



TOWN COUNCIL MEETING
Monday, August 17, 2020
6:30 PM

PURSUANT TO EXECUTIVE ORDER NO. 20-05 EXECUTED BY GOVERNOR GINA RAIMONDO ON MARCH 16, 2020, THIS MEETING WILL BE TELECONFERENCED VIA ZOOM:

The public is invited to observe and participate in the deliberations of this meeting by accessing the meeting link set forth herein. For those without access to video observation platforms, you may also call in to listen to the deliberations of this meeting by using the call in phone number provided herein. To participate during Public Hearing or Public Input you will press *9 to raise your hand.

JOIN VIA PHONE: 1-646-558-8656 or 1-301-715-8592
WHEN PROMPTED, ENTER MEETING ID: 933 7541 1296
PRESS # AGAIN TO JOIN THE MEETING

JOIN VIA COMPUTER OR MOBILE APP: Meeting ID: <https://zoom.us/j/93375411296>

TO VIEW THE MEETING LIVE STREAM WITH NO INTERACTION, PLEASE VISIT THE FOLLOWING LINK: <http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

A) Open Forum – Water & Sewer Matters

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

- B) Report of Town Officials - Status Reports; review, discussion and/or potential action and/or vote
 - 1) Pumping report
 - 2) Town project reports
 - 3) Town Wells
 - a) Water Treatment Plant
 - b) Transfer Pumping/Reservoir
 - c) Distribution System
 - d) Wastewater Treatment Facility

- C) 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:

 - 1) Review, Discussion and Possible Action regarding the Application of Michael and Shannon Boxer (Plat 12, Lot 216; 15 Hull Cove St.) for utility service (water only) connection

 - 2) Review, Discussion and Possible Action regarding Proposed Water Budget FY2020/2021

 - 3) Review, Discussion and Possible Action regarding Proposed Sewer Budget FY2020/2021

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

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) Public Hearings:
 - 1) Discussion and Possible Action on Proposed Amendments to the Code of Ordinances, Article III- Noise Ordinance; Sections 22-63C through Section 22-71. These Amendments are proposed to update and modernize the existing Noise Ordinance

 - 2) Discussion and Possible Action on Proposed Amendments to the Zoning Ordinance related to Building Height, Proposed amendment of Sections 82-302 and 82-317. This amendment seeks to limit building height in any zoning district from exceeding 35' in height due to required elevation provisions of flood zone requirements

- B) One Day Event License Application Request Change of Date from August 20, 2020 to September 18, 2020:
 - 1) Applicant: BJ White House
 - Event: JCC Talent Show
 - Dates: September 18, 2020
 - Location: Lawn School Athletic Field

- C) Rescinding the One Day Event License Approval of November 18, 2019
 - 1) Applicant: Jamestown Rhode Race
 Event: Rhode Races & Events Inc.
 Dates: September 19, 2020
 Location: Fort Getty Pavilion

- D) Renewal of Event License Application
 - 1) Applicant: Jamestown Chamber of Commerce
 Event: Restaurant Outdoor Dining
 Dates: Extending to September 22, 2020 unless revoked earlier
 Location: Narragansett Avenue, Narragansett Avenue Municipal Parking Lot & East Ferry Parking Lot

- E) Renewal of a Vendor/ Peddler/MFE License Application as part of the Jamestown Chamber of Commerce Outdoor Dining
 - 1) Applicant: Islandish LTD- Chopmist Charlie
 Dates: Extending to September 22, 2020 unless revoked earlier
 Location: 40 Narragansett Ave.

- F) 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.
 - 1) Renewal of Approval of Requests for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas valid with Special Event Application of the Chamber of Commerce for Dine Out Event in response to COVID- 19; with proposed Extension to September 22, 2020 unless revoked earlier .
 - i) KALI LLC dba J22 Tap & Table, 22 Narragansett Ave.
 - ii) Jamestown Beer Holdings LLC dba The Generals Crossing- 34 Narragansett Ave.
 - iii) Jamestown Restaurant Group LLC dba Narragansett Café- 25 Narragansett Ave.
 - iv) Johnny Angels Clam Shack LLC dba Angels Kitchen- 23B Narragansett Ave.
 - 2) Renewal of Approval of KAILI LLC dba J22 Tap & Table for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas to include property contingent on lease agreement with REGNUM LLC, located at 20 Narragansett Ave. With proposed Extension to September 22, 2020 unless revoked earlier.

- G) Town Council adjourns as the Liquor Licensing Board

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: Proposed Meeting Date September 1, 2020 and September 21, 2020
- B) Review, Discussion and Possible Action to extend the March 16, 2020 Declaration of the Town of Jamestown State of Emergency to September 22, 2020 unless revoked earlier, to curtail the spread of the COVID 19 Virus.
- C) Review, Discussion and Possible Action to extend the Executive Order 2020-1, from July 21, 2020 to September 22, 2020, unless revoked earlier; the continuation of the authorization of the Town Administrator to take any and all necessary actions to implement best practices guidance regarding municipal government actions to curtail the spread of the COVID 19 virus.
- D) Report from Town Administrator & Staff:
 - 1) Discussion and/or take Action and/or Vote Regarding Seasonal Activities, and the use of Town Facilities and their Management during COVID 19 protocol

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) Review, Discussion and Possible Action regarding the Request from the Board of Rhode Island Slave History Medallions to install a Medallion in Jamestown
 - 1) Memorandum dated August 12, 2020 from Town Administrator Hainsworth regarding the Proposed Medallion Locations

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) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote:
 - 1) Discover Newport
 - a) Permission to Advertise for term expiring September, 2020

IX. 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) August 3, 2020 (Regular Meeting)
- B) Award a Bid to in an amount not to exceed \$30,900.00 for new Tax/Utility Software to Quality Data Services (QDS).

- C) Ratification of Police Pension Plan Amendments to accommodate for IRS changes

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.

A) Communications Received:

- 1) Copy of Letter to: Jamestown Town Council
From: Robert S. Powers
Dated: July 29, 2020
Re: Ownership of Westwind Drive Sewer Line
- 2) Copy of Email to: Jamestown Town Council
From: Guy Settipane
Dated: August 13, 2020
Re: Zoning Amendment, Chpt. 82- Height Hearing 8/17

XI. OPEN FORUM- To participate you will press *9 to raise your hand.

The meeting moderator will coordinate your participation.

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

XII. 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: 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 August 13, 2020

Project Update August 2020

WELLS

JR-1, JR-3

- JR-1 is currently being monitored for drawdown in the well to make sure the pump is in the water column. During the summer months' groundwater elevations may drop below the pump elevation which requires the well to be turned off. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir.

TREATMENT PLANT

- Demand for water has been at or above peak levels at times during the summer months. Our average pumping for the month is consistent with past years as shown on the attached pumping report graph. During weekends we have experienced water demand as high as 400,000 gpd during our stretches of 90-degree weather. The plant has performed well with the extended run times meeting our demand. The rainfall deficit continues for the Town of Jamestown with our current total for the year at almost 10 inches below normal. When you compare our supply on the graph provided you can see that we are about the level we would see in August in the 10-year period shown.
- We have been working on our budget for the upcoming fiscal year. Operating expenses continue to grow which will require a rate increase. This is true for all water and sewer districts. Capital expenses for water includes \$1,210,000 for three projects that have already been approved for funding by the Commission that include the South Pond Dam, membrane filter replacement, and painting of one tank on Howland Avenue. Future watermain replacement projects include Narragansett Avenue and the bridge crossing on North Road at Great Creek (Zekes Creek). Both projects will need to be discussed in future budgets for the water department. RIDOT has scheduled road and bridge construction in 2023.

TRANSFER PUMPING/RESERVOIR

- No water was transferred from South Pond.
- The highway department has returned to the Bike Path project at North Reservoir. Work will continue with earthen dam improvements over the coming weeks so that we may pave the path this fall.

DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 5 Million Gallons

North Pond @ 60 MG

Usable Storage 43 Million Gallons

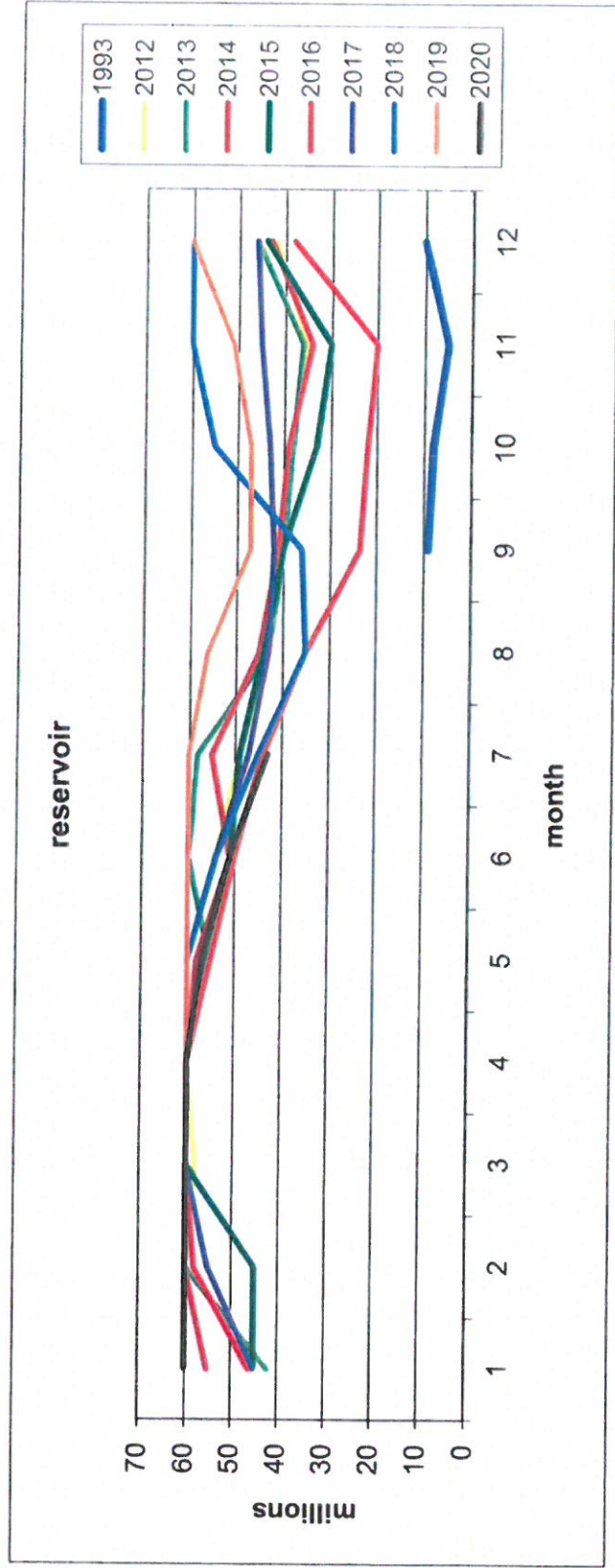
- There were no leaks reported for August.

WASTEWATER TREATMENT PLANT

- We have been working on the sewer budget for the upcoming fiscal year. Similar to the water side sewer operating expenses have grown and will need to be funded with a rate increase. For capital expenses there are two projects that we are planning, one is the replacement of 3 valves at pump station #2 located at Southwest Avenue near mackerel cove and the second is a sewer pipe replacement project on Clarke Street.
- The monthly average daily flow at the treatment plant for August was 0.12 million gallons per day. The peak daily flow was 0.21 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 August.

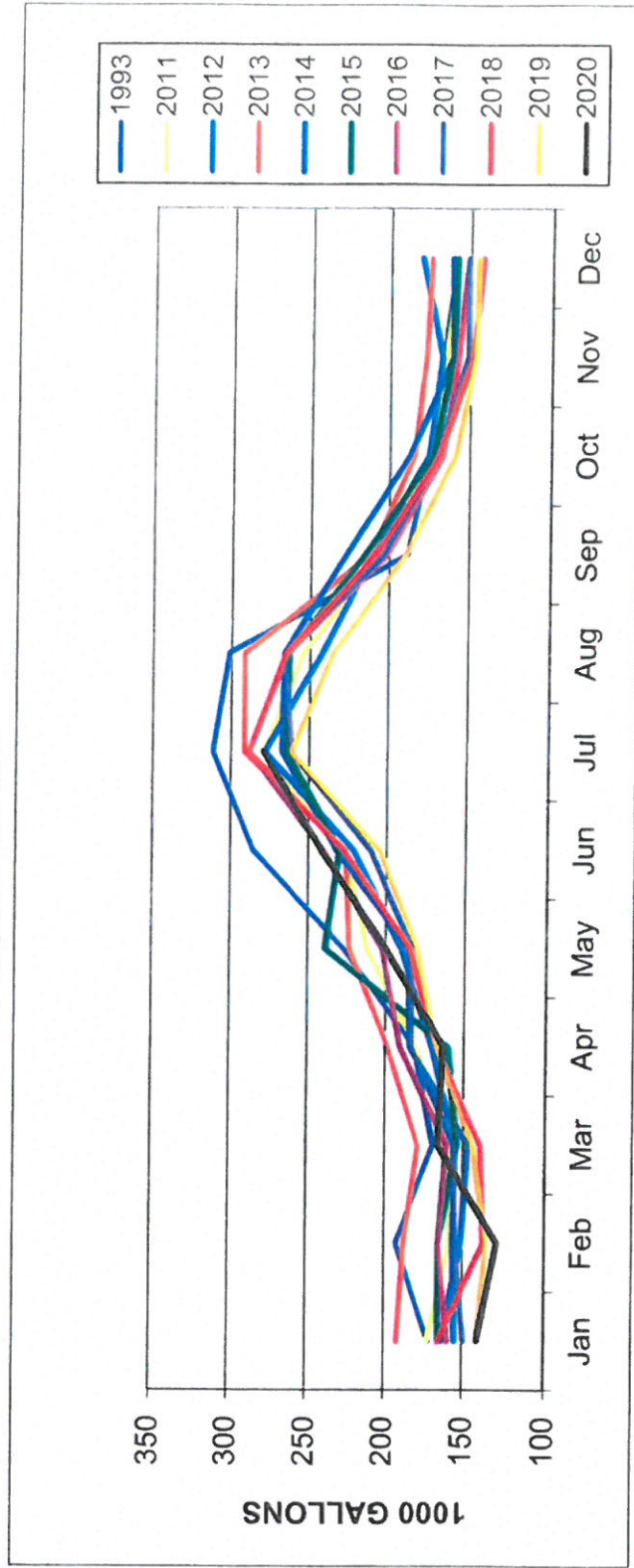
RESERVOIR LEVEL.

	1993	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Jan		30	60	42	55	45	46	45	60	60	60
Feb		52	60	60	60	45	58	55	60	60	60
Mar		58	58	60	60	60	60	60	60	60	60
Apr		60	60	60	60	60	60	60	60	60	60
May		57	60	55	58	56	55	60	60	60	60
Jun		51	54	60	51	51	50	54	54	60	57
Jul		43	49	58	55	49	44	47	45	60	51
Aug		47	43	43	45	44	35	43	35	60	43
Sep	9	45	40	40	41	40	23.5	42	36	56	
Oct	8	58	38	38	39	33	22	43	55	47	
Nov	5	60	35	36	34	30	20	45	60	51	
Dec	10	60	42	46	43	44	38	46	60	60	



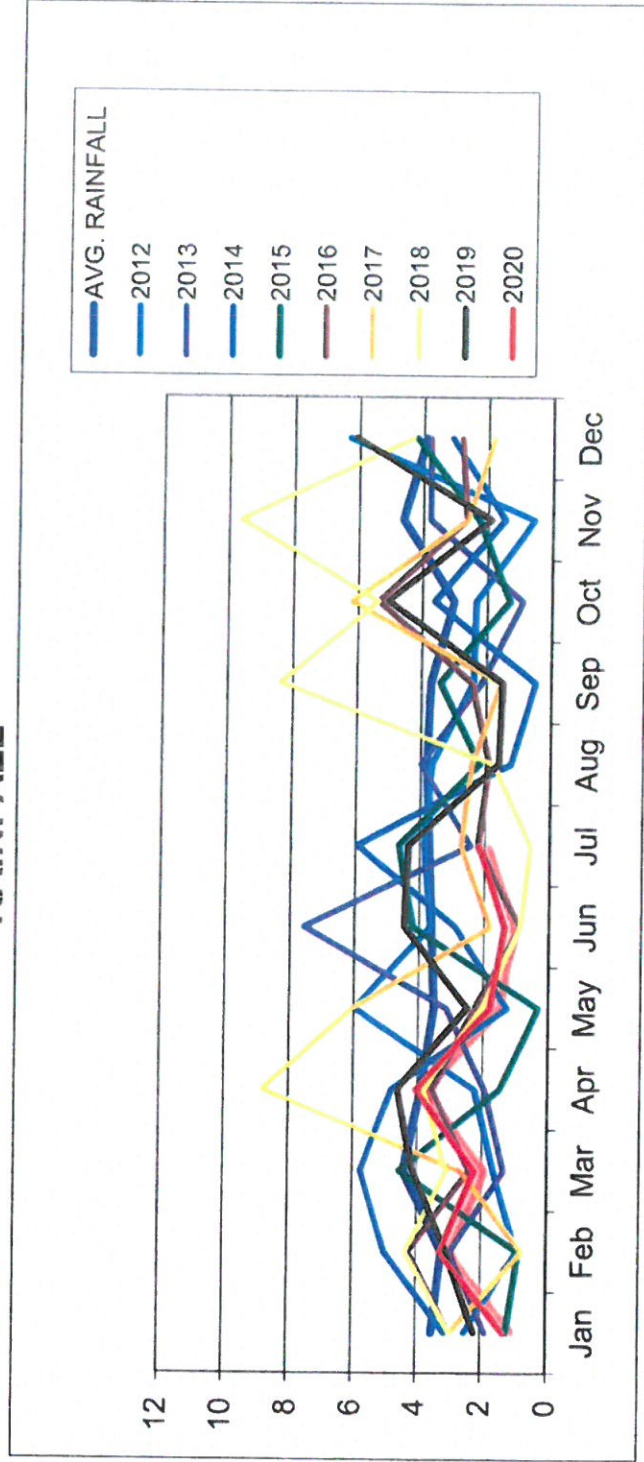
	1993	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Jan	171	172	173	239	172	155	191	163	165	159	149	165	141	141
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135	129
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144	166
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167	163
May	227	202	195	180	212	190	223	185	239	202	183	184	179	200
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204	242
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261	279
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	146	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	145	

PUMPING REPORT



	AVG. RAINFALL											
	2012	2013	2014	2015	2016	2017	2018	2019	2020			
Jan	3.5	1.85	3.1	1.22	2.94	2.94	2.94	2.19	1.3			
Feb	3.2	2.94	4.98	0.86	4.25	0.76	4.33	3.06	3.26			
Mar	4.4	1.64	5.74	4.53	2.36	2.62	3.07	4.11	2.21			
Apr	3.9	2.24	4.8	1.47	3.53	8.8	3.79	4.61	4.03			
May	3.5	5.97	3.11	0.32	2.24	6.03	2.03	2.46	1.79			
Jun	3.6	3.64	7.55	4.2	0.89	1.79	0.89	4.44	1.36			
Jul	3.7	3.86	2.42	4.63	2.19	2.7	0.61	4.33	2.16	avg 25.8		
Aug	3.8	3.64	3.98	2.17	1.88	2.4	1.73	1.58				
Sep	3.7	2.39	0.5	3.41	2.42	1.54	8.35	1.49				
Oct	3	2.33	3.61	1.31	5.33	6.18	5.34	5.04				
Nov	4.6	0.58	1.47	2.27	2.63	2.61	9.61	1.89				
Dec	3.9	6.28	3.1	4.2	2.79	1.81	4.33	6.09				
Total	44.8	35.99	38.59	30.59	33.45	40.18	47.02	41.29	16.11			

RAINFALL



Transfer Pumping NORTH POND WATER QUALITY



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
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	24	31
2020	59	41	34	35	33	54	52					



TOWN OF JAMESTOWN WWTF
MONTHLY REPORT
JULY 2020

Douglas Ouellette, Superintendent

Parameters

	<u>Monthly Avr.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	.1202	MGD	.73 MGD
Daily Max	.2060		
BOD Removal	99.5%	85%	% Removed
TSS Removal	98.8%	85%	% Removed
Fecal Coliform	1.0	No limit, report only	
Enterococci	1.16	(<35 cfu/100ml Monthly) (<276 cfu/100ml Daily)	

Environmental Compliance (Violations)

There are 0 violations to report for the month of July 2020

Complaints

There were two complaints received for July. Complaint 1 was for a slow flowing sewer and complaint 2 was for odors in the home. It was determined that neither were the cause of problems within the towns collection system.

Alarms

The facility had three alarms in July 2020, two were low Cl2 alarms, and one was a highwater alarm at PS#4 that was caused by a power blip.

Septage

The facility received 7050 gallons for July 2020

Sludge Production

The facility processed 113,500 gallons of sludge through Wastewater Services Incorporated.

Maintenance Management

Chemical Use

The facility used 455.6 gallons of Sodium hypochlorite and 0 pounds of lime for process control.

Collection System

31 pump station inspections were completed. All stations are operating as designed.

Energy Use

Energy use for July 2020 was: 196 KWH

Precipitation

Precipitation for July 2020 was 1.76"

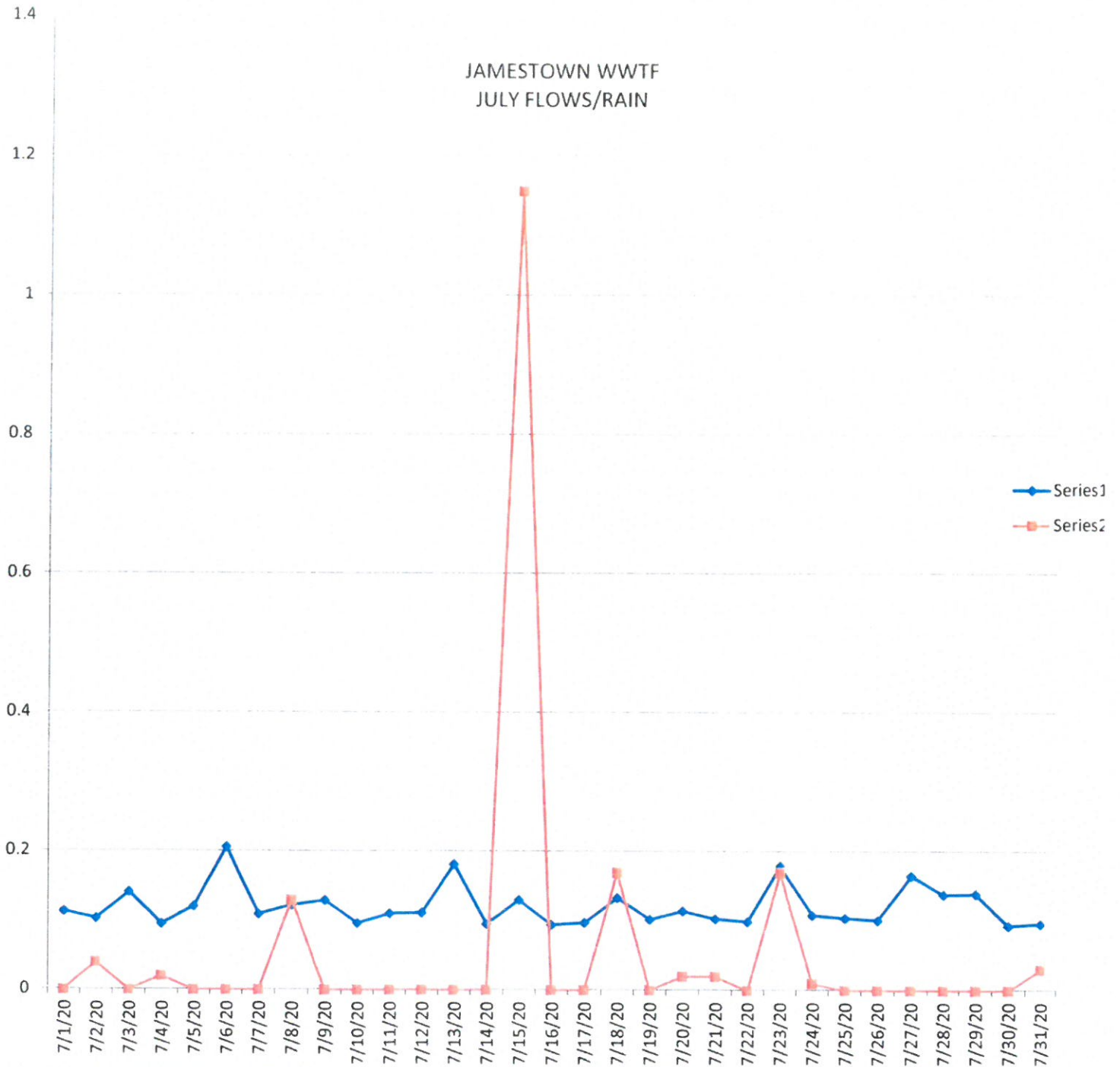
Golf Course

1.810 gallons of effluent was pumped to the pond in July.

Work Orders

62 work orders were completed.

Graphs



Town of
Jamestown, Rhode Island

PO Box 377
Jamestown, RI 02835- 1509
Phone: (401) 423-7220
Fax: (401) 423-7229



Date: August 12, 2020

To: Board of Water and Sewer Commissioners

From: Michael Gray
Public Works Director

RE: Application for Water Service
Plat 12 Lot 216
Hull Cove Street

Attached is an application for a new water service for the above referenced property owned by Michael and Shannon Boxer. The Owners are seeking approval for a new water service connection to an existing residential dwelling located in the Rural Water District. The rules and regulations, Section III, subsection 14B allows new service connections in the Rural Water District with approval by the Board.

The applicant has provided a Well Quantitative Flow Analysis report prepared by Well Check, Inc. which has determined that the existing well on the subject property is no longer yielding sufficient water supply to support a residential dwelling. Based upon the recent data the well appears to be yielding 0.1 GPM.

The Board has granted water services to individual properties in the Rural Water District where the property has frontage on an existing main and an extension was not required. I have reviewed the Water Supply Management Plan and Safe Yield Study for available capacity and supply. The Town has not met the full-build out projections within the District and we remain below the acceptable withdrawal rate for our water supply as determined in our Safe Yield Study, therefore the new connection will not have an adverse impact to the available water users within the Urban District.

**Board of
Water and Sewer Commissioners**
TOWN OF JAMESTOWN, RHODE ISLAND 02835

RECEIVED
Received July 31, 2020
Town of Jamestown

APPLICATION FOR UTILITY SERVICE CONNECTION

COMPLETED BY APPLICANT

DATE: _____

Rural Water and Sewer District

_____ Urban Water and Sewer District

Applicant:

Name: Michael and Shannon Boyer.

Phone: 401-423-0400 ext 14

Address: 15 Hull Cove St

Plat: 12 Lot: 216

Jamestown RI 02835

Zoning District: R 40

c/o Christian Infantolino ESA
77 Narragansett Ave

Type of Service Being Requested:

Water Sewer _____

Use: Residential (single family)

(multi family) _____

Commercial _____

Number of Units _____

Other _____

Plans Required Yes _____ No _____ (For Office Use Only-to be checked by the Public Works Director)

New Building _____

Existing Building _____

Existing Well _____

Existing ISDS _____

Does applicant own contiguous land?

Yes _____ No _____

Estimated water usage

ALL NOTE: Regular meetings of the Board of Water and Sewer Commissioner are held once monthly. Meetings are held at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue, Jamestown, RI. 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.

Please provide a written description and plans addressing Sections 13A, 13B, 14A, 14B (Applications and Transfers) required in the Rules and Regulations of the Board of Water Commissioner. All plans when required by the Director of Public Works Director, must be received a minimum of two weeks prior to the application being placed on the agenda. Any questions concerning the rules and regulations, please call the Pubic Works Director, Mike Gray at 423-7225.

Applicant is requesting to connect to municipal water only. Applicant has a well on the property that does not produce the minimum industry standard of 0.5 gpm. Applicant's well only produces 0.1 gpm, see attached flow test.

Received check #8462 from Morneau + Murphy
 - \$49.00 Recording Fee for Decision Letter. (Fee effective 11/12/07 per RIGL 34-13-7(a)
 This fee is due at the time the application is filed with this office. If the application is not approved by the Board of Water and Sewer Commissioners the fee will be returned to the applicant. *21*

Applicant agrees to take water and sewer service in full compliance with the rules and regulations of the Commission. Applicant agrees to accept all cost associated with the requested service connection. In addition, applicant agrees to pay \$3000 for Water Service Connection fee and \$3000 for Sewer Service Connection fee and any other applicable water or sewer fees. All work according to approved plans and specifications. The Town of Jamestown will inspect all work before final acceptance.

Date: 7/31/2020

Applicants Signature: *[Signature]*

Owners Signature: Michael & Stoumon Boyer
Attorney for Applicants

Approval by the Board of Water and Sewer Commissioners:

 Commission President
 Date _____

WELLCHECK, Inc.

5600 Post Rd #114-112
East Greenwich, RI 02818

Tel: 401-294-7776
Cell: 401-742-4213
wellcheck@gmail.com

WELL QUANTITATIVE FLOW ANALYSIS

REPORT #: 22011634

REPORT DATE: 7/30/20

REPORT TO:

Michael Boxer
15 Hull Cove St
Jamestown, RI 02835

ADDRESS TESTED:

15 Hull Cove St
Jamestown, RI

WELL INFORMATION

Well Type: Drilled

Casing Size: 6 in

Pump Size: 1.5 hp-Sub

Well Driller: NA

Static Level: 296 ft*

Pressure Tank: FP12-13

Well Depth: est 500 ft

Storage Capacity: est 226 gls

Power Supply: 20amp-220v

TEST RESULTS

Well produced estimated 0.1 gallons per minute at time of inspection.

COMMENTS

Well production did not meet minimum guidelines for adequate water supply at time inspection.

Total of 240 gallons pumped during 46 minute test period to draw down at pump level of 447 ft

*Well industry standards indicate a yield of 0.5 gpm to be adequate with a water column of 450 ft.

*Low static level reduces available water column in well.

*SEASONAL VARIATIONS MAY AFFECT WATER LEVEL AND SUPPLY IN WELL DURING DRY AND WET PERIODS.

RECOMMENDATIONS

1. Conservative use of water for household demand and outside irrigation.
2. Consider connection to municipal water supply to ensure adequate and sanitary water supply.

NA: Indicates information not available

NOTE: This well test was performed using an electronic measuring device to determine the rate of loss and rate of recovery directly in the well. Although a highly accurate means of measuring a well's yield, this method as well as all other methods, cannot project the yield of the well at a future date.

Joseph Miano

The following information is requested by the Federal Government in order to monitor our compliance with various civil rights laws. You are not required to furnish this information, but are encourage to do so. The law requires that we may not discriminate based upon this information, nor whether you choose to furnish it. However, if you choose not to furnish it, under Federal regulations we are required to note the race and sex on the basis of visual observation or surname. If you do not wish to furnish the above information, please check the box below.

I do not wish to furnish this information

Race/National Origin: American Indian or Alaskan Native _____

Asian or Pacific Island _____

White, not of Hispanic origin _____

Black, not of Hispanic origin _____

Hispanic origin _____

Other (specify) _____

Sex: Female _____

Male _____

COMPLETED BY PUBLIC WORKS/ENGINEERING DEPARTMENTS

Location of nearest water main IN HULL COVE STREET

sewer main NO SEWER

Location of nearest fire hydrant _____

Size of water main 8"

Type and condition of main EXCELLENT

Water pressure at applicants location 50 PSI

Estimated water usage AVG. FAMILY IN JAMESTOWN 40 GAL/PERSON/DAY

New construction EXISTING HOME

Retrofit _____

Compliant with water saving devices FAIRLY NEW CONST. W/ WATER SAVING
DEVICES PER BUILDING CODE

Comments: _____

SUBJECT FEES FOR SERVICE

Date 8-12-2020

Signature/Title  PWD

COMPLETED BY PLANNING DEPARTMENT

Is request consistent with Comprehensive Community Plan?

Please explain _____

Potential for future subdivision? Please explain _____

Date _____

Signature/Title _____

COMPLETED BY FIRE CHIEF

Request will or will not reduce the level of fire protection of the community? Please explain _____

Fire Hydrants required? Yes _____ No _____

Date _____ Signature/Title _____

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



To: Honorable Council Members
From: Christina D. Collins, Finance Director
Date: August 13, 2020

A handwritten signature in blue ink, appearing to be "cc", is written over the "From" line of the header.

Subject: 2020/2021 Water & Sewer Budget

Attached please find the Town Administrator's proposed Water & Sewer budgets for fiscal year 2020/2021.

The Water budget as presented includes additional expenses of \$34,290.00 or a 2.72% increase in the operating costs for the Water department. Proposed increases include costs for personnel (\$17,605.00 or 4.14%), operating expenses and equipment maintenance. The proposed budget will require an increase of 5% for metered excess water and a 5% increase on minimum in advance for the next fiscal year. Minimum in advance has not had an increase in 5 years.

The Sewer budget as presented includes additional expenses of \$50,490.00 or a 6.56% increase in the operating cost for the Sewer department. The proposed increases include costs for personnel (\$19,645.00 or 4.56%), operating expenses and equipment maintenance. The proposed budget will require an increase of 10% (\$14.89 to \$16.38) in the rate for customers for the next fiscal year.

Attached is a summary of rates for water and sewer for the existing fiscal year and the proposed FY2020/2021 year which shows an increase between 4.62% and 6% based on the tiered structure for gallons used and the increase for Sewer usage.

With operating costs continuing to increase, the rates as presented are needed to operate the Facilities in accordance with State and Federal guidelines.

TOWN OF JAMESTOWN - WATER DIVISION

Proposed Budget

July 1, 2020 - June 30, 2021

<u>ACCOUNT NUMBER & DESCRIPTION</u>	<u>Actual FY18.19 6/30/2019</u>	<u>BUDGET FY19.20</u>	<u>PROPOSED FY20.21</u>	<u>FY19.20 YTD 6/30/2020</u>	<u>\$ Change Prev. Yr.</u>	<u>% Change Prev. Yr.</u>
OPERATING REVENUES						
2102 0000 40101 Metered Excess Water	377,409.67	362,250.00	365,381.00	323,768.77	3,131.00	0.86%
2102 0000 40402 Minimum Charge	532,333.93	532,225.00	561,267.00	534,540.04	29,042.00	5.46%
2102 0000 40403 Fire Protection Charges	165,000.00	170,000.00	170,000.00	170,000.00	0.00	0.00%
2102 0000 40408 Income From New Services	7,850.00	15,000.00	15,000.00	15,700.00	0.00	0.00%
2102 0000 40409 Miscellaneous Income	11,856.03	17,000.00	17,000.00	11,137.27	0.00	0.00%
2102 0000 40415 Interest Income	3,274.01	3,500.00	3,500.00	3,721.37	0.00	0.00%
2102 0000 40420 Rental Water Tower	156,626.52	158,883.00	161,000.00	157,878.20	2,117.00	1.33%
40100 TOTAL REVENUES	1,254,350.16	1,258,858.00	1,293,148.00	1,216,745.65	34,290.00	2.72%
OPERATING SALARIES						
2102 7000 70100 Public Works Director	24,948.85	24,845.00	26,103.00	25,569.99	1,258.00	5.06%
2102 7000 70102 Accounting	42,775.33	40,571.00	43,162.00	43,756.02	2,591.00	6.39%
2102 7000 70103 Treatment Plant Oper	69,547.49	69,548.00	78,537.00	74,334.67	8,989.00	12.92%
2102 7000 70104 Ass't Treat Plant Oper w/long	69,682.88	69,155.00	73,435.00	72,484.19	4,280.00	6.19%
2102 7000 70105 Plant Operator	46,492.33	57,725.00	60,798.00	59,153.01	3,073.00	5.32%
2102 7000 70501 Water Charge backs	0.00	0.00	0.00	427.88	0.00	#DIV/0!
2102 7000 70513 Treatment Plant Oper - OT	19,310.63	13,000.00	13,000.00	14,238.25	0.00	0.00%
2102 7000 70514 Ass't Treatment Plant - OT	16,198.65	11,000.00	11,000.00	11,692.59	0.00	0.00%
2102 7000 70515 Plant Operator OT	6,827.09	8,000.00	8,000.00	9,223.60	0.00	0.00%
7000 Salaries	295,783.25	293,844.00	314,035.00	310,880.20	20,191.00	6.87%
7001 70900 Social Security	20,783.94	22,480.00	24,024.00	20,427.66	1,544.00	6.87%
7001 70901 Blue Cross/Delta Dental	36,420.69	37,379.00	41,239.00	35,232.34	3,860.00	10.33%
7001 70902 Worker's Compensation	30,000.00	32,000.00	30,000.00	30,000.00	-2,000.00	-6.25%
7001 70903 Retirement Fund	37,054.71	28,815.00	31,250.00	27,143.24	2,435.00	8.45%
7001 70906 Life Insurance	595.20	780.00	620.00	613.80	-160.00	-20.51%
7001 70910 Clothing Allowance	1,585.98	1,500.00	1,500.00	1,799.95	0.00	0.00%
Salary Adjustment	0.00	8,265.00	0.00	0.00	-8,265.00	-100.00%
7001 Benefits	126,440.52	131,219.00	128,633.00	115,216.99	-2,586.00	-1.97%
7000/7001/7002 SALARIES/BENEFITS	422,223.77	425,063.00	442,668.00	426,097.19	17,605.00	4.14%
2102 7005 70601 Maintenance	7,421.08	6,000.00	6,000.00	8,690.08	0.00	0.00%
2102 7005 70606 Alarm Lines	2,017.22	2,000.00	2,500.00	2,491.49	500.00	25.00%
7005 Reservoirs/Rights of Way	9,438.30	8,000.00	8,500.00	11,181.57	500.00	6.25%
2102 7006 70601 Maintenance	5,090.90	1,000.00	1,000.00	521.42	0.00	0.00%
2102 7006 70636 Electricity	9,619.54	7,000.00	10,000.00	9,550.45	3,000.00	42.86%
2102 7006 70934 Depreciation Expense	0.00	0.00	0.00	0.00	0.00	#DIV/0!
7006 Wells	14,710.44	8,000.00	11,000.00	10,071.87	3,000.00	37.50%
2102 7010 70008 Lab Supplies	12,095.27	10,000.00	10,000.00	10,429.13	0.00	0.00%
2102 7010 70631 Chemicals	48,452.45	47,000.00	50,000.00	47,662.02	3,000.00	6.38%
2102 7010 70632 Heat	10,750.29	13,500.00	13,500.00	10,195.67	0.00	0.00%
2102 7010 70633 Equipment Maintenance	34,736.35	30,000.00	30,000.00	23,646.03	0.00	0.00%
2102 7010 70634 Professional Services	5,460.71	5,000.00	5,000.00	745.00	0.00	0.00%
2102 7010 70635 Telephone	2,809.28	2,500.00	3,500.00	3,502.63	1,000.00	40.00%
2102 7010 70636 Electricity	36,649.74	38,000.00	40,000.00	38,317.43	2,000.00	5.26%
2102 7010 70637 Building Maintenance	8,299.38	8,000.00	8,000.00	10,089.10	0.00	0.00%
2102 7010 70638 State Testing	11,796.26	10,824.00	10,000.00	9,260.45	-824.00	-7.61%
2102 7010 70639 License Fees	1,200.00	2,000.00	6,000.00	8,384.00	4,000.00	200.00%
2102 7010 70643 Pump Out Treatment Plant	3,510.00	2,000.00	3,200.00	3,120.00	1,200.00	60.00%
2102 7010 70645 Sludge Remonal	19,934.77	16,000.00	16,000.00	13,531.33	0.00	0.00%
7010 Pump Station & Treatment Plant	195,694.50	184,824.00	195,200.00	178,882.79	10,376.00	5.61%
7011 70636 South Pond - Electricity	1,941.54	1,650.00	2,000.00	1,965.06	350.00	21.21%
7011 70637 South Pond - Transfer Pump	150.00	3,300.00	3,300.00	0.00	0.00	0.00%
7011 South Pond Pre-Treatment Bldg	2,091.54	4,950.00	5,300.00	1,965.06	350.00	7.07%
2012 7012 70636 Water Tower - Electricity	1,335.01	3,000.00	3,000.00	1,317.18	0.00	0.00%
2102 7012 70643 Water Tower - Maintenance	0.00	500.00	500.00	0.00	0.00	0.00%
7012 Water Tower	1,335.01	3,500.00	3,500.00	1,317.18	0.00	0.00%
2102 7013 70644 Gasoline/Oil	729.98	1,500.00	1,500.00	868.33	0.00	0.00%
2102 7013 70645 Repairs/Maintenance	2,727.48	4,000.00	4,000.00	3,768.09	0.00	0.00%
7013 Vehicles	3,457.46	5,500.00	5,500.00	4,636.42	0.00	0.00%
2102 7020 70651 Clamps	-1,901.44	1,000.00	1,000.00	0.00	0.00	0.00%
2102 7020 70652 Pipe	1,585.03	5,000.00	5,000.00	3,517.82	0.00	0.00%
2102 7020 70653 Backfill & Excavation	0.00	2,000.00	2,000.00	3,238.21	0.00	0.00%
7020 Maintenance & Laterals	-316.41	8,000.00	8,000.00	6,756.03	0.00	0.00%

TOWN OF JAMESTOWN - WATER DIVISION
Proposed Budget
July 1, 2020 - June 30, 2021

<u>ACCOUNT NUMBER & DESCRIPTION</u>	<u>Actual FY18.19</u> <u>6/30/2019</u>	<u>BUDGET</u> <u>FY19.20</u>	<u>PROPOSED</u> <u>FY20.21</u>	<u>FY19.20 YTD</u> <u>6/30/2020</u>	<u>\$ Change</u> <u>Prev. Yr.</u>	<u>% Change</u> <u>Prev. Yr.</u>
2102 7030 70661 Service Repairs	3,235.76	8,000.00	10,000.00	11,034.02	2,000.00	25.00%
2102 7030 70663 New Services	-1,795.81	3,000.00	5,000.00	7,344.93	2,000.00	66.67%
7030 Water Division Services	1,439.95	11,000.00	15,000.00	18,378.95	4,000.00	36.36%
2102 7040 70672 Supplies/Expenses	11,384.34	14,000.00	14,000.00	13,366.85	0.00	0.00%
7040 Meters	11,384.34	14,000.00	14,000.00	13,366.85	0.00	0.00%
2102 7050 70681 Maintenance	6,419.29	8,000.00	7,500.00	2,243.59	-500.00	-6.25%
7050 Hydrants	6,419.29	8,000.00	7,500.00	2,243.59	-500.00	-6.25%
2102 7060 70923 Billing	4,115.56	6,500.00	6,500.00	4,748.72	0.00	0.00%
2102 7060 70924 Insurance	7,200.00	7,200.00	7,200.00	7,200.00	0.00	0.00%
2102 7060 70925 Audit	0.00	4,000.00	4,000.00	0.00	0.00	0.00%
2102 7060 70926 Supplies & Training	10,054.72	6,000.00	6,000.00	5,456.61	0.00	0.00%
7030 Administration	21,370.28	23,700.00	23,700.00	17,405.33	0.00	0.00%
2102 7070 70350 Principal	0.00	0.00	0.00	0.00	0.00	#DIV/0!
2102 7070 70940 Interest	123,235.70	19,644.00	0.00	115,677.05	-19,644.00	-100.00%
Dam Repair (\$550K)	0.00	0.00	9,625.00	0.00	9,625.00	#DIV/0!
Water Tank Painting (\$400k)	0.00	0.00	6,000.00	0.00	6,000.00	#DIV/0!
Membrane Filter (\$265k)	0.00	0.00	3,644.00	0.00	3,644.00	#DIV/0!
2102 7070 70300 Transfer to \$6.2 Water Debt	199,827.12	434,677.00	434,011.00	434,677.00	-666.00	-0.15%
7070 Debit Service	323,062.82	454,321.00	453,280.00	550,354.05	-1,041.00	-0.23%
7080 70800 Infrastructure Replacement						
Fund/Capital Improvements	39,890.05	100,000.00	100,000.00	38,744.84	0.00	0.00%
7080 Total	39,890.05	100,000.00	100,000.00	38,744.84	0.00	0.00%
TOTAL EXPENSES	1,052,201.34	1,258,858.00	1,293,148.00	1,281,401.72	34,290.00	2.72%
TOTAL REVENUES	1,254,350.16	1,258,858.00	1,293,148.00	1,216,745.65	34,290.00	2.72%
DIFFERENCE	202,148.82	0.00	0.00	-64,656.07	0.00	

**TOWN OF JAMESTOWN WATER DIVISION
PROPOSED OPERATING BUDGET
July 1, 2020- June 30, 2021**

NUMBER	ACCOUNT	PROPOSED 2020/2021	
70070940	Principal Due	\$330,000.00	
	Interest Due	\$104,011.00	\$434,011.00
	Income to offset Debt	\$434,011.00	

TOWN OF JAMESTOWN - SEWER DIVISION
Proposed Budget
July 1, 2020 - June 30, 2021

<u>ACCOUNT NUMBER & DESCRIPTION</u>	<u>Actual</u> <u>FY18.19</u> <u>6/30/2019</u>	<u>BUDGET</u> <u>FY19.20</u>	<u>PROPOSED</u> <u>FY20.21</u>	<u>FY19.20</u> <u>YTD</u> <u>6/30/2020</u>	<u>\$ Change</u> <u>Prev. Yr.</u>	<u>% Change</u> <u>Prev. Yr.</u>
OPERATING REVENUES						
2103 0000 40400 Sewer Line Frontage Assessment	80,761.56	80,042.00	81,085.00	81,085.24	1,043.00	1.30%
2103 0000 40405 Inspection Fees	125.00	250.00	300.00	275.00	50.00	20.00%
2103 0000 40406 Sewer Use Sales	630,578.49	661,262.00	713,409.00	638,201.49	52,147.00	7.89%
2103 0000 40408 New Service Connect Fees	6,000.00	15,000.00	15,000.00	19,850.00	0.00	0.00%
2103 0000 40414 Dumping Fees	2,418.50	5,000.00	5,000.00	1,032.50	0.00	0.00%
2103 0000 40850 Golf Course Allocation	8,000.00	8,000.00	8,000.00	8,000.00	0.00	0.00%
40100 TOTAL REVENUES	727,883.55	769,554.00	822,794.00	748,444.23	53,240.00	6.92%
OPERATING EXPENSES						
2103 7000 70100 Public Works Director	24,948.84	24,844.00	26,103.00	25,569.98	1,259.00	5.07%
2103 7000 70101 Wastewater Super w/Long	74,989.46	74,763.68	80,781.00	76,688.35	6,017.32	8.05%
2103 7000 70102 Accounting w/Long	42,775.21	40,571.00	40,571.00	43,755.83	0.00	0.00%
2103 7000 70103 Asst. Super w/Long	69,729.47	69,434.46	73,435.00	71,269.88	4,000.54	5.76%
2103 7000 70104 Plant Operator w/Long	61,184.31	60,899.86	64,750.00	62,857.89	3,850.14	6.32%
2103 7000 70111 Sewer - Temp Labor	0.00	7,200.00	8,500.00	8,281.88	1,300.00	18.06%
2103 7000 70511 Wastewater Super OT	5,445.53	9,000.00	9,000.00	12,058.35	0.00	0.00%
2103 7000 70513 Asst. Superintendent OT	13,219.28	9,000.00	9,000.00	8,496.49	0.00	0.00%
2103 7000 70514 Plant Operator OT	7,773.58	9,000.00	9,000.00	9,527.11	0.00	0.00%
7000 Salaries	300,065.68	304,713.00	321,140.00	318,505.76	16,427.00	5.39%
2103 7000 70900 Social Security	20,037.58	22,899.00	23,917.00	20,921.76	1,018.00	4.45%
2103 7000 70901 Health & Dental	49,483.11	50,171.00	52,527.00	39,597.66	0.00	4.70%
2103 7000 70902 Worker's Compensation	10,000.00	9,000.00	10,000.00	10,000.00	1,000.00	11.11%
2103 7000 70904 Retirement	34,194.58	31,919.00	38,768.00	24,443.31	6,849.00	21.46%
2103 7000 70906 Life Insurance	669.64	670.00	670.00	613.80	0.00	0.00%
2103 7000 70910 Salary Adjustment	0.00	8,005.00	0.00	0.00	-8,005.00	-100.00%
2103 7000 70336 Clothing Allowance	2,094.00	1,500.00	1,500.00	1,627.00	0.00	0.00%
2103 7000 70339 License Fees	1,800.00	1,800.00	1,800.00	1,800.00	0.00	0.00%
7000 Benefits	118,278.91	125,964.00	129,182.00	99,003.53	3,218.00	2.55%
7000 TOTAL SALARY & BENEFITS	418,344.59	430,677.00	450,322.00	417,509.29	19,645.00	4.56%
2103 7002 70001 Power - Electricity	39,859.49	38,000.00	42,000.00	40,942.22	4,000.00	10.53%
2103 7002 70002 Chemicals	3,055.55	2,500.00	2,500.00	1,585.70	0.00	0.00%
2103 7002 70003 Heat	10,181.64	9,500.00	9,500.00	5,198.73	0.00	0.00%
2103 7002 70004 Water	2,342.67	2,200.00	2,000.00	1,600.50	-200.00	-9.09%
2103 7002 70005 Chlorine	6,258.04	7,000.00	7,000.00	6,061.47	0.00	0.00%
2103 7002 70006 Equipment Maintenance	25,347.96	22,000.00	24,000.00	24,000.30	2,000.00	9.09%
2103 7002 70007 Misc Supplies, Office Cleaning	8,011.14	5,000.00	10,000.00	9,239.02	5,000.00	100.00%
2103 7002 70008 Laboratory Supplies	2,238.10	4,500.00	4,500.00	902.97	0.00	0.00%
2103 7002 70009 Telephone	602.80	750.00	2,200.00	2,199.30	1,450.00	193.33%
2103 7002 70010 Alarm Lines	6,758.63	5,500.00	7,000.00	7,130.34	1,500.00	27.27%
2103 7002 70011 Sludge Composting	40,576.76	39,400.00	35,000.00	28,186.75	-4,400.00	-11.17%
2103 7002 70012 Truck Operation & Main.	44.62	1,000.00	2,000.00	1,827.06	1,000.00	100.00%
2103 7002 70013 Gas - Truck	717.32	2,500.00	2,500.00	350.80	0.00	0.00%
2103 7002 70014 State Mandated Testing	24,447.09	22,400.00	26,000.00	25,671.42	3,600.00	16.07%
2103 7002 70201 Professional Services - Legal	0.00	2,500.00	2,500.00	0.00	0.00	0.00%
2103 7002 70315 Training	1,327.00	1,000.00	1,000.00	300.00	0.00	0.00%
2103 7002 70600 Professional Services	0.00	2,000.00	2,000.00	3,000.00	0.00	0.00%
7002 Wastewater Treatment Facility	171,768.81	167,750.00	181,700.00	158,196.58	13,950.00	8.32%
2103 7003 70017 Pumping Station #3 (W Ferry)	3,711.68	4,000.00	5,000.00	4,559.57	1,000.00	25.00%
2103 7003 70018 Pumping Station #1 (Bayview)	25,567.79	15,000.00	25,000.00	21,759.41	10,000.00	66.67%
2103 7003 70019 Pumping Station #2 (Hamilton)	13,049.76	10,000.00	11,000.00	10,099.25	1,000.00	10.00%
2103 7003 70020 Pumping Station #4 (Maple)	765.93	750.00	750.00	638.02	0.00	0.00%
7003 Pumping Stations	43,095.16	29,750.00	41,750.00	37,056.25	12,000.00	40.34%
2103 7004 70598 Equipment Insurance	4,000.00	4,000.00	4,000.00	4,000.00	0.00	0.00%
7004 Insurance	4,000.00	4,000.00	4,000.00	4,000.00	0.00	0.00%
2103 7005 70021 Maintenance Sewer Mains	4,412.22	6,500.00	5,000.00	200.00	-1,500.00	-23.08%
7005 Sanitary Sewers, Laterals&Mains						
2103 7005 70xxx Jet Vac Truck Lease	10,096.79	26,406.00	25,844.00	4,900.00	-562.00	-2.13%
2103 7005 70xxx Sewer Truck	0.00	8,125.00	5,895.00	0.00	-2,230.00	-27.45%
2103 7005 70xxx Slip Lining	0.00	41,025.00	40,425.00	0.00	-600.00	-1.46%
2103 7005 70xxx Pump Station	0.00	0.00	2,750.00	0.00	2,750.00	#DIV/0!
2103 7005 70605 West Ferry Extension Notes	36,330.46	5,321.00	5,108.00	3,501.34	-213.00	-4.00%
Debt	50,839.47	87,377.00	85,022.00	8,601.34	-2,355.00	-2.70%
7081 70801 Capital Expense	32,744.40	50,000.00	60,000.00	19,833.27	10,000.00	20.00%
TOTAL EXPENSES	720,792.43	769,554.00	822,794.00	645,196.73	53,240.00	6.92%
TOTAL REVENUE	727,883.55	769,554.00	822,794.00	748,444.23	53,240.00	6.92%

**TOWN OF JAMESTOWN SEWER DIVISION
PROPOSED OPERATING BUDGET
July 1, 2020- June 30, 2021**

NUMBER	ACCOUNT	PROPOSED 2020/2021	
70070940	Principal Due	\$441,903.74	
	Interest Due	\$21,797.02	\$463,700.76
	Income to offset Debt	\$463,700.76	

CURRENT WATER RATES 2019/2020

**PROPOSED WATER RATES
FY2020/2021**

Water - Minimum in Advance- 5% inc.
Water- Excess Water - 5% inc.
Sewer - 10% inc.

	Unit	Rate	Amount	Qtrly	Yrly.	Yrly \$ inc.	Yrly % inc.
3,000/12,000 gallons							
Minimum in Advance	1	\$76.13	\$76.13	Qtrly	\$304.52	\$15.23	
Excess Water	0	\$0.00	\$0.00	Qtrly	\$0.00	\$0.00	
State Surcharge 1	3	\$0.11	\$0.32	Qtrly	\$1.26	\$0.00	
State Surcharge 2	3	\$0.17	\$0.50	Qtrly	\$2.00	\$0.00	
Sewer Charge- usage	3	\$14.89	\$44.67	Qtrly	\$178.68	\$17.87	
Sewer Debt Flat Fee	1	\$38.02	\$38.02	Qtrly	\$152.08	\$0.00	
Sewer Debt Usage Fee	3	\$6.49	\$19.47	Qtrly	\$77.88	\$0.00	
			\$179.11		\$716.42	\$33.09	4.62%

	Unit	Rate	Amount	Qtrly	Yrly.	Yrly \$ inc.	Yrly % inc.
8,000/32,000 gallons							
Minimum in Advance	1	\$76.13	\$76.13	Qtrly	\$304.52	\$15.23	
Excess Water	3	\$6.76	\$20.28	Qtrly	\$81.12	\$4.06	
State Surcharge 1	8	\$0.11	\$0.84	Qtrly	\$3.37	\$0.00	
State Surcharge 2	8	\$0.17	\$1.33	Qtrly	\$5.32	\$0.00	
Sewer Charge- Usage	8	\$14.89	\$119.12	Qtrly	\$476.48	\$47.65	
Sewer Debt Flat Fee	1	\$38.02	\$38.02	Qtrly	\$152.08	\$0.00	
Sewer Debt Usage Fee	8	\$6.49	\$51.92	Qtrly	\$207.68	\$0.00	
			\$307.64		\$1,230.58	\$66.93	5.44%

	Unit	Rate	Amount	Qtrly	Yrly.	Yrly \$ inc.	Yrly % inc.
13,000/52,000 gallons							
Minimum in Advance	1	\$76.13	\$76.13	Qtrly	\$304.52	\$15.23	
Excess Water	8	\$7.28	\$58.24	Qtrly	\$232.96	\$11.65	
State Surcharge 1	13	\$0.11	\$1.37	Qtrly	\$5.48	\$0.00	
State Surcharge 2	13	\$0.17	\$2.16	Qtrly	\$8.65	\$0.00	
Sewer Charge- usage	13	\$14.89	\$193.57	Qtrly	\$774.28	\$77.43	
Sewer Debt Flat Fee	1	\$38.02	\$38.02	Qtrly	\$152.08	\$0.00	
Sewer Debt Usage Fee	13	\$6.49	\$84.37	Qtrly	\$337.48	\$0.00	
			\$453.86		\$1,815.45	\$104.30	5.75%

	Unit	Rate	Amount	Qtrly	Yrly.	Yrly \$ inc.	Yrly % inc.
16,000/64,000 gallons							
Minimum in Advance	1	\$76.13	\$76.13	Qtrly	\$304.52	\$15.23	
Excess Water	11	\$9.22	\$101.42	Qtrly	\$405.68	\$20.28	
State Surcharge 1	16	\$0.11	\$1.69	Qtrly	\$6.75	\$0.00	
State Surcharge 2	16	\$0.17	\$2.66	Qtrly	\$10.65	\$0.00	
Sewer Charge- usage	16	\$14.89	\$238.24	Qtrly	\$952.96	\$95.30	
Sewer Debt Flat Fee	1	\$38.02	\$38.02	Qtrly	\$152.08	\$0.00	
Sewer Debt Usage Fee	16	\$6.49	\$103.84	Qtrly	\$415.36	\$0.00	
			\$562.00		\$2,248.00	\$130.81	5.82%

32,000/128,000 gallons			Qtrly			Yrly.			Yrly \$ inc.			
	Unit	Rate	Amount	Yrly.	Unit	Rate	Amount	Yrly.	Yrly \$ inc.			
Minimum in Advance	1	\$76.13	\$76.13	\$304.52	1	\$79.94	\$79.94	\$319.75	\$15.23			
Excess Water	27	\$12.83	\$346.41	\$1,385.64	27	\$13.47	\$363.73	\$1,454.92	\$69.28			
State Surcharge 1	32	\$0.11	\$3.37	\$13.49	32	\$0.11	\$3.37	\$13.49	\$0.00			
State Surcharge 2	32	\$0.17	\$5.32	\$21.30	32	\$0.17	\$5.32	\$21.30	\$0.00			
Sewer Charge- usage	32	\$14.89	\$476.48	\$1,905.92	32	\$16.38	\$524.13	\$2,096.51	\$190.59			
Sewer Debt Flat Fee	1	\$38.02	\$38.02	\$152.08	1	\$38.02	\$38.02	\$152.08	\$0.00			
Sewer Debt Usage Fee	32	\$6.49	\$207.68	\$830.72	32	\$6.49	\$207.68	\$830.72	\$0.00			
			\$1,153.42	\$4,613.67			\$1,222.19	\$4,888.77	\$275.10			5.96%

68,000/272,000 gallons			Qtrly			Yrly.			Yrly \$ inc.			
	Unit	Rate	Amount	Yrly.	Unit	Rate	Amount	Yrly.	Yrly \$ inc.			
Minimum in Advance	1	\$76.13	\$76.13	\$304.52	1	\$79.94	\$79.94	\$319.75	\$15.23			
Excess Water	63	\$15.73	\$990.99	\$3,963.96	63	\$16.52	\$1,040.54	\$4,162.16	\$198.20			
State Surcharge 1	68	\$0.11	\$7.17	\$28.67	68	\$0.11	\$7.17	\$28.67	\$0.00			
State Surcharge 2	68	\$0.17	\$11.32	\$45.26	68	\$0.17	\$11.32	\$45.26	\$0.00			
Sewer Charge- usage	68	\$14.89	\$1,012.52	\$4,050.08	68	\$16.38	\$1,113.77	\$4,455.09	\$405.01			
Sewer Debt Flat Fee	1	\$38.02	\$38.02	\$152.08	1	\$38.02	\$38.02	\$152.08	\$0.00			
Sewer Debt Usage Fee	68	\$6.49	\$441.32	\$1,765.28	68	\$6.49	\$441.32	\$1,765.28	\$0.00			
			\$2,577.46	\$10,309.85			\$2,732.07	\$10,928.28	\$618.43			6.00%

169,000/676,000 gallons			Qtrly			Yrly.			Yrly \$ inc.			
	Unit	Rate	Amount	Yrly.	Unit	Rate	Amount	Yrly.	Yrly \$ inc.			
Minimum in Advance	1	\$76.13	\$76.13	\$304.52	1	\$79.94	\$79.94	\$319.75	\$15.23			
Excess Water	164	\$20.14	\$3,302.96	\$13,211.84	164	\$21.15	\$3,468.11	\$13,872.43	\$660.59			
State Surcharge 1	169	\$0.11	\$17.81	\$71.25	169	\$0.11	\$17.81	\$71.25	\$0.00			
State Surcharge 2	169	\$0.17	\$28.12	\$112.49	169	\$0.17	\$28.12	\$112.49	\$0.00			
Sewer Charge- usage	169	\$14.89	\$2,516.41	\$10,065.64	169	\$16.38	\$2,768.05	\$11,072.20	\$1,006.56			
Sewer Debt Flat Fee	1	\$38.02	\$38.02	\$152.08	1	\$38.02	\$38.02	\$152.08	\$0.00			
Sewer Debt Usage Fee	169	\$6.49	\$1,096.81	\$4,387.24	169	\$6.49	\$1,096.81	\$4,387.24	\$0.00			
			\$7,076.26	\$28,305.06			\$7,496.86	\$29,987.44	\$1,682.38			5.94%

210,000/840,000 gallons			Qtrly			Yrly.			Yrly \$ inc.			
	Unit	Rate	Amount	Yrly.	Unit	Rate	Amount	Yrly.	Yrly \$ inc.			
Minimum in Advance	1	\$76.13	\$76.13	\$304.52	1	\$79.94	\$79.94	\$319.75	\$15.23			
Excess Water	205	\$25.63	\$5,254.15	\$21,016.60	205	\$26.91	\$5,516.86	\$22,067.43	\$1,050.83			
State Surcharge 1	210	\$0.11	\$22.13	\$88.54	210	\$0.11	\$22.13	\$88.54	\$0.00			
State Surcharge 2	210	\$0.17	\$34.94	\$139.78	210	\$0.17	\$34.94	\$139.78	\$0.00			
Sewer Charge- usage	210	\$14.89	\$3,126.90	\$12,507.60	210	\$16.38	\$3,439.59	\$13,758.36	\$1,250.76			
Sewer Debt Flat Fee	1	\$38.02	\$38.02	\$152.08	1	\$38.02	\$38.02	\$152.08	\$0.00			
Sewer Debt Usage Fee	210	\$6.49	\$1,362.90	\$5,451.60	210	\$6.49	\$1,362.90	\$5,451.60	\$0.00			
			\$9,915.18	\$39,660.71			\$10,494.38	\$41,977.53	\$2,316.82			5.84%

JAMESTOWN WATER AND SEWER RATES

Minimum in advance:		
Meter size	Quarterly	Seasonal
Current Billing Rates		
5/8"	\$76.13	\$304.51
3/4"	\$114.27	\$457.07
1"	\$141.92	\$567.64
1 1/2"	\$174.81	\$698.46
2"	\$227.71	\$910.84
3"	\$419.82	\$1,679.23
4"	\$631.91	\$2,527.68

Proposed Minimum in Advance

Meter size	Quarterly	Seasonal
5/8"	\$79.94	\$319.74
3/4"	\$119.98	\$479.92
1"	\$149.02	\$596.02
1 1/2"	\$183.55	\$733.38
2"	\$239.10	\$956.38
3"	\$440.81	\$1,763.19
4"	\$663.51	\$2,654.06

Current Excess Water Rates:		
Minimum	Maximum	Rates
0	5,000	\$0.00
5,001	9,999	\$6.76
10,000	14,999	\$7.28
15,000	19,999	\$9.22
20,000	49,999	\$12.83
50,000	99,999	\$15.73
100,000	199,999	\$20.14
200,000	999,999,999	\$25.63

*per 1,000 gallons

Proposed Excess Water Rates:		
Minimum	Maximum	Rates
0	5,000	\$0.00
5,001	9,999	\$7.10
10,000	14,999	\$7.64
15,000	19,999	\$9.68
20,000	49,999	\$13.47
50,000	99,999	\$16.52
100,000	199,999	\$21.15
200,000	999,999,999	\$26.91

*per 1,000 gallons

Current Water Rates:		
Sewer use rate (per 1000 gallons):		\$14.89
Sewer flat rate for pump out:		\$172.31
Sewer flat rate for those without meters and without water:		\$68.99
Sewer metered rate for those without water (per 1000 gallons):		\$14.89
Sewer Debt Flat Fee:		\$38.02
Sewer Debt Usage Fee (per 1000 gallons):		\$6.49

Proposed Sewer Rates:		
Sewer use rate (per 1000 gallons):		\$16.38
Sewer flat rate for pump out:		\$189.54
Sewer flat rate for those without meters and without water:		\$75.89
Sewer metered rate for those without water (per 1000 gallons):		\$16.38
Sewer Debt Flat Fee:		\$38.02
Sewer Debt Usage Fee (per 1000 gallons):		\$6.49

Misc. Charges:	Rates
Turn on/off (\$15. per service)	\$30.00
Install/Remove (\$50. per service)	\$100.00
Early Install/Remove (\$25. per service)	\$50.00
Sprinkler Charge (per unit)	\$0.18
Frozen Meter	\$125.00
Special Reading	\$20.00
Call out	\$150.00
Lien discharge recording fee	\$49.00

State Surcharge Rates

SC 1 .01054 per 100 gals.
SC 2 .01664 per 100 gals.

Water consumption FY21

Property type	FY20 vs FY19	% chg from same	Gallon chg from			% chg from same	Gallon chg from	
		qtr. last yr. 6/19	same qtr last yr. 6/20 v. 6/19	6/20	v. 3/19	3/20 v. 3/19	3/20	
COMMERCIAL	-713,719	-31.08%	-324,632	719,834	14.76%	111,797	869,209	
GOVERNMENT	-883,164	-60.27%	-139,830	92,180	3.53%	6,633	194,380	
RESIDENTIAL	<u>-1,321,348</u>	<u>13.90%</u>	<u>1,444,767</u>	<u>11,841,793</u>	<u>-3.91%</u>	<u>-352,598</u>	<u>8,658,784</u>	
Grand Total	-2,918,231	8.40%	980,305	12,653,807	-2.35%	-234,168	9,722,373	
Yrly. Consumption								

Property type	% chg from same	Gallon chg from			% chg from same	Gallon chg from	
	qtr. last yr. 12/19 v. 12/18	same qtr last yr. 12/19 v. 12/18	12/19	v. 9/18	9/19 v. 9/18	9/19	
COMMERCIAL	-1.33%	-18,989	1,409,716	-23.91%	-481,895	1,533,934	
GOVERNMENT	-50.60%	-787,700	769,164	18.74%	37,733	239,093	
RESIDENTIAL	<u>0.97%</u>	<u>107,335</u>	<u>11,176,154</u>	<u>-14.45%</u>	<u>-2,520,852</u>	<u>14,919,884</u>	
Grand Total	-4.98%	-699,354	13,355,034	-15.08%	-2,965,014	16,692,911	

Property type	Total Gallons					Average
	FY20	FY19	FY18	FY17	FY16	
COMMERCIAL	4,532,693	5,246,412	5,205,421	5,040,748	5,449,824	53,966,219
GOVERNMENT	1,294,817	2,177,981	1,470,521	1,672,599	1,839,906	
RESIDENTIAL	<u>46,596,615</u>	<u>47,917,963</u>	<u>45,203,875</u>	<u>48,056,107</u>	<u>48,125,612</u>	
Grand Total	52,424,125	55,342,356	51,879,817	54,769,454	55,415,342	
	-2,918,231	3,462,539	-2,889,637	-645,888	1,449,123 *	

*from ave.

**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 August 17, 2020 at 6:30 p.m. on the following proposed amendment to the Code of Ordinances regarding Chapter 22 – Noise. 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.net.

PURSUANT TO EXECUTIVE ORDER NO. 20-05 EXECUTED BY GOVERNOR GINA RAIMONDO ON MARCH 16, 2020, THIS MEETING WILL BE TELECONFERENCED VIA ZOOM: The public is invited to observe and participate in the deliberations of this meeting by accessing the meeting link set forth herein. For those without access to video observation platforms, you may also call in to listen to the deliberations of this meeting by using the call in phone number provided herein. To participate during Public Hearing or Public Input you will press *9 to raise your hand. Please join the Zoom Meeting as follows:

**JOIN VIA PHONE:1-646-558-8656 or 1-301-715-8592 or 833 548 0276 US Toll-free.
WHEN PROMPTED, ENTER MEETING ID: 933 7541 1296
PRESS # AGAIN TO JOIN THE MEETING**

**JOIN VIA COMPUTER OR MOBILE APP:
Meeting ID: <https://zoom.us/j/93375411296>**

THIS MEETING WILL ALSO BE LIVE STREAMED: To view the meeting with no interaction:<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.htm>

Section 1. Be it hereby ordained by the Town Council of the Town of Jamestown that the Jamestown Code Of Ordinances, Chapter 22, Noise, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~striketrough~~ 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 22 of the Town of Jamestown’s Code of Ordinances.

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

Exhibit A

Sec. 22-61. - Statement of public policy.

The town council finds and declares that extreme and excessive noise affects the health, safety and welfare of its residents and citizens.

Sec. 22-62. - Purpose, title and scope.

(a) The purpose of this article is to establish objective standards to control extreme and excessive noise by setting maximum permissible sound levels for certain times and places in town.

(b) This article may be cited as the "Noise Ordinance of the Town of Jamestown."

(c) This article applies within the town limits as specified below.

~~Sec. 22-63. - Measurement of sound.~~

~~Decibel measurement under this article shall be made with a sound level meter, which shall be an instrument in good operating condition, meeting the requirements of a type I or type II meter, as specified by American National Standards Institute (ANSI) standard 1.4-1971. For purposes of this article, a sound level meter shall contain A-weighted scale and both fast and slow meter response capability.~~

Sec 22-63 Definitions

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall have the meanings shown. Definitions of technical terms used shall be obtained from publications of acoustical terminology used by the American National Standards Institute (ANSI) or its successor body.

A-SCALE (dBA) The sound level in decibels measured using the A-weighted network as specified in ANSI S1.4-1971 for sound level meters. The level is designated "dB(A)" or "dBA."

CONSTRUCTION Any and all activity necessary or incidental to the erection, assembly, alteration, installation, repair or equipping of buildings, roadways, infrastructure, or utilities, including drilling, blasting, mining, land clearing, grading, excavating and filling.

DECIBEL (dB) A logarithmic and dimensionless unit of measure often used in describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

DEMOLITION Any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, impervious surfaces, or similar property.

EMERGENCY WORK Work made necessary to restore property to a safe condition following a public calamity, work to restore public utilities, or work required to protect persons or property from imminent exposure to danger.

EXTERIOR GENERATOR Gas, propane or diesel-powered engine designed to generate electricity outside the confines of a building.

LOT Any area, a tract or parcel of land owned by or under the lawful control of one distinct ownership. Abutting platted lots under the same ownership shall be considered a lot. The lot line or boundary is an imaginary line at ground level which separates a lot and its vertical extension owned by one person from that owned by another.

MOTORCYCLE Any motor vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term shall include motorized bicycles and motor scooters.

MOTOR VEHICLE Any motor-operated vehicle designed for use on the public highways.

NOISE DISTURBANCE Any sound which:

- A. Exceeds the dBA level for such sound set out in this chapter and;
- B. Annoys, disturbs or endangers the comfort, repose, peace or safety of a reasonable person of normal sensitivities.

OFF-ROAD RECREATIONAL VEHICLE Any motor vehicle, including road vehicles but excepting watercraft, used off public roads for recreational purposes.

PERSON Any individual, association, partnership or corporation, including any officer, department, bureau, agency or instrumentality of the United States, a state or any political subdivision of that state, including the Town.

PLAINLY AUDIBLE (SOUND) Any sound for which the information content of that sound is unambiguously communicated to the listener, such as, but not limited to, understandable spoken speech, comprehension of whether a voice is raised or normal, or comprehensible musical rhythms.

PORTABLE COOLING/HEATING COMPRESSOR

The gas, propane or diesel compressor attached to a truck, trailer or temporary storage unit whose purpose is to heat or cool the space to which it is attached.

POWERED MODEL VEHICLE Any self-propelled airborne, waterborne or land borne model plane, vessel or vehicle which is not designed to carry persons including, but not limited to, any model airplane, boat, car or rocket.

PUBLIC RIGHT-OF-WAY Any street, avenue, highway, boulevard, alley, easement or public space which is owned by or controlled by a public government entity.

PUBLIC SPACE Any real property, including any structure thereon, which is owned or controlled by a governmental entity.

PURE TONE Any sound which can be distinctly heard as a single pitch or set of single pitches.

REAL PROPERTY BOUNDARY An imaginary line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intrabuilding real property divisions.

RECEIVING LAND USE The use or occupancy of the property which receives the transmission of sound as defined in this section.

RESIDENTIAL Any property on which is located a building or structure used wholly or partially for living or sleeping purposes.

SOUND An oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that cause compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

SOUND LEVEL The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network such as A, B or C, as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971, or the latest approved revision thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.

SOUND LEVEL METER An instrument which includes a microphone, amplifier, RMS detector, integrator or time average, output or display meter, and weighting networks used to measure sound pressure levels, which complies with American National Standards Institute Standard 1.4-1971.

ZONING DISTRICTS Those districts established by and defined in Chapter 82, Zoning, of the Code of the Town of Jamestown.

Sec. 22-64. - Freedom of speech and expression unaffected.

This article should not be interpreted, construed or applied in a manner that is inconsistent or violative of the First Amendment to the U.S. Constitution or article I, section 21 of the Rhode Island Constitution.

Sec. 22-65. - Prohibited noises.

No person shall make, continue or cause to be made or continued, except as permitted, any noise in excess of the decibel limits set forth in this article.

Sec 22-66 Permitted activities and hours

A. Fireworks displays. Fireworks displays licensed by the State of Rhode Island are permitted between the hours of 7:00 p.m. and 11:00 p.m.

B. Loading and unloading. Any person shall be permitted to load, unload, open, close or handle crates, containers, garbage cans and dumpsters, building materials or similar objects outdoors between the hours of 5:00 a.m. and 9:00 p.m.

C. Construction and manufacturing.

(1) Drilling, blasting, mining, manufacturing or demolition work. The operation of any tools or equipment in drilling, blasting, mining, manufacturing or demolition work or in preventive maintenance work for public service utilities is permitted between the hours of 7:00 a.m. and 5:00 p.m., except on Sundays or legal holidays. The terms of this section shall not apply to emergency work or repair work performed by or for governmental entities or public service utilities for public safety and welfare.

(2) Building construction activities. The operation of building construction, alteration or repair activities is permitted between the hours of: 7:00 a.m. and 8:00 p.m. Monday, Tuesday, Wednesday, Thursday; 7:00 a.m. and 7:00 p.m. Friday; 8:00 a.m. and 6 p.m. Saturday.

Sundays and legal holidays operation is permitted between the hours of 10:00 a.m. and 6:00 p.m. only when directly performed by the property owner or tenant.

D. Domestic power tools. The use of small, domestic power tools or equipment, such as a saw, drill, sander, grinder or similar device, used outdoors in residential areas is allowed but subject to the noise levels set out in Sec. 22-68.

E. Lawn care and grounds maintenance equipment. The use of lawn care and grounds maintenance equipment, such as a lawnmower, leaf blower, lawn or garden tool, if used and maintained in accordance with the manufacturer's specifications, is permitted between the hours of 7:00 a.m. and 8:00 p.m. Monday, Tuesday, Wednesday, Thursday; 7:00 a.m. and 7:00 p.m. Friday; 8:00 a.m. and 6 p.m. Saturday.

Sundays and legal holidays operation is permitted between the hours of 10:00 a.m. and 6:00 p.m. only when directly performed by the property owner or tenant.

F. Operation of snow-removal, street cleaning and public works equipment. The operation of snow-removal, street cleaning and public works equipment by the Department of Public Works is allowed at any time, provided that such equipment shall be maintained in good repair so as to minimize noise. Noise discharged from exhausts shall be adequately muffled so as to prevent loud and/or explosive sounds being emitted there from.

G. Town-permitted activities:

(1) Parades or processions for which a parade permit has been issued, provided the conditions of the permit are complied with.

(2) Any athletic event or recreational activity which is conducted and sponsored or funded in part by any elementary or secondary school or the Town of Jamestown, on property owned and controlled by the Town of Jamestown.

(3) Band concerts or music provided, sponsored or funded, in whole or in part, by the Town of Jamestown or by any entity qualifying for tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or on property owned and controlled by the Town of Jamestown for which a valid permit has been obtained.

H. Church or clock carillons, bells or chimes. The emission of sound from church or clock carillons, bells or chimes is permitted at any time.

I. Emergency signaling devices. The testing of a stationary emergency signaling device shall occur at the same time of day each time the test is performed, but not before 8:00 a.m. or after 9:00 p.m. Any such testing shall use only the minimum cycle test time. In no case shall the test time exceed 60 seconds. The emission of sound for the purpose of alerting persons to the existence of an emergency is permitted at any time.

J. The operation of an external generator or portable cooling/heating compressor is permitted at any time during a power outage or a power reduction, or for testing or routine maintenance of the generator or compressor only between the hours of 10:00 a.m. and 6:00 p.m. Such testing or maintenance shall be restricted to no more 30 minutes during any seven day period.

K. The operation of an external generator or portable cooling/heating compressor is permitted at any time for use on or in conjunction with an active construction site, provided all other provisions of the Noise Ordinance are met with respect to hours of construction, and provided further that continuous operation of a generator or compressor at a construction site is permitted where said operation is integral to the nature of the construction project itself and industrial activities otherwise permitted in an industrial zone.

L. Aircraft. The movements of aircraft which are in all respects conducted in accordance with, or pursuant to, applicable federal laws or regulations are permitted.

Sec. 22-67. – Maximum permissible sound levels.

22-67. Specific activities prohibited.

The following acts and the causing thereof are declared to be in violation of this chapter:

A. Radios, television sets, musical instruments and similar devices. No person shall operate, play or permit the operation or playing of any radio, television, phonograph, drum, musical instrument,

sound amplifier or similar device, or any combination of the same, which produces, reproduces or simulates amplified sound:

(1) In such a manner as to create a noise disturbance across a real property boundary.

(2) In such a manner as to create a noise disturbance at 50 feet from such device, when operated in or on a motor vehicle on a public right-of-way or space, or in a boat on public waters.

(3) In such a manner as to create a noise disturbance to any person other than the operator of the device when operated by any person on either a common carrier, public beach, park, playground or other public recreational area.

B. Animals and birds. No person shall own, possess or harbor any animal or animals, bird or birds which frequently or for continued duration howls, barks, meows, squeaks, or makes other sounds which create a noise disturbance across a real property boundary.

C. Vehicle or motorboat repairs and testing. No person shall repair, rebuild, modify or test any motor vehicle, motorcycle or motorboat in such a manner as to cause a noise disturbance across a real property boundary.

D. Motorboats, jet skis and similar devices. No person shall operate or permit the operation of any motorboat, jet ski or other similar device in any lake, river, stream or other waterway in such a manner so as to cause a noise disturbance and/or as to exceed a sound level of 50 dBA at 200 feet or the nearest shoreline, whichever is less.F. Motor vehicles.

(1) Motor vehicle maximum sound levels. No person shall operate or cause to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner as to create a noise disturbance.

(2) Adequate mufflers or sound-dissipative devices.

(a) No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or sound-dissipative device in good working order and in constant operation.

(b) No person shall remove or render inoperative or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair or replacement, any muffler or sound-dissipative device on a motor vehicle or motorcycle.

(3) Motor vehicle horns and signaling devices. The following acts and the causing thereof are declared to be in violation of this chapter:

(a) The sounding of any horn or other auditory signaling device on or in any motor vehicle on any public right-of-way or public space, except as a warning of danger or as provided in the Vehicle Code.

(b) The sounding of any horn or other auditory signaling device so as to create or cause a noise disturbance.

Sec 22-68 Penalties Sec 22-68 Sound Levels by receiving land use

A. Maximum permissible sound levels by receiving land use. With the exception of sound levels elsewhere specifically authorized or allowed in this chapter, no person shall operate or cause to be operated, make, continue or cause to be made or continued any noise or source of sound as to create a sound level which exceeds the limits set forth for the receiving land use category in Table 1 when measured at or within the property boundary of the receiving land use.

Maximum permitted sound levels are as follows:

Table 1

<u>Zoning Category</u>	<u>Time</u>	<u>Decibel Limit</u>
<u>OS-I, OS-II, RR-200, RR-80, R-40, R-20, R-8</u>	<u>8:00 a.m. to 10:00 p.m.</u>	<u>70</u>
<u>OS-I, OS-II, RR-200, RR-80, R-40, R-20, R-8</u>	<u>10:00 p.m. to 8:00 a.m.</u>	<u>60</u>
<u>CL, CD, CW, DC, P</u>	<u>All</u>	<u>75</u>

B. Correction for character of sound. For any source of sound which emits a pure tone, the maximum sound level limits set forth in Subsection A Table 1 shall be reduced by five dBA.

C. Measurement of sound.

(1) Decibel measurements shall be made with a sound level meter, which shall be an instrument in good operating condition meeting the requirements of a Type I or Type II meter, as specified by ANSI Standard 1.4-1971. For purposes of this chapter, a sound level meter shall contain an A-weighted scale and both fast and slow meter response capability.

(2) If the measurements are made with other instruments, the procedure shall be carried out in such a manner that the overall accuracy is at least that called for in ANSI Standard 1.4-1971 for Type II instruments.

(3) When the location or distance prescribed in this chapter for measurement of sound is impractical or would provide misleading or inaccurate results, measurements may be taken at other locations or distances using appropriate correction factors specified in this chapter.

Sec. 22-69. — Construction activities.

~~No person shall operate or permit the operation of any tools, vehicles or equipment involved or related to any construction or demolition work during the following hours: Monday through Friday between 8:00 p.m. to 7:00 a.m. the following day; Saturday from 6:00 p.m. to 7:00 a.m. the following day; and Sunday from 7:00 a.m. to 7:00 a.m. the following day. Such activities are also prohibited from 7:00 a.m. to 7:00 a.m. the following day on all federal and state holidays.~~

Sec. 22-69. Sound variances.

A. The Town Council shall have the authority, consistent with this section, to grant sound variances from this chapter after public hearing.

B. Any person seeking a sound variance under this section shall file an application with Town Council. The application shall contain information which demonstrates that bringing the source of sound or activity for which the sound variance is sought into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on other persons.

C. All applications shall be subject to a fee of \$50 per day if granted and, whether granted or denied, an amount sufficient to cover the cost of advertising and notification to all residents and property owners within 100 feet of the noise source. Advertisement shall be made at least once, seven days prior to the public hearing, in a newspaper of general circulation in the Town. Notification shall be by regular mail at least seven days prior to the public hearing.

D. In determining whether to grant or deny an application or revoke a variance previously granted, Council shall balance hardship to the applicant, the community and other persons if the sound variance is not allowed against the adverse impact on the health, safety and welfare of persons affected, the adverse impact on property affected, and any other adverse impact, if the sound variance is allowed. Applicants for sound variances and persons contesting sound variances may be required to submit any information that Council may reasonably require. In granting or denying an application or in revoking a sound variance previously granted, Council shall place on public file a copy of the decision and the reasons for granting, denying or revoking the sound variance.

E. Sound variances shall be granted by notice to the applicant containing all necessary conditions, including a time limit on the permitted activity. The sound variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the sound variance shall terminate it and subject the person holding it to those provisions of this chapter regulating the source of sound or activity for which the sound variance was granted.

F. Determination of modification of a granted variance shall be made in accordance with the rules and procedures set forth in the section for original applications.

Sec. 22-70. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Construction means any and all outside activity necessary or incidental to the erection, assembling, altering, installing, repair or equipping of buildings, roadways, infrastructure, or utilities including drilling, blasting, mining, land clearing, grading, excavating and filling.

Demolition means any dismantling, intentional destruction or removal of structures, infrastructure, utilities, public or private right-of-way surfaces, or similar property.

Sec. 22-70- Enforcement.

This article shall be implemented, administered and enforced by the town police department.

Sec. 22-71. Exemptions.

The provisions of this article shall not apply to:

- (1) ~~The operation of snow removal equipment at any time provided that such equipment shall be maintained in good repair so as to minimize noise. Noise discharged from exhausts shall be adequately muffled so as to prevent loud and/or explosive sounds.~~
- (2) ~~Lawn care and grounds maintenance equipment in normal daytime use if used and maintained in accordance with the manufacturer's specifications.~~
- (3) ~~Public emergency activities required to ensure the health, safety and welfare of the citizenry.~~
- (4) ~~The normal day to day agricultural activities associated with the raising of livestock and crops.~~
- (5) ~~Ordinary or routine maintenance and/or repair performed by the owner or resident of a property.~~

Sec.22-71- Landlords and Property Owner Liability and Responsibility

The owner of any property shall be concurrently subject to all fines and penalties as prescribed in Sec. 22-72, regardless of the offending individual(s).

Sec. 22-72- Fines and Penalties.

- (a) Any person found to be in violation of this article shall be punished as follows:

(1) The first offense shall be punished by the issuance of a written warning to immediately cease and desist the violation.

(2) The second offense within any twelve month period, shall be punished by a fine of ~~\$25.00.~~ \$250.00.

(3) The third offense and each subsequent offense within twelve month period, shall be punished by a fine of ~~\$100.00.~~ \$500.00.

(b) Any such person charged with a violation of this article shall pay said fine as prescribed within 5-days or shall be summonsed to appear before the District Court.

Sec. 22-72. -- Enforcement.

~~This article shall be implemented, administered and enforced by the town police department.~~

Sec. 22-73. -- Penalties.

~~Any person found to be in violation of this article shall be punished as follows:~~

~~(1)~~

~~The first offense shall be punished by the issuance of a written warning to cease and desist the violation.~~

~~(2)~~

~~The second offense shall be punished by a fine of \$250.00 and a notice to cease and desist the violation.~~

~~(3)~~

~~The third offense and each subsequent offense shall be punished by a fine of \$500.00 and a notice to cease and desist the violation.~~

Sec. 22-74. -- Sunset clause.

~~The provisions of this article shall expire on December 14, 2010, unless the town council takes affirmative action to extend this article.~~

**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 August 17, 2020 at 6:30 p.m. on the following proposed amendment to the Code of Ordinances regarding Chapter 82 – Zoning Ordinance. 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. Join Zoom Meeting as follows:

Join Zoom Meeting

<https://zoom.us/j/93375411296>

Meeting ID: 933 7541 1296

One tap mobile

+13126266799,,93375411296# US (Chicago)

+16465588656,,93375411296# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

833 548 0276 US Toll-free

833 548 0282 US Toll-free

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 933 7541 1296

Find your local number: <https://zoom.us/u/ad3IgWuCoW>

To view the meeting live stream with no interaction:

<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

The proposed amendment is available for review on the Town's web site at <http://www.jamestownri.gov/town-government/town-council/town-council-new> and/or purchase from the Town Clerk's Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays by calling 401-423-9800 or email eliese@jamestownri.net

Section 1. Be it hereby ordained by the Town Council of the Town of Jamestown that the Jamestown Code of Ordinances, Chapter 82, Zoning Ordinance, 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 underline 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 82 of the Town of Jamestown's Code of Ordinances.

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

Ad Date(s): July 30, August 6 and August 13, 2020
Publication Source: Jamestown Press
Hearing Date: August 17, 2020
Action: _____
Certified: _____

Exhibit A

Amend the Zoning Ordinance Definitions as follows:

Sec. 82-103. Definitions.

The following words [terms] shall have the following meanings [in this chapter]:

(26) *Building height.* ~~The vertical distance from lowest point of original grade on any of the four sides of the building or structure to the top of the highest point of the roof. (see also Height definition in Section 317)~~ For a vacant parcel of land, building height shall be measured from the average, existing-grade elevation where the foundation of the structure is proposed. For an existing structure, building height shall be measured from average grade taken from the outermost four (4) corners of the existing foundation. In all cases, building height shall be measured to the top of the highest point of the existing or proposed roof or structure. This distance shall exclude spires, chimneys, flag poles, and the like. For any property or structure located in a special flood hazard area, as shown on the official FEMA Flood Insurance Rate Maps (FIRMs), or depicted on the Rhode Island coastal resources management council (CRMC) suggested design elevation three foot (3') sea level rise (CRMC SDE 3 SLR) map as being inundated during a one-hundred-year (100) storm, the greater of the following amounts, expressed in feet, shall be excluded from the building height calculation:
(i) The base flood elevation on the FEMA FIRM plus up to five feet (5') of any utilized or proposed freeboard, less the average existing grade elevation; or

(ii) The suggested design elevation as depicted on the CRMC SDE 3 SLR map during a one-hundred-year (100) storm, less the average existing grade elevation. CRMC shall reevaluate the appropriate suggested design elevation map for the exclusion every ten (10) years, or as otherwise necessary.

Sec. 82-317. Community floodplain ordinance for special flood hazard areas.

A. Definitions. Unless specifically defined below, words and phrases used in this ordinance pertain to floodplain management, have the same meaning as they have in common usage and give this ordinance its most reasonable application.

Height. The maximum height for buildings and structures erected in Special Flood Hazard areas shall be in accordance with the Dimensional Table of this ordinance (§82-302) minus the difference between the base flood elevation, however established, and the average existing grade.

C. Applicability.

1. Special flood hazard areas. The special flood hazard areas are herein established as a floodplain overlay district. The district includes all special flood hazard areas within the Town of Jamestown designated as zones A, AE, AH, AO, A99, V, or VE on the Newport County Flood Insurance Rate Map (FIRM) and Digital FIRM issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Newport County FIRM that are wholly or partially within the Town of Jamestown are panel numbers 44005C0059J, 44005C0067J, 44005C0069J, 44005C0078J, 44005C0088J, 44005C0157J, 44005C0159J and 44005C0176J dated September 4, 2013 (as periodically amended). The exact boundaries of the district may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Newport County Flood Insurance Study (FIS) report dated September 4, 2013. The zoning enforcement officer is responsible for floodplain management. The FIRM and FIS report and any revisions thereto are incorporated herein by reference and are on file with the town clerk, planning board, and building official.

Jamestown Community Chorus
PO Box 602
Jamestown, RI 02835
B.J. Whitehouse, Music Director
401-423-1574
bwhitehouse2@cox.net

Jamestown Town Council
Town Hall
93 Narragansett Avenue
Jamestown, RI 02835

12Aug2020

RE: Annual Talent Show - Request to use Lawn School Athletic Field

Councilors,

Thank you for approving the Chorus' use of the Lawn School athletic field for our annual talent show. August 20 was the intended production date but we had to move it back a bit. We are requesting that we produce to show on Friday, September 18. Everything else, including safety protocols, will be identical to the proposal that we presented. The only item from the original request that is different is the date. I have spoken with Andy Wade and Ken Duva about the change and they both have given us the green light from their end.


We appreciate the support from the town and we hope to produce a show that will raise the spirits of the community, if only a bit. Please don't hesitate to contact me if you have any questions.

Best regards,
B.J. Whitehouse

September

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 Town Council Meeting: 6:30 pm	2 Probate Court 9am Planning Commission 7pm <i>Town Council Agenda & Bills Deadline @ Noon</i>	3 CIAA Intake 1:00 – 6:00 <i>Town Council Packets</i>	4	5
6	7 Labor Day Town Hall Closed	8 Primary	9 Housing Authority 10am (PA) Harbor Commission 7pm	10 CIAA Opening 5:50 – 7:30	11	12
13	14	15 Tree Committee 6:45pm (JPL)	16 Planning Commission 7pm <i>Town Council Agenda & Bills Deadline @ Noon</i>	17 Traffic Committee 6pm <i>Town Council Packets</i>	18	19
20	21 Town Council/Water & Sewer: 6:30 pm	22 Zoning Board of Review 7pm	23	24	25	26
27	28	29	30 <i>Town Council Agenda & Bills Deadline @ Noon</i>			
						2020

October

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 Town Council Meeting: 6:30 pm	6	7 Probate Court 9am Planning Commission 7pm	8	9	10
11	12 Columbus Day Town Hall Closed	13 Library Board of Trustees 5pm (JPL) Conservation Commission 7pm (CR)	14 Housing Authority 10am (PA) Harbor Commission 7pm Town Council Agenda & Bills Deadline @ Noon	15 Traffic Committee 6pm Town Council Packets	16	17
18	19 Town Council/Water & Sewer: 6:30 pm	20 Tree Committee 6:45pm (JPL)	21 Planning Commission 7pm	22	23	24
25	26	27 Zoning Board of Review 7pm	28 Town Council Agenda & Bills Deadline @ Noon	29 Town Council Packets	30	31 

2020

Town of Jamestown

Town Administrator

93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199

401-423-9805



Jamie A. Hainsworth
Town Administrator

To: Honorable Jamestown Town Council
From: Jamie A. Hainsworth, Town Administrator
Date: August 13, 2020
Re: Summary of Management Activity at Town Recreation areas - March to August 2020

During the August 3rd Town Council meeting there was a lengthy discussion concerning Taylor Point in regard to litter and a request to create a "resident only" parking area. As you know the litter situation is an on-going year-round problem across the State of Rhode Island and the Town of Jamestown. In response, Staff has implemented many measures to best manage the problem.

Suggestion on litter prevention; workshop:

- Once this summer is over, and there is some relief from the demands on staff, we plan to begin by organizing a Litter Prevention Program and hold a Workshop comprised of town staff, interested residents and civic groups. I have been in contact with Clean Ocean Access, Executive Director, Dave McLaughlin, and the Jamestown Rotary Club, who are both very interested in forming a partnership and promoting a regular program. Additionally, I have contacted DEM and asked them for guidance and participation. It is impossible for this to be organized now, the staff is already stretched thin, since the March inception of the COVID-19 crisis, all of our requests for service have required more work, effort and time, to get the same job done, from all our town departments. The amount of extra labor, and supplies, to keep the parks and beaches open, clean and within the guidance of the State's Health guidance/advisories are three times the normal amount for nearly every task.

In response to the request for "resident only" parking at Taylor Point there are multiple concerns such as:

- Public right to access the ocean or seashore; and
- Daily assessments of Taylor Point parking area reveals there is always available parking and definitely no issues with overcrowding. This has been generally true in all recreation's areas throughout Town, since the parking plans were enacted.

Beginning around the 1st of July, I have made a point of visiting this area, as well as all of the other recreation areas once or twice a day, every day, as has Director Wade and Chief Mello. During the weekdays none of the recreation areas come close to a capacity issue. On weekends, when the weather is nice, Mackerel Cove gets the largest crowds but is well within capacity. When the parking restrictions were instituted in the Mackerel Cove area, we looked at it with a holistic approach knowing the people would be shifted to other areas in Town. It did increase the weekend attendees at Potters Cove/Taylor Point. However, it has not created a capacity issue in this area even at the peak on the weekends there has been plenty of room in this area for social distancing. Thus, we have concluded that there are no capacity issues at Taylor Point or Potters Cove.

Haven been given the authority of the executive order during this pandemic; I have initiated multiple efforts to keep the citizens and staff informed using various means:

- The Town Web site;
- Emails using the Parks and Recreations email addresses that includes approximately 2500 households;
- Since the beginning of Covid-19 we have had weekly articles concerning the Towns Administrative activities/services in the Jamestown Press, all designed to keep the citizens informed.
- July 23rd edition of the Press, the Town provided the insert containing important community information and guidance on the virus, safe practices at the beach and recreation areas, this was delivered to every household in Jamestown, many businesses and the hotels on the Island.
- The assistance of the Jamestown Chamber of Commerce sending all of these notices to their email list.

In addition, since March 23rd to August 7th, 2020 I have written and disseminated:

- Twelve (12) COVID-19 related informational updates posted and sent to residents;
- Three (3) summaries, updating the previous twelve, reflecting changes in the guidelines or procedures as soon as they were received;
- These fifteen letters were all designed to keep the public informed and contained various information on access to local government; updates on COVID -19 precautions & guidelines, testing/quarantine requirements, travel, business grants, unemployment benefits and other contact information for Local and State Government agencies.
- Andy Wade wrote a series of seven very informative newsletters & two updates emailed to 2500 residents during the initial onset of the virus and distributed those as well.

During this pandemic we have also received individual various concerns mostly from residents:

- Crowds, Social distancing and mask wearing.

- Trash/Litter.
- Parking.
- Questions about State restrictions and guidelines.

All of these concerns, have been addressed by myself, Staff and Department Heads, many have involved meetings with residents. Below are some of the remedies:

- Parking restrictions and added enforcement.
- Multiple Counts of people at the beach daily.
- Aerial Photographs of beaches and recreation areas.
- Hundreds of hours of attention by various Departments, has had an impact.
- Covid -19 continuous updates by Town Administration on web site, emailed and J.P.

Enclosed are memos from Police Chief Edward Mello and Parks and Recreation Director Andrew Wade on the level of attention all of our recreational areas have been getting from both Departments. I have also attached a map of the Taylor Point area, when I met with one concerned resident at Taylor Point, he showed me an area where he found most of the litter. The area he indicated was not attached to Taylor Point, it was north of the Wyndham Condo's ("overlook") between the Newport Bridge. This property is not maintained by the Recreation Department.



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: Jamie Hainsworth, Town Administrator
FROM: Chief Edward A. Mello
DATE: August 6, 2020
SUBJECT: Response to COVID

Jamie;

Below is a brief summary regarding our response to the concerns related to COVID-19 and visitors to the community.

Town-wide Efforts:

- Initiated three (3) Town-wide notifications via Code Red
- Hosted two (2) web based meetings with community members
- Posted more than fifty (50) quarantine notices throughout community
- Hosted two (2) web based meetings with Chamber of Commerce
- Hosted two (2) web based meeting with Marine industry partners
- Visited more than 475 homes to issue quarantine notice in person or posting
- Increased Community Service Officer (CSO) staffing to monitor various access points through Town
- Distributed 1200 mask to the public via local businesses.
- Continue to monitor compliance requirements by local businesses which have included 950 site visits.
- Deployed two (2) Electronic Message Boards

Heads Beach:

- Assigned officers and CSO to more frequently patrol area to address parking concerns
- Met with representative of the Shore Association to discuss concerns
- Issued 160 parking tickets for violations to date

Park Dock:

- Assigned officers and CSO to more frequently patrol area to address parking concerns
- Issued 77 parking tickets for violations to date

Hulls Cove:

- Increased parking restriction signage
- Assigned officers and CSO to more frequently patrol area to address parking concerns
- Issued 160 parking tickets for violations to date

Fort Wetherill:

- Implemented emergency parking restrictions to limit overflow parking into Town roadways as the result of DEM limited capacity
- Increased parking restriction signage
- Assigned officers and CSO to more frequently patrol area to address parking concerns
- Issued 85 parking tickets for violations to date

Beavertail State Park:

- Implemented emergency parking restrictions to limit overflow parking into Town roadways as the result of DEM limited capacity
- Increased parking restriction signage

- Assigned officers and CSO to more frequently patrol area to address parking concerns
- Issued 65 parking tickets for violations to date

Mackerel Cove Beach:

- Implemented emergency parking restrictions to limit overflow parking including doubling of fines.
- Deployed Electronic Message Board
- Increased parking restriction signage
- Assigned officers and CSO to more frequently patrol area to address parking concerns
- Issued 356 parking tickets for violations to date

Taylor Point:

- Assigned officers to more frequently patrol area to address parking, fires, litter, noise and tents.
- Officers have visited the site more than 110 times since July 1 which includes walking the pathway to the shore.
- Issued one warning for open fire on 7/19
- Issued one warning for alcohol on 7/25
- Issued one warning for fireworks on 6/28
- Issued two (2) warnings for tents 7/24 and 7/25
- Located abandoned backpack containing marijuana 7/25
- The majority of overnight checks have found no activity. In five instances officers found small groups of fishermen.

MEMO

To: Jamie Hainsworth, Town Administrator
From: Andy Wade, Parks & Recreation Director
Re: Response to COVID-19
Cc: Edward Mello, Chief of Police

Jamie,

Please see below action items employed during the COVID-19 pandemic related to the Parks & Recreation Department. It is important to note that our department's full-time staff has continued to work and serve the public without pause throughout the pandemic. The below listed items were all implemented as additional responsibilities to the traditional day to day workload.

Town-wide efforts:

- Reassigned staff to assist in food distribution.

- Between March 26 and June 2nd, compiled information, formatted, printed, and distributed COVID-19 informational newsletter. This was emailed to over 2,500 residents, posted on jamestownri.gov, as well as physically distributed to the Pemberton apartments and food pantries.
- Launched the Help Your Neighbor Fund to raise emergency funds for those who may have become “food vulnerable” during the crisis.
- Provided Recreation Update to Town Council on July 20. Highlighted our efforts and strategic approaches to recreational facilities during the summer with COVID.
- Partnered with Clean Ocean Access to coordinate weekly shoreline pickups at Mackerel Cove

Mackerel Cove:

- Beginning April 2nd – Restricted access to beachfront parking to reduce use of facility while “Stay at Home” order was in effect.
- Attended Zoom meetings with fellow municipal Recreation leaders to discuss reopening strategies.
- Hired additional staff to meet CDC cleaning guidance.
- Reopened beach with full staff June 19.
- In response to escalating numbers, restricted sales of day passes to 30 per day beginning July 3.
- Recommended “on-street” parking restrictions be employed to control beach attendance.
- Began taking counts of attendance on the beach 3 times per day to monitor numbers.
- Added signage to encourage social distancing.
- Added signage promoting use of masks in public.
- Distributed over 250 masks to patrons of the beach.
- Increased administrative patrols to beach on weekends.

Fort Getty:

- Restricted Access during “Stay at Home” order on weekends to deter day visitors.
- Adjusted Campground Season to meet COVID-19 reopening guidelines.
- Reduced capacity in campground to meet COVID-19 guidelines
- Limited day pass sales to Fort Getty beginning July 3
- Increased cleaning schedule of campground bath houses to comply with guidelines.
- Added additional trash receptacles inside the park and fishing pier.
- Added additional recycling receptacles inside park
- Added “Please Do not Litter” bi-lingual signs

Heads Beach:

- Delayed installation of Port-a-Johns until cleaning guidelines to be met.
- Added extra picnic tables to accommodate increase of use.
- Added extra trash and recycling receptacles to meet use.
- Met with members of the Jamestown Shores association to discuss neighborhood concerns of the facility.
- Increased site inspections, monitoring park attendance and parking. (Weekends)
- Added “Please Do not Litter” bi-lingual signs

Taylor Point:

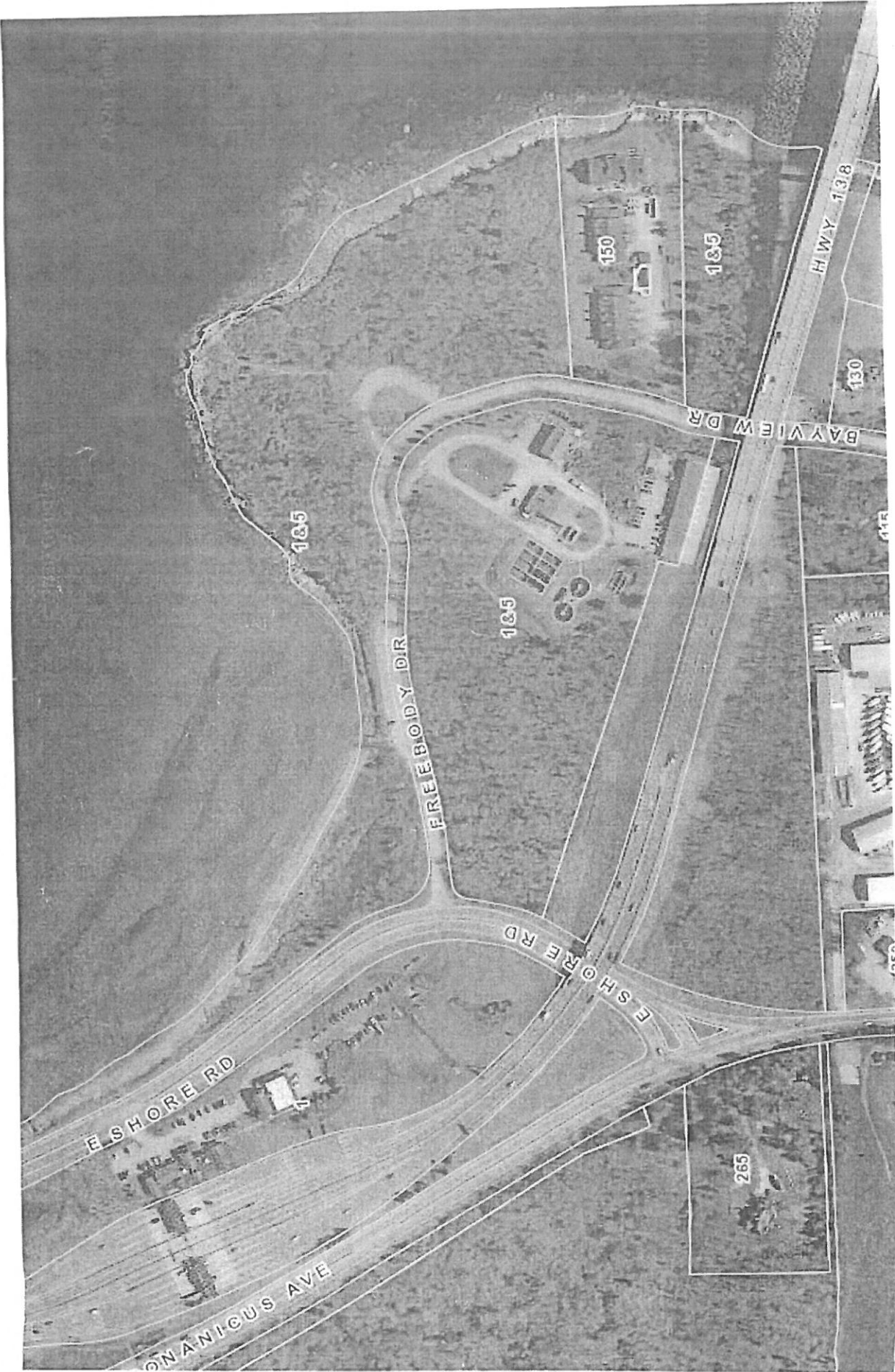
- Removed and replaced trash receptacles with heavy duty barrels with lids.
- Installed No Littering bilingual signs in Spanish and Chinese
- Increased frequency of maintenance patrols in the area.
- Contracted daily cleaning service for solar powered restrooms.
- Reassigned Green Team to dedicate more personnel to clean Taylor Point 3 times per week.
- Assigned maintenance patrol on weekends to be increased.
- Coordinated with Island rubbish to ensure 7 days a week trash pickup from location.
- Communicated with multiple concerned citizens regarding town's approach to the area.
- Communicated with the Taylor Point Restoration Association to discuss long term goals.

Park Dock:

- Increased Maintenance Patrols to inspect litter build up.

Summer Programming:

- Coordinated and attended zoom meetings between RI Recreation Professionals.
- Attended Zoom meetings with RIDOH regarding summer camp covid protocols
- Developed COVID-19 safety plan for summer camps.
- Hired and trained staff for seasonal programs.





Town of Jamestown
Town Administrator
93 Narragansett Avenue
Jamestown, Rhode Island 02835-1199
401-423-9805
Email: jhainsworth@jamestownri.net

Jamie A. Hainsworth
Town Administrator

MEMORANDUM TO: Honorable Town Council
FROM: Town Administrator, Jamie A. Hainsworth
DATE: August 12, 2020
SUBJECT: Town Administrator's Update

Rhode Island Slave History Medallion: Since the August 17th Council meeting I have met with Rosemary Enright JHC, Charles Roberts, Andy Wade and Dennis Webster VFW.

All agreed on the first medallion should be in the East Ferry, we viewed a location near the crosswalk with easy access and plenty of sight. They are also considering two other locations if there is funding for additional medallions, one being at the Jamestown Historical Museum and the other at the corner of High and Walcott in the triangle. The history particulars are being coordinated with Charles and Rosemary. They are now asking for the Councils permission to allow the Medallion be erected in this location.

Discover Newport

(1) Member, Jamestown

3-Year Term

Meetings are held monthly

***Charge:**

The Newport and Bristol County convention and visitors' bureau shall be comprised of eighteen (18) members who are residents of Newport and Bristol Counties.

(2) All members of the bureau as of September 1, 2005 shall cease to be members of the authority on September 1, 2005, and the bureau shall thereupon be reconstituted as follows:

(i) Three (3) members shall be appointed by the Newport City Council; two (2) of whom shall be associated with the hospitality industry;

(ii) Three (3) members shall be appointed by the Middletown Town Council; two (2) of whom shall be associated with the hospitality industry;

(iii) One member shall be appointed by the Jamestown Town Council who shall be associated with the hospitality industry;

(iv) One member shall be appointed by the Portsmouth Town Council who shall be associated with the hospitality industry;

(v) One member shall be appointed by the Tiverton Town Council who shall be associated with the hospitality industry;

(vi) One member shall be appointed by the Little Compton Town Council who shall be associated with the hospitality industry;

(vii) One member shall be appointed by the Bristol Town Council who shall be associated with the hospitality industry;

(viii) One member shall be appointed by the Warren Town Council who shall be associated with the hospitality industry;

(ix) One member shall be appointed by the Barrington Town Council who shall be associated with the hospitality industry; and

(x) Those members appointed pursuant to paragraph (i) – (ix) shall thereupon appoint five (5) members, who shall be:

***Restructured; effective 11/10/09 per RIGL §42-63.1-5 and RIGL § 42-105**

(A) One representative of hotels of more than one hundred (100) rooms;

(B) One representative of hotels, inns or bed-and-breakfasts of less than one hundred (100) rooms;

(C) One representative of the restaurant industry;

(D) One representative of the attractions industry; and

(E) One member of the general public to serve as an at-large representative who shall be associated with the hospitality industry.

(3) Those persons initially appointed under paragraphs (2)(i) and (2)(ii) of this section, shall serve initial terms of one year.

(4) Those persons initially appointed under paragraphs (2)(iii), (2)(iv), (2)(v), (2)(vi), (2)(vii), and (2) (viii) under this section shall serve initial terms of two (2) years.

(5) Those persons initially appointed under paragraphs (2)(ix) and (2)(x) of this section shall serve an initial term of three (3) years.

(6) Thereafter, all members shall be appointed to serve terms of three (3) years. Members of the bureau shall be eligible for appointment for two (2) consecutive terms.

(7) No state legislator shall serve or be otherwise eligible for membership on the bureau.

(b) The members of the Newport and Bristol County convention and visitors' bureau shall serve without compensation and shall be residents of Newport and Bristol Counties.

(c) The Newport and Bristol County convention and visitors' bureau shall meet every other month at a time to be designated by the chairperson. Special meetings of the authority may be called by the chairperson in accordance with the open meetings law. The chairperson shall be elected by the membership of the authority.

Current Member:

Thomas McNiff

Term Ending

09/01/2020

TOWN COUNCIL MEETING
August 3, 2020

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on August 3, 2020. This meeting was held pursuant to Executive Order No. 20-05, executed by Governor Gina Raimondo and was teleconferenced via Zoom. The public access code to participate by phone was 1 (301) -715-8592 or 1(312) - 626- 6799 or 1(646) - 558- 8656. To participate by computer or mobile app: <https://zoom.us/j/95521406463> Meeting ID: **955 2140 6463** Town Council Members present were as follows: Michael G. White, Mary Meagher, Nancy A. Beye, William J. Piva, Jr. and Randy White. Also present Town Administrator Jamie A. Hainsworth, Finance Director Christina D. Collins, Town Solicitor Peter D. Ruggiero, Chief of Police Edward A. Mello, and Town Planner, Lisa Bryer, Michael Gray, Public Works Director and Senior Service Director Betsey Anderson.

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.

III. 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) Proclamations:

- 1) Proclamation Honoring Debbie Shea for her Service and Retirement

The Proclamation was read by Vice President Meagher.

A motion was made by Vice President Meagher with second by Councilor White to approve the 2020-4 Proclamation Honoring Debbie Shea for her Service and Retirement. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

B) Resolutions:

- 1) Resolution: Rhode Island Turnpike & Bridge Authority

The Resolution was read by President White

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Resolution: Rhode Island Turnpike & Bridge Authority. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- 2) Resolution: Establish a Grant Program for Small Businesses Impacted by Covid-19

The Resolution was read by Councilor Beye

A motion was made by Vice President Meagher with second by Councilor White to approve the Resolution: Establish a Grant Program for Small Businesses Impacted by Covid-19 . Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

IV. 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, when applicable, proof of insurance, as well as, Department of Health Covid- 19 Control Plan for Events. 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: BJ White House
Event: JCC Talent Show
Dates: August 20, 2020
Location: Lawn School Athletic Field

A motion was made by Vice President Meagher with second by Councilor Piva to approve the JCC Talent Show.* Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- 2) Applicant: St. Matthew's Church
Event: Lobster Roll Sale
Dates: August 15, 2020
Location: St. Matthew's Parking Lot

A motion was made by Councilor White with second by Vice President Meagher to approve the Lobster Roll Sale*. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- 3) Applicant: St. Matthew's Church
Event: Outdoor Thrift Store
Dates: September 12, 2020
Location: St. Matthew's Parking Lot

A motion was made by Vice President Meagher with second by Councilor White to approve the Outdoor Thrift Store*. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- 4) Applicant: Democratic Town Committee
- Event: Vote for Women Centennial
- Dates: August 18, 2020
- Location: Fort Getty Pavilion

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Vote for Women Centennial*. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

*The above events were approved by the Town Council with the stipulation that all aspects of the event will meet the current regulations mandated by the Governor and the State of Rhode Island on the day of the event. Parks and Recreation Director Andrew Wade to monitor.

- B) Bingo License Application; review, discussion and/or potential action and/or vote
 - 1) Applicant Friends of Jamestown Seniors, Inc.
 - Event: Bingo Games
 - Dates: 08-31-2020 to 08-31-2021
 - Location: 6 West Street
 - a) RI State Police Certificate of Approval to conduct Senior Center Bingo through August 31, 2021

A motion was made by Councilor Beye with second by Vice President Meagher to approve the Bingo Games at the Senior Center. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

A motion was made by Vice President Meagher with a second by Councilor White to convene as the liquor licensing board. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor White, Aye

- C) 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.
 - 1) Discussion and/ or Approval of a Class F License Request from the Democratic Town Committee to serve at their Vote for Women Centennial Event to be held on August 18th at Fort Getty Pavilion

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Class F License request from the Democratic Town Committee. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor

Piva, Aye; Councilor, White, Aye

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

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

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 Administrator's Report: Jamie A. Hainsworth-
- 1) Executive Order 20-5 Addition of No Parking Zones to Limit Capacity at Mackerel Cove Beach Area- Listed on the Consent Agenda for Approval
 - 2) Executive Order 20-6 Addition of No Parking Zones to Limit Capacity at Mackerel Cove Beach Area- Listed on the Consent Agenda for Approval
 - 3) Road Race Event September 19, 2020- Listed in New Business Request Action to Rescind the Prior Approval
 - 4) Water Use Restriction Advertisement -For Your Information
 - 5) Vacancy of Executive Secretary- For Your Information
 - 6) Town Administrator's Review- Scheduling of Date
 - 7) Taylor Point Update- For Your Information

Town Administrator Hainsworth commented on the excellent job of Island Rubbish, the Jamestown Litter Core and the Parks and Recreation Department staff for curbing the litter at Taylor Point.

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: August 17, 2020, September 1, 2020 and September 21, 2020

Meeting dates were reviewed and confirmed.

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) Review, Discussion and Possible Action regarding the Request from the Board of Rhode Island Slave History Medallions to install a Medallion in Jamestown.

Charles Roberts of Newport explained the Medallion Project. Discussion ensued. To be placed on the the August 17, 2020 Town Council Agenda

Emily Falces of 3 Hammet Court is in support of installing a Medallion in Jamestown.

Rosemary Enright of 44 Clarke Street stated the Jamestown Historical Society is in support of the request.

Sydney Keen of 112 Walcott Avenue spoke on behalf of Jamestown for Justice being in full support of the project.

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

VIII. 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) June 23, 2020 (Special Meeting)
 - 2) June 23, 2020 (Executive Session)
 - 3) July 20, 2020 (Regular Meeting)

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Board of Canvassers (June 10, 2020)
 - 2) Jamestown Board of Canvassers (July 15, 2020)
 - 3) Jamestown Planning Commission (March 4, 2020)
 - 4) Jamestown Planning Commission (June 3, 2020)
 - 5) Jamestown Planning Commission (June 17, 2020)
 - 6) Jamestown Planning Commission (July 1, 2020)

- C) Ratification of Executive Order 20-5 Addition of No Parking Zones to Limit Capacity at Mackerel Cove Beach Area

- D) Ratification of Executive Order 20-6 Addition of No Parking Zones to Limit Capacity at Mackerel Cove Beach Area

IX. OPEN FORUM- To participate you will press *9 to raise your hand.

The meeting moderator will coordinate your participation.

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

Will, Kim and Ann Tuthill of 24 Stanton Road, Catherine Gregory of Bay View Drive, Ron and Ratcliff of 23 Ship Street all voiced their concerns for the health and safety of

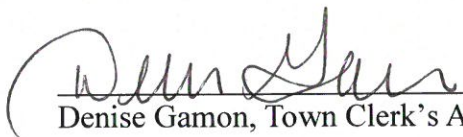
the community. Emily Falces of 3 Hammet Court in response to the concerns mentioned; the priority was littering.

Paul Ratteron of 164 Capstan Street said “keep the big picture in mind, we need the tourists.”

X. ADJOURNMENT

A motion was made by Vice President Meagher with second by Councilor White to adjourn at 8:26 P.M. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

Attest:



Denise Gamon, Town Clerk's Assistant



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

TO: Jamie A. Hainsworth, Town Administrator

FROM: Christina D. Collins, Finance Director

DATE: August 12, 2020

SUBJECT: Town and School Audit Award

For the Council's consideration the Town of Jamestown would like to award a Tax Administration/Collection Software, Utility Billing & Collection Software to Quality Data Services (QDS). The cost for the software is \$30,900.00. The Town received 2 bids with QDS being low bid and most responsive. Funds have been allocated in the FY21 budget.

Please do not hesitate to contact me if you have any questions or concerns.

Town of Jamestown, Rhode Island Police Department Pension Plan

The following actions were taken with respect to the adoption of an amendment which restates the Town of Jamestown, Rhode Island Police Department Pension Plan (the "Plan"). .

That the Town of Jamestown, Rhode Island Police Department Pension Plan, as restated, be adopted in the form presented at the meeting, effective as of July 1, 2020.

That the limitation year for the Plan, within the meaning of Section 415 of the Internal Revenue Code, shall be the same as the Plan Year.

That the appropriate representatives of the Town are hereby authorized and directed to execute the Plan, and to take any and all actions necessary or appropriate to effectuate the foregoing votes, including the making and execution of any subsequent changes or amendments to the Plan and Trust.

**JAMESTOWN ESTATES HOMEOWNER'S ASSOCIATION
C/O ROBERT S. POWERS, PRESIDENT
30 WESTWIND DRIVE
JAMESTOWN, RI 02835**

July 29, 2020

Jamestown Town Council
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835

RE: Ownership of Westwind Drive Sewer Line

Dear Council Members:

The Jamestown Estates Homeowner's Association (the "JEHA") is comprised of 14 lot owners, all living along Westwind Drive. The purpose of this letter is to request that the Town Council formally declare that the existing sewer line on Westwind Drive (the "Sewer Line") is owned by and is therefore the responsibility of the Town of Jamestown, not JEHA. For several years, the JEHA has attempted to resolve this matter with the Town without success. The JEHA has conducted extensive due diligence on this matter. As set forth in this letter, there are numerous reasons why JEHA has concluded that the Town owns and is responsible for the Sewer Line. Any one of these reasons supports JEHA's finding.

First, as part of the review and consideration of the subdivision, the installation of a sewer line to service each of the 14 lots was presented to the Jamestown Board of Water and Sewer Commissioners (the "Sewer Board"). During an extensive review and approval process by the Sewer Board, there was no mention whatsoever in the Minutes of the various Sewer Board meetings or in the follow-up correspondence from Town Officials that the Sewer Line was to be anything other than part of the Town sewer system and owned by the Town. Specifically, the final approval by the Sewer Board for the Sewer Line does not include any provision that the individual lot owners are the owners of the Sewer Line. See the letters dated December 16, 1985 and June 19, 1986 attached.

Second, as part of our due diligence, the JEHA made an Access to Public Records Act request to the Town for all documents related to this issue. The JEHA performed a detailed review of those documents, and conspicuous by its absence is any suggestion, reference, note or other indicia of any kind that the Westwind Drive lot owners own the Sewer Line. Instead, there are multiple references to a payment made to the Town in the

amount of \$85,000 by the developers to rehabilitate the existing sewer line on Pemberton Avenue as part of the overall approval of the Sewer Line. See Affidavit from Matthew T. Marcello attached.

Third, none of the lot owner's deeds or any documents in the Town's Land Evidence Records contains any provision whatsoever regarding ownership of the Sewer Line by the individual lot owners.

Fourth, in addition to the official records being completely silent on the issue of ownership of the Sewer Line, common sense dictates that allowing a private sewer line to operate beneath a public road is a recipe for disaster. What happens when and if emergency repairs need to be made to the Sewer Line? Do the Westwind Drive lot owners need to seek approval from the Town? Where is that requirement documented? What is the procedure? One would think that the Sewer Board would have detailed these requirements as part of its approval of the Sewer Line if it was intended to be private.

Finally, it should be made clear that the Westwind Drive lot owners all pay the same sewer hookup fees as well as the annual usage fees as any other resident in the Town for being tied into the sewer. It once again defies common sense and goes against general principles of fairness that the Westwind Drive lot owners should pay the same costs and fees as other Jamestowners, yet apparently would not receive the same service if there was an issue with the Sewer Line.

For all of the above reasons, the JEHA, on behalf of all of the 14 Westwind Drive lot owners, respectfully requests that the Town formally declare that the Westwind Drive Sewer Line is owned by the Town and that the lot owners have no responsibility, financial or otherwise for the Sewer Line, other than payment of any applicable fees and usage charges assessed to all similarly situated Jamestowners. Given that this matter has lingered for too long and is potentially a shadow on the future sale of these properties, we ask the Town Council to provide its response as soon as possible. In the event that the Town is unwilling to accept ownership of the Sewer Line, the JEHA will have no other choice but to proceed with a declaratory judgment action against the Town to resolve this matter.

Thank you for your review and consideration of this matter. We would appreciate the opportunity to discuss this matter further. You may contact me at the above address or by email at r.powers@aipso.com.

JAMESTOWN ESTATES HOMEOWNER'S ASSOCIATION

A handwritten signature in black ink, appearing to read 'R.S. Powers', is written over a solid horizontal line.

By: Robert S. Powers

Its: President

Cc: Jamie Hainsworth, Town Administrator via email at jhainsworth@jamestownri.net
JEHA Members via email



TOWN OF JAMESTOWN

P. O. Box 377

JAMESTOWN, RHODE ISLAND 02835

JET II

Town Hall - 423-0200

Town Offices - 423-0444

December 16, 1985

Jamestown Estates Inc.
Matthew T. Marcello III
1500 Fleet Center
Providence R.I. 02903

Dear Mr. Marcello

At the regular meeting of the Board of Water and Sewer Commissioners held on December 16, 1985 the Board unanimously agreed to accept your proposal to allow a pressurized sewer system to be extended into the proposed subdivision, JAMESTOWN ESTATES SECTION II. This extension was approved on the basis of those terms outlined in your letter to the Commission dated November 15, 1985 and discussed with you at the regular meeting on December 16, 1985.

Specifically those terms are as follows:

1. Jamestown Estates Inc. will pay to the Town of Jamestown Sewer Division \$85,000 upon final approval of a subdivision located north of Arnold Ave and presently named Jamestown Estates Section II. This total payment will be made prior to the start of any construction.
2. The Town of Jamestown will rehabilitate the existing sewer line on Pemberton Ave. approximately 855 feet between the intersections of Watson Ave and Arnold Ave and will construct a new manhole at the intersection of Arnold Ave. and Pemberton Ave. This manhole will be constructed to accommodate the new sewer system extended from the Jamestown Estates subdivision.
3. The developers will at their own expense extend the sewer system from the above designated manhole to the individual house lots in the Jamestown Estates subdivision. This work will be approved by the Public Works Department prior to construction however the Town will assume no responsibility for the cost of this work.

4. The sewer system constructed will be consistent with those pumping systems developed by "Environment One" which require individual lift pumps in each house of the proposed subdivision, these pumps to be operated and maintained by the individual home owner.

Based on these conditions the Town of Jamestown Water and Sewer Board approved extending the Sewer system. Thank you for your patience and if I can provide any additional information please do not hesitate to call upon me.

Sincerely

A handwritten signature in cursive script, appearing to read "Robert W. Sutton Jr.", written in dark ink. The signature is fluid and somewhat stylized, with a large loop at the end.

Robert W. Sutton Jr.



TOWN OF JAMESTOWN

P. O. Box 377

JAMESTOWN, RHODE ISLAND 02835

Town Hall - 423-0200

Town Offices - 423-0444

June 19, 1986

Mr. Peter Ryan
Island Engineering
65 North Road
Jamestown, Rhode Island

Dear Mr. Ryan

At the regular June 16th meeting of the Jamestown Board of Water and Sewer Commissioners the members voted unanimously to approve the revised plans for the Jamestown Estates Section II. This approval was based on the following conditions:

1. A payment of 85,000 dollars to the Town of Jamestown for the purposes of correcting inflow and infiltration problems in the public sewer system. This payment is to be made upon final approval of the subdivision by the Jamestown Planning Commission.

2. The Town will repair the sewer line on Pemberton Ave. and construct a new manhole at the intersection of Arnold Ave. and Pemberton Ave. All additional sewer work required for the extension of public sewers to the 14 lot subdivision would be the responsibility of the developer.

3. A maximum of 14 lot subdivision and each house is to be equipped with its own sewer pumping system.

4. Each of the 14 lots will have its own individual water supply and future owners would not request public water extensions.

If you have any questions, please call.

Sincerely,


Robert W. Sutton Jr.
Town Administrator

STATE OF RHODE ISLAND
COUNTY OF NEWPORT

AFFIDAVIT

I, Matthew T. Marcello III, hereby state and swear based on personal knowledge to the following:

1. That I was one of the principal shareholders of Jamestown Estates, Inc., which was the developer of the subdivision on Westwind Drive in the mid-1980s through the sale of all 14 of the approved lots.
2. That I have personal knowledge of all of the permit reviews and approvals provided by the Town of Jamestown.
3. To the best of my knowledge today at no time during the review and approval of the sewer line for the 14 lots on Westwind Drive was there any agreement or condition mandated by the Town of Jamestown that the sewer line serving Jamestown Estates would be privately owned by the lot owners.
4. That the developers of Jamestown Estates, Inc. made a payment in the amount of \$85,000 in consideration of the Town of Jamestown approving the sewer line as a public sewer.



Matthew T. Marcello III

Erin Liese

From: Jamie Hainsworth
Sent: Thursday, August 13, 2020 8:01 AM
To: Guy Settipane
Cc: Erin Liese
Subject: RE: Zoning Amendment, Chpt 82 -Heightm Hearing 8/17

Good Morning Sir,
I will forward your letter to the Town Clerk to be placed the packet on this a agenda item.

The hearing is scheduled for Monday August 17th at 6:30 p.m. the agenda and zoom link will be posted later today.

Thank you for you input and concerns.
Jamie

Jamie A. Hainsworth
Town Administrator
Town of Jamestown
93 Narragansett Avenue
Jamestown, RI 02835
401-423-9805

From: Guy Settipane <settiguy@aol.com>
Sent: Thursday, August 13, 2020 7:49 AM
To: Jamie Hainsworth <jhainsworth@jamestownri.net>
Cc: mgblanco@cox.net; meagherjamestowntc@gmail.com; jtownelc@aol.com; Major510@cox.net; billpiva8@cox.net
Subject: Re: Zoning Amendment, Chpt 82 -Heightm Hearing 8/17

Dear Town Administrator:

Kindly ensure the enclosed is included as part of the Council's record and package for the hearing on Monday, 8/17/
Thank you.

Guy J. Settipane

**OPEN LETTER TO THE
HONORABLE JAMESTOWN TOWN COUNCIL**

**RE: PROPOSED AMENDMENT CHAPT 82, HEIGHT OF
STRUCTURES, TOWN OF JAMESTOWN
AUGUST 17, 2020, 6:30 PM (ZOOM HEARING)**

Michael T. White, President - mgblanco@cox.net
Mary E. Meagher, V. President - meagherjamestowntc@gmail.com
Nancy A. Beye, Council Person - jtownelc@aol.com
Randall White, Council Person - Major510@cox.net

William J. Piva, Jr., Council Person - billpiva8@cox.net

Jamie Hainsworth, Town Administrator - hainsworth@jamestownri.net

Dear Town Council Members:

Jamestown's proposed zoning amendment presents significant legal, economic and land use issues that are in conflict with State law and harmful to many property owners. The current proposal tightens local regulations for existing and new development on land along and around Jamestown's coastline. Should the amendment be approved, properties within the Federal or State designated 100 year flood zones will be severely impacted.

The amendment is the Town's response to the Rhode Island General Assembly and Governor Raimondo's 2018 enactment of R.I Gen. Law 45-24-3, An Act Relating to Cities and Towns - Zoning Ordinances. The General Assembly modified the manner in which building heights in flood plains were determined. Properties in those zones were burdened by the loss of liveable space due to municipal height restrictions. Cities and Towns did not offset required elevated foundations against the overall height of the structure. Most of Rhode Island's shoreline communities were affected. The new State legislation allowed building heights in these special flood hazard areas (SFHA) to now be measured from what's referred to as "the base flood elevation (BFE)". This means those homes with required elevated non-living space, would not be penalized for incorporating State mandated safety structural designs. The required elevated foundation would no longer count against the height calculation. In most cases, this results in a deviation of anywhere from 5-10 ft as a height differential.

Rhode Island State Building Code allows construction in flood hazard areas where permitted by zoning provided the building is structurally flood-proofed and the first floor elevation is 1-foot above the base flood elevation (in accordance with ASCE 24-05). Flood zones overlay areas bar construction of livable space below the Base Flood Elevation (BFE). BFE is the minimum height above sea level deemed safe from flooding/storm surges. BFE varies from lot to lot and both new and existing homes are within the Federal Emergency Management Agency, it's designated Special Hazardous Areas and flood zones mappings of our State's Coastal Resource Management Council. In all cases the structures must have a first level at least 1-foot above the BFE. Historically flood hazard areas were developed to assess Flood Insurance rates. The Federal maps identify Special Flood Hazard Area (SFHA) which means there is a 1-percent chance of flood in any given year. The 1-percent annual chance flood is also referred to as the 100-year flood.

The pertinent section of the 2018 State law provides:

"or any property or structure located in a special flood hazard area, as shown on the official FEMA Flood Insurance Rate Maps (FIRMs), building height shall be measured from base flood elevation, and where freeboard, as defined in this section, is being utilized or proposed, such freeboard area, not to exceed five feet (5'), shall be excluded from the building height calculation; provided, however that the Rhode Island coastal resources management council design elevation maps may be used by an owner or applicant to establish a base flood elevation for a property that is higher than the official FEMA FIRMs."

The law was passed to alleviate the unfair burden and hardship placed on property owner in the 1 % risk area; protecting their ability to build and develop livable space on an equal basis as other citizenry. It also safeguards existing homeowners who plan to modify and or make structural changes. The practical application allows property owners the right to construct or modify their homes based on the minimum flood plain height as opposed determining the height from the ground level.

As an example a non-flood plain home might build to a maximum height of 35 feet with 2-stories of livable space and an attic, while under Jamestown's amendment, a home within the flood zone would be reduced by the BFE. This would trunket the property to a 1-level home and in some may make the lot unbuildable. In practice a BFE of 15 ft given a town height limit of 35 foot, would limit the structure to only 20 ft. Essentially Jamestown's amendment makes a former waterfront million-dollar homesite into a glorified \$ 25,000 shed lot. Given the abundance of Jamestown's waterfront properties and such other non-waterfront surrounding homes, all within flood districts (much of the Shores Area); the economic and landuse impact of this one size fits height restriction doesn't pass the reasonableness test. In fact, the corresponding effect with be to slash municipal property tax revenues. A floodgate of tax devaluation and appeals should follow. Guess who picks up the bill ?

A good law is always one that balances the interests, needs and risks while promoting the public health, safety, morals and the general welfare of its citizenry. A law should not be passed on the isolated fear that a building applicant might seek a 60-foot-high structure not in keeping with the surrounding residential homes. The end does not justify the means . In most cases the average homeowner 's height deviation would be minimal. A good law must also not target and impact the substantive due proces rights of a particular class of people.

Not withstanding the few and limited situations where this State law might apply in Jamestown, should the Council be intent on addressing the matter, a compromise might be found in crafting appropriate amendments to Section 802-305. Exception to Height Regulations, Jamestown Zoning Ordinance. A sub part C could be added providing for one or more of the following; the building official may grant relief based upon the unique characters of said home/lot and in light of demonstrated hardship up to a 12-foot height variance. In the alternative relief might be granted on a percentage basis proportional to the impact of the BFE . A third avenue would be to allow the structure height to based upon the average of the surrounding h homes within a 200 ' radius. Many cities and towns already include an automatic variation of up to 5 foot.

As published, Jamestown's proposed law, Chapter 82 amendment, measures the height of the structure as follows: Vacant Lot " average existing grade elevation where the foundation for the existing structure is proposed.. Existing Structures shall measure the average grade of the outmost exitsng 4 corners of the existing foundation". While the language is somewhat convoluted , its final advertised provision are quite draconian at best. It states,

"Height: the maximum height for building and structures erected in Special Flood Hazadous area shall be in accordance with Dimensional Table of this ordinance, Seciton 82-302, minus the difference between the base flood elevation however established and the average existing grade,"

Finally, the passage of this amendment is in direct conflict with the mandate from the Rhode Island General Assembly. The General Assembly sits as the States "super zoning board". Rhode Island's Constitution and Home Rule provisions reserves the ultimate decision making power to the State. Hence, when in conflict , State law superseeds local ordinances. The general assembly has the power to act in relation to property, affairs and government of any city or town by general laws which shall apply alike to all cities and towns. Therefore a hard and fast rule without reasonable accomodations will essentially embroil a municipality in needless and costly litigation. In effect the passage of this amendment may be otherwise *void ab initio*.

For all the above reasons, the Town Council should proceed cautiously and with restraint, balancing the need, risks and economic impact that runs tandem with the proposed amendment. Given the

nature of these Covid 19 times might a more measured approach be taken where such significant legal changes are deferred to a time when greater public participation is possible ?

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