club house and to revisit that design.

3) North Road

Mike Gray advised on winter conditions and completion of 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

It was announced the Museler Appeal hearing will be rescheduled; as we are waiting on an ethics opinion. It was recommended that the Sears appeal be scheduled at the same time.

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) Review of Harbor Operating Budget and Long Range Infrastructure Plan

Chief Mello advised on FY operating budget concerning rates. He also advised on the proposed 2020/2021 Harbor Operating Budget and Long Range Infrastructure Plan that was approved at the November 13, 2019 meeting.

B) Release of Funds Regarding 2016 RIDEM Grant Lawn Avenue

Parks & Recreation Director Andrew Wade advised on 2016 RIDEM Grant received for site improvements to the Lawn Avenue Recreation Complex. He further explained the timeline and history of the project and explained concerns with the Narragansett Indian Tribe and difficulty of the completion of the project within the timeline. He recommended the town release those funds back to the State of Rhode Island; as it would keep the town in good standing, for future requests.

Councilor White questioned if we are in fact at the point of no return and questioned if the perimeter path could be constructed.

Parks & Recreation Director Wade advised the funds may not have been approved if only portion of project completed.

Discussion ensued on the Safe Routes to Schools.

Interim Town Administrator Collins advised on work to be done next summer; and completion deadline is only 9 months away.

Councilor White recognized the timing constraint and hoped the missing Council member has the solution and request to continue to next meeting.

A motion was made by Councilor White with second by Councilor Beye to continue the matter on Release of Funds Regarding the 2016 RIDEM Grant Lawn Avenue to the next meeting. Vote: President White, 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) Public Hearing on Amendment to Jamestown Code of Ordinances regarding Chapter 70 Traffic and Parking- Melrose Avenue and Watson Avenue

A motion was made by Councilor Piva with second by Councilor Beye to open the public hearing on Amendment to Code of Ordinances regarding Chapter 70 Traffic and Parking- Melrose Avenue and Watson Avenue. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

Chief Mello advised on proposed change regarding Parking on Melrose and Watson Avenue. He further explained the congestion during parent drop off and pick up. He also advised on issues and complaints from residents in the area and the Traffic Committee had reviewed the matter.

Discussion ensued on parking and it was noted this would not be effective until July 1, 2020.

No public comment.

A motion was made by Councilor White with second by Councilor Beye to approve the following Change to the Code of Ordinances regarding Chapter 70- Traffic and Vehicles:

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 ~~strikethrough~~ 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 on July 1, 2020

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.

Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye

XI. CONSENT AGENDA

A motion was made by Councilor Beye with second by Councilor Piva to approve and accept 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 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

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

The Communications consists of the following:

- 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 Exeter-West Greenwich School District 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

A motion made by Councilor Beye with second by Councilor White to enter Executive Session Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential Litigation- Pension Service Credit Maryanne Crawford and also 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 at 8:07 p.m. Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Town Council reconvened the regular meeting at 8:55 P.M. It was announced no action was taken in Executive Session:

Councilor Piva entered into Executive Session; however recused from RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation (IBPO Retiree Pension Benefits: File No. Balzer vs. Town of Jamestown, C.A. No. 1:19-cv-00109-WES-PAS; Dube, etal, vs. Town of Jamestown, C.A. No. 1:19-cv-00018-WES-PAS and departed Council Chambers.

A motion was made by Councilor Beye with second by Councilor White to seal the Minutes of the Executive Session.

Vote: President White, Aye; Councilor Beye, Aye; Councilor White, Aye

XIV. 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 8:56 P.M.

Attest:

Erin F. Liese, CMC, Town Clerk