



TOWN COUNCIL MEETING
Monday, October 5, 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: 865 9598 2095
PRESS # AGAIN TO JOIN THE MEETING

JOIN VIA COMPUTER OR MOBILE APP: Meeting ID: <https://zoom.us/j/86595982095>

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. 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) Resolutions:
- 1) Resolution 2020-15: Authorizing Issuance of Bonds and Notes for Improvement, Replacement, Construction, Repair, Reconstruction and/or Restoration of Roadways in Jamestown
 - 2) Resolution 2020-16: Authorizing Issuance of Bonds and Notes for Fire Department Purposes
 - 3) Resolution 2020-17: Authorizing Issuance of Bonds and Notes for South Pond Dam Repairs

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 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 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 (Public Hearing continued from August 17, 2020 and September 21, 2020)

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) Rhode Island Department of Environmental Management, Town of Jamestown, Conanicut Marine Services, Inc. Agreement.-FYI No Action
 - 2) Motor Vehicle Tax Update- FYI No Action
 - 3) Application for State Funding Grant "Take It Outside" FYI No Action
 - 4) Beavertail Lighthouse Property becoming Surplus-FYI No Action
 - 5) Water Use Restrictions Advertise-FYI No Action
 - 6) Vacancy of Executive Assistant- FYI No Action
 - 7) Rhode Island Slave History Medallion- FYI No Action
 - 8) Request of Jamestown Estates Homeowners Association, Sewer line Westwind Drive-FYI No Action
 - 9) Center for Tech and Civic Life Elections Grant-FYI No Action

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 Regular Meeting Schedule: October 19, 2020 and November 2, 2020
 - 2) Town Council Workshop Schedule: October 6, 2020

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) Jamie A. Hainsworth Town Administrator's Performance Review for Discussion and/or Potential Action and/or Vote; which may include a compensation and/or benefit increase or alteration
- B) Discussion and Possible Action on Authorization of an Educational Advertisement Regarding Information on the Proposed Charter Change for Consideration of the Voters on the November 3, 2020 General Election Ballot

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) September 21, 2020 (Regular Meeting)
 - 2) September 21, 2020 (Executive Session)
- B) Minutes of Boards/Commissions/Committees
 - 1) Zoning Board of Review (August 25, 2020)
- C) Ratification of Administrative Event Approvals
 - 1) Friends of Jamestown Library Flu Clinic- October 3, 2020
- D) Award of a Bid for Jamestown Harbor Commission- Three Year Bid for the Service of thirty-six (36) private aids to navigation (PATONS) to Rhode Island Mooring Service in an amount not to exceed \$22,925.00.
- E) Request of Tax Assessor for Specific Abatements & Addenda of Taxes

ADDENDA TO 2020 TAX ROLL		
02-0880-00	Plat 4, Lot 109	\$ 1,418.73
10-0029-42	Plat 11, Lot 33	\$ 3,598.41
13-1365-01	Plat 3, Lot 84	\$ 549.03
TOTAL ADDENDA		\$ 5,566.17

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.

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

X. 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 September 30, 2020

RESOLUTION NO. 20-

RESOLUTION AUTHORIZING ISSUANCE OF BONDS AND NOTES FOR
IMPROVEMENT, REPLACEMENT, CONSTRUCTION, REPAIR,
RECONSTRUCTION AND/OR RESTORATION OF ROADWAYS IN THE TOWN
OF JAMESTOWN

RESOLVED THAT:

Section 1. Pursuant to Resolution #5 passed by the Financial Town Meeting on June 22, 2020 and pursuant to Section 45-12-2 of the General Laws of the State of Rhode Island, the Finance Director is authorized to borrow and issue bonds in the name of the Town, from time to time, but not to exceed in the whole, the sum of One Million Five Hundred Thousand dollars (\$1,500,000.00), to finance improvement, replacement, construction, repair, reconstruction and/or restoration of roadways, including any related sidewalks and storm drains and design costs including payment of costs of issuance and interest on any temporary notes, and repayment of any advances made from the general fund pursuant to such Resolution of the Financial Town Meeting. All terms and conditions of the bonds authorized herein including the manner of sale, amount, denominations, maturities and conversion or registration privileges and the designation of a securities depository and paying agent, not fixed by provisions of law, may be fixed by the Finance Director. The Finance Director is hereby authorized to execute and deliver on behalf of the Town such additional agreements as are necessary to effect the issuance of bonds and notes hereunder, the due authorization thereof being conclusively demonstrated by his or her execution and delivery of such agreements. The Finance Director is hereby authorized to deliver such bonds and notes to the purchasers thereof and said officer is authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that the interest on the bonds will be excludable from gross income for federal income tax purposes, and to refrain from all actions which would cause interest on the bonds to be subject to federal income taxes. The Finance Director is authorized to deem the bonds, and to the extent not deemed to be, to designate the Bonds as "qualified tax-exempt obligations" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended. The Finance Director is hereby authorized to take such action as to comply with Rule 15 c 2 – 12 (b) (5) of the Securities and Exchange Commission and is authorized to execute and deliver a Continuing Disclosure Certificate.

Section 2. This Resolution shall take effect upon its passage.

To be passed at Town Council Meeting of October 5, 2020

RESOLUTION NO. 20-

RESOLUTION AUTHORIZING ISSUANCE OF BONDS AND NOTES FOR FIRE
DEPARTMENT PURPOSES

RESOLVED THAT:

Section 1. Pursuant to Resolution #6 passed by the Financial Town Meeting on June 22, 2020 and pursuant to Section 45-12-2 of the General Laws of the State of Rhode Island, the Finance Director is authorized to borrow and issue bonds in the name of the Town, from time to time, but not to exceed in the whole, the sum of Three Hundred Fifty Thousand dollars (\$350,000.00), to finance a fire truck and related equipment including payment of costs of issuance and interest on any temporary notes, and repayment of any advances made from the general fund pursuant to such Resolution of the Financial Town Meeting. All terms and conditions of the bonds authorized herein including the manner of sale, amount, denominations, maturities and conversion or registration privileges and the designation of a securities depository and paying agent, not fixed by provisions of law, may be fixed by the Finance Director. The Finance Director is hereby authorized to execute and deliver on behalf of the Town such additional agreements as are necessary to effect the issuance of bonds and notes hereunder, the due authorization thereof being conclusively demonstrated by his or her execution and delivery of such agreements. The Finance Director is hereby authorized to deliver such bonds and notes to the purchasers thereof and said officer is authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that the interest on the bonds will be excludable from gross income for federal income tax purposes, and to refrain from all actions which would cause interest on the bonds to be subject to federal income taxes. The Finance Director is authorized to deem the bonds, and to the extent not deemed to be, to designate the Bonds as "qualified tax-exempt obligations" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended. The Finance Director is hereby authorized to take such action as to comply with Rule 15 c 2 – 12 (b) (5) of the Securities and Exchange Commission and is authorized to execute and deliver a Continuing Disclosure Certificate. Pending the issuance of said bonds and/or notes, the Town Treasurer may advance funds from the general fund of the Town for such expenses in an amount not to exceed \$350,000.

Section 2. This Resolution shall take effect upon its passage.

To be passed at Town Council Meeting of October 5, 2020

RESOLUTION NO. 20-

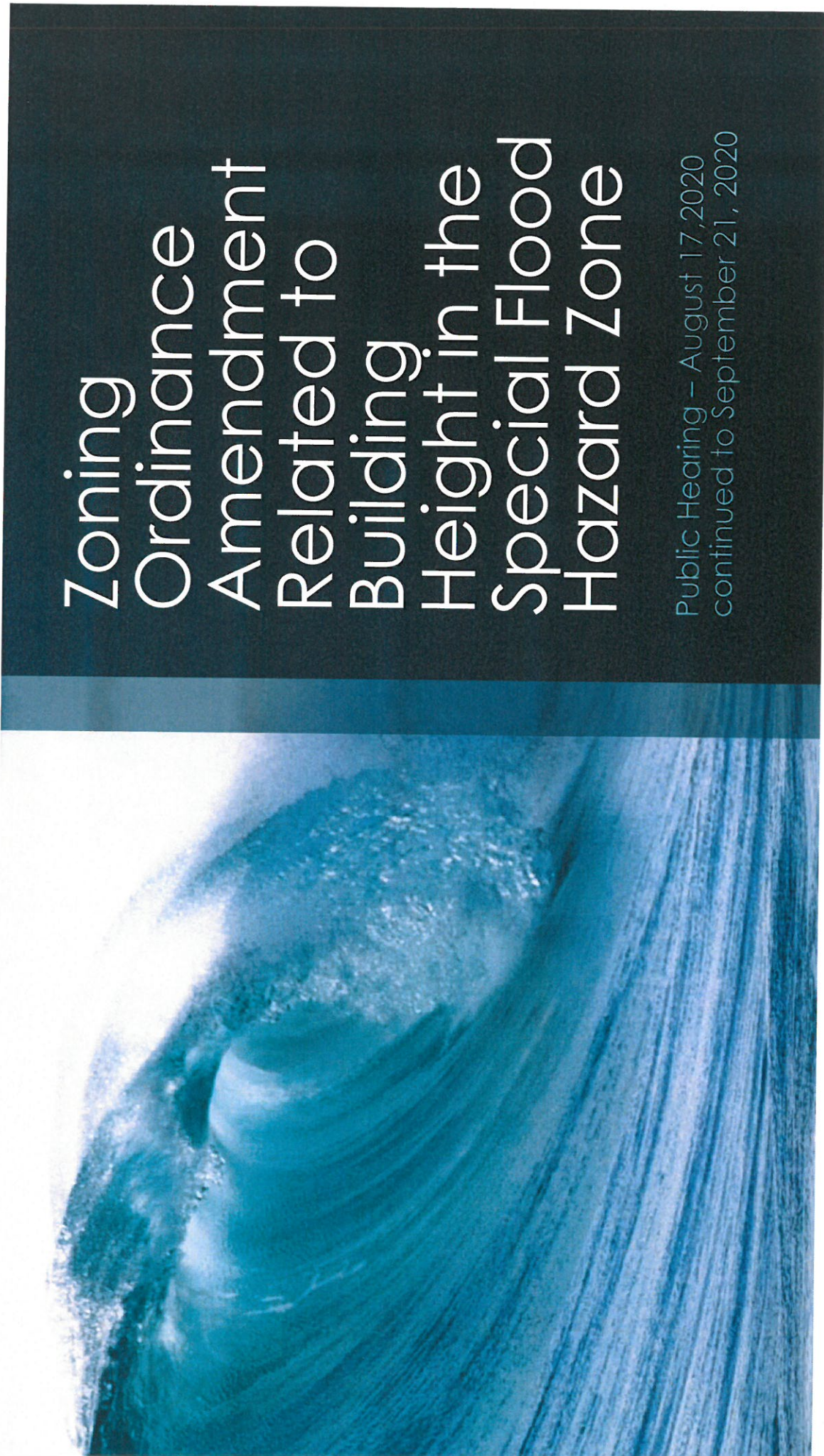
RESOLUTION AUTHORIZING ISSUANCE OF BONDS AND NOTES FOR
SOUTH POND DAM REPAIRS

RESOLVED THAT:

Section 1. Pursuant to Resolution #7 passed by the Financial Town Meeting on June 5, 2017 and pursuant to Section 45-12-2 of the General Laws of the State of Rhode Island, the Finance Director is authorized to borrow and issue bonds in the name of the Town, from time to time, but not to exceed in the whole, the sum of Five Hundred Fifty Thousand dollars (\$550,000.00), to finance repairs and improvements to the South Pond Dam including payment of costs of issuance and interest on any temporary notes, and repayment of any advances made from the general fund pursuant to Resolution 2018-17. All terms and conditions of the bonds authorized herein including the manner of sale, amount, denominations, maturities and conversion or registration privileges and the designation of a securities depository and paying agent, not fixed by provisions of law, may be fixed by the Finance Director. The Finance Director is hereby authorized to execute and deliver on behalf of the Town such additional agreements as are necessary to effect the issuance of bonds and notes hereunder, the due authorization thereof being conclusively demonstrated by his or her execution and delivery of such agreements. The Finance Director is hereby authorized to deliver such bonds and notes to the purchasers thereof and said officer is authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that the interest on the bonds will be excludable from gross income for federal income tax purposes, and to refrain from all actions which would cause interest on the bonds to be subject to federal income taxes. The Finance Director is authorized to deem the bonds, and to the extent not deemed to be, to designate the Bonds as "qualified tax-exempt obligations" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986 as amended. The Finance Director is hereby authorized to take such action as to comply with Rule 15 c 2 – 12 (b) (5) of the Securities and Exchange Commission and is authorized to execute and deliver a Continuing Disclosure Certificate.

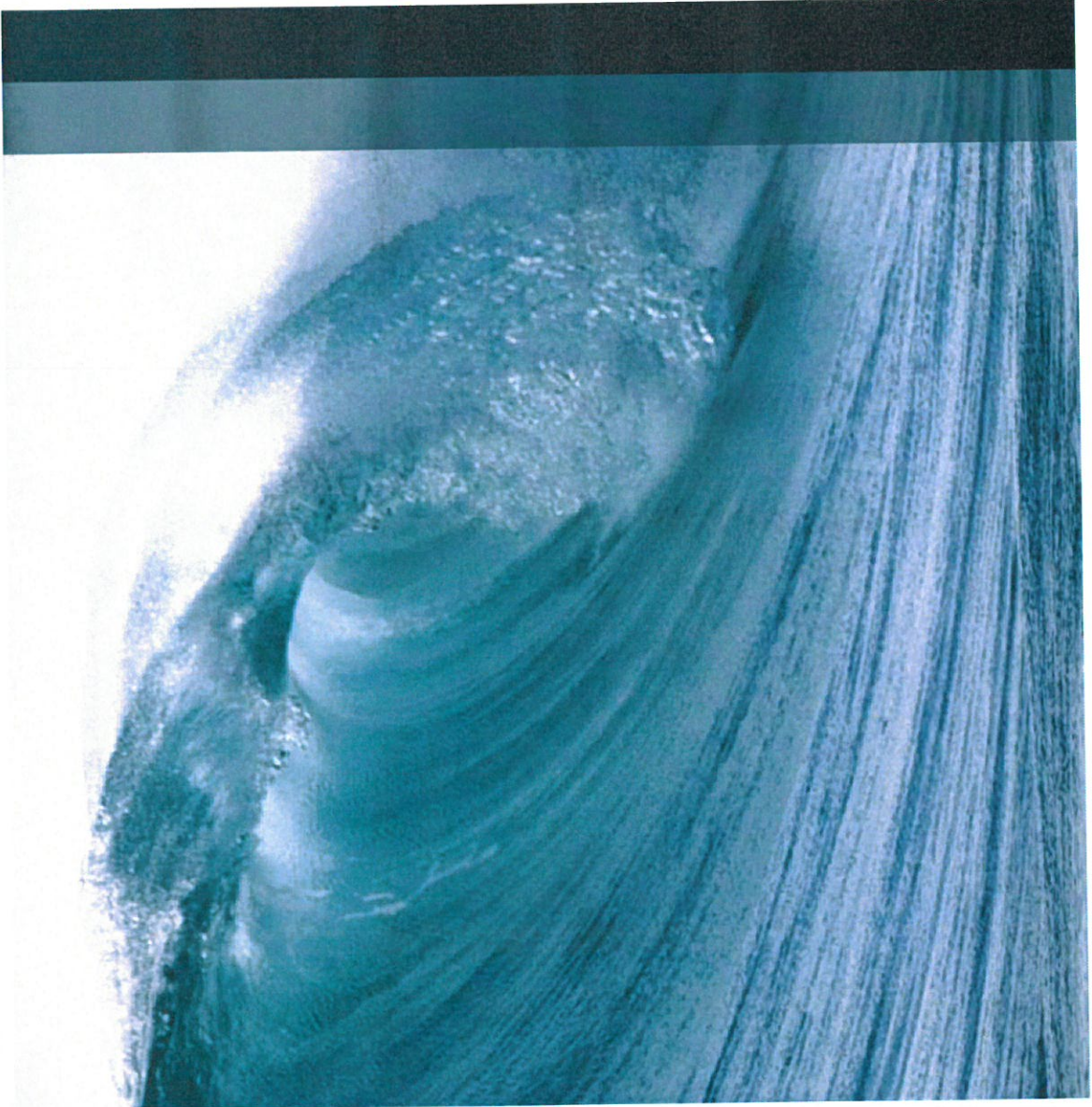
Section 2. This Resolution shall take effect upon its passage.

To be passed at Town Council Meeting of October 5, 2020



Zoning Ordinance Amendment Related to Building Height in the Special Flood Hazard Zone

Public Hearing – August 17, 2020
continued to September 21, 2020



Why are we here?

In 2018 The State of Rhode Island began a process of amending the definition of building height whereby giving additional building height rights exclusively to waterfront property owners within the Special Flood Hazard Area, to compensate for building in a flood zone where flooding is so prevalent that State building codes requires them to elevate their structures.

What is the potential impact?

- Jamestown's HMP notes that Jamestown has 228 National Flood Insurance policies. Interestingly enough though, there has only been \$231,689.86 in payments since 1978. That is only a little over \$1000 per policy if it were to be distributed evenly, when in fact, it is probably only a handful of those policies that have ever made a claim. This indicates that although several residents have purchased flood insurance, few claims are made and they are for minor damages and only 1 repetitive loss has been filed.
- There are currently:
 - 100+ Homes that are at least partially located within the Special Flood Hazard Area
 - 400+ homes whose lots touch the SFHA but the homes are wholly outside of that zone
 - 100+ vacant lots that could be developed where the SFHA impacts the lot

Review by the Planning Commission

- All Zoning Ordinance Amendments (ZOAs) must be either created by the Planning Commission or a 3rd party
- The Planning Commission must review and provide a recommendation to the Town Council on all ZOAs
- The Town Council approves ALL ZOAs subsequent to a “Public Hearing”
- This public hearing was advertised 3 times as required on July 30, August 6 and 13
- The Planning Commission provided the Town Council a recommendation for approval dated July 16, 2020 with the required Findings and statements of Consistency
- The Planning Commission sent correspondence to the Town Council on August 25, 2020 emphasizing the importance of this amendment and urging its passage

The Proposal

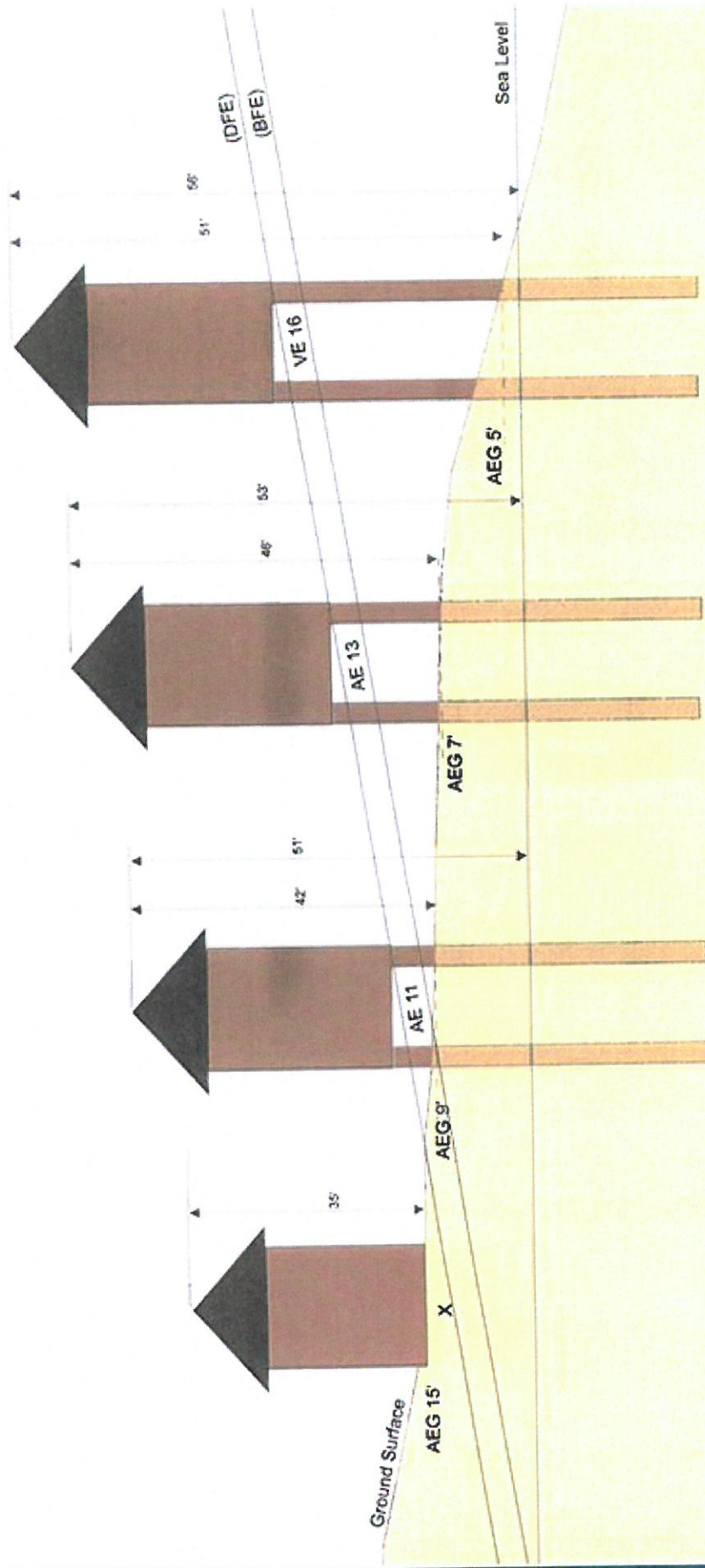
Jamestown has a uniform maximum building height throughout the island of 35 feet. The Base Flood Elevation (BFE) is defined as:

- **Base Flood Elevation (BFE).** The elevation of the crest of the base flood or 100-year flood. The height, as established in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum where specified), in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

**In simplest terms, the state definition change allowed builders within the special flood hazard area to begin their “minimum” building height at the BFE. The proposal before you tonight simply removes that BFE from the actual building height. So, we begin measuring “building height” at “original grade” and can build up to 35 feet (or 2.5-3 stories in height) like every other structure in town, whether located on the water or not.

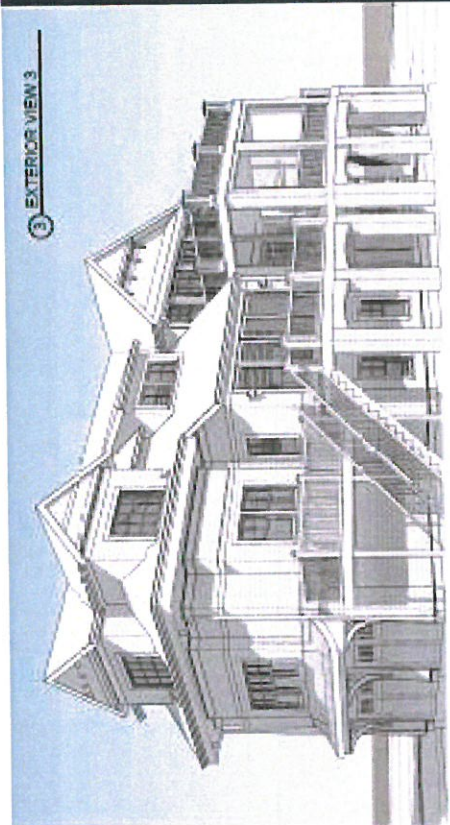
The reality is that if people can build out of the special flood hazard area on lots, they WILL. No one wants the added cost of paying flood insurance if they have the ability to build outside of the special flood hazard area.

Discuss Freeboard

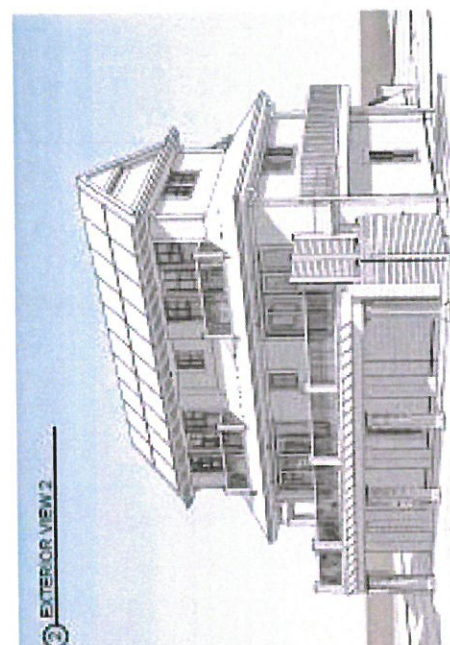


AEG=Average Existing Grade
DFE = Design Flood Elevation (BFE + Freeboard of up to 5')
BFE = Base Flood Elevation

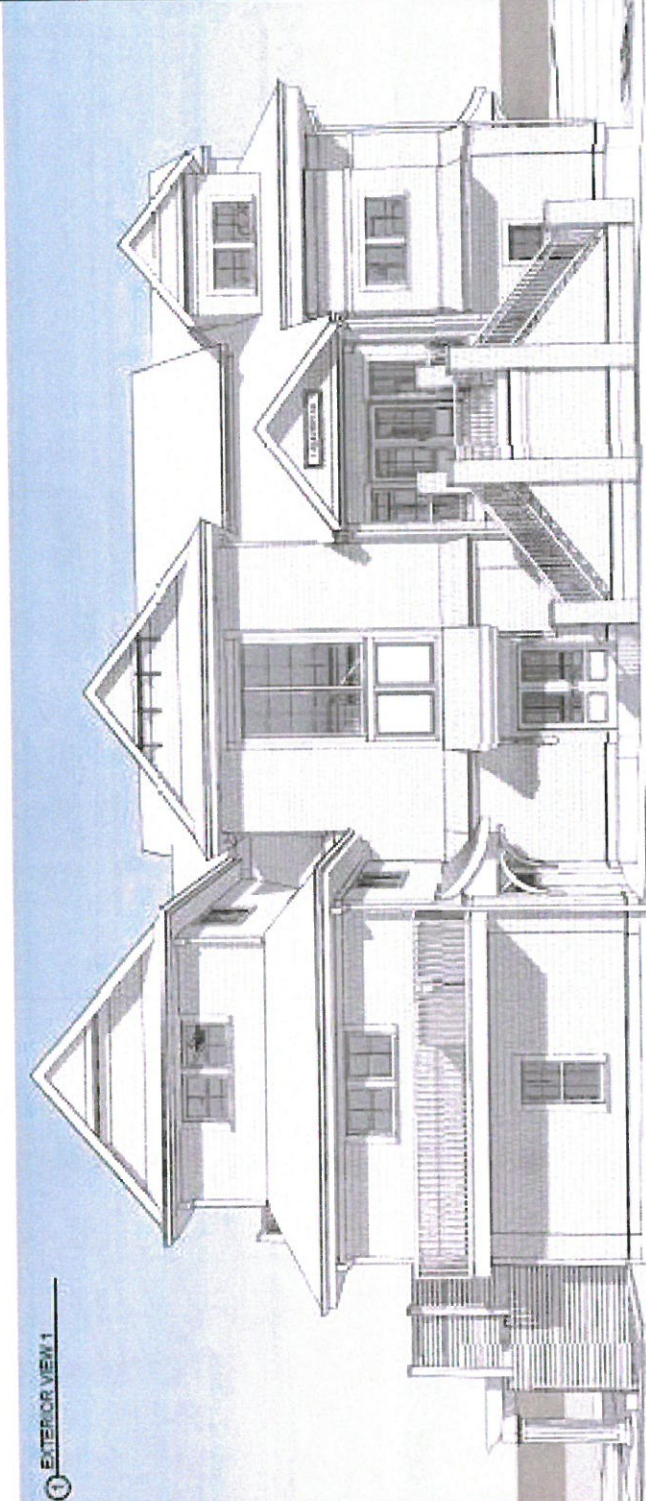
- * The bottom of a structure must be raised 1 foot above the Base Flood Elevation but an additional 5 feet (freeboard) is permitted for insurance purposes
- * you must subtract the Average Existing Grade from the Base Flood Elevation (FEMA) to calculate how much the structure must be elevated.



③ EXTERIOR VIEW 3



② EXTERIOR VIEW 2



① EXTERIOR VIEW 1

Base Flood Elevation = 15

Average Existing Grade = 8

Therefore $15 - 8 = 7$ = amount the structure must be elevated to start construction of habitable space plus you can add up to 5 feet of Freeboard for insurance purposes.

Therefore, today, the total potential elevation of this home is $7 + 6 + 35 = 48$ feet, or 13 feet above standard building height of 35 feet.

Facts:

- 1) All structures in Jamestown are limited to 35 feet.
- 2) In the SFHA, the bottom of the structure has to be 1 foot above the base flood elevation plus they can add 5 more feet of freeboard for insurance purposes. So a total of 6 feet additional height will remain even after this proposal is passed allowing 41 foot structures



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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

42 **Section 1.** Be it hereby ordained by the Town Council of the Town of Jamestown that the
43 Jamestown Code of Ordinances, Chapter 82, Zoning Ordinance, as the same may have been
44 heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

45
46 NOTE: words set as ~~strikethrough~~ are to be deleted from the ordinance; words
47 underline are to be added to the ordinance.

48
49 See Exhibit A, attached hereto and incorporated herein by reference.

50
51 **Section 2.** The Town Clerk is hereby authorized to cause said changes to be made to Chapter
52 82 of the Town of Jamestown's Code of Ordinances.

53
54 **Section 3.** This Ordinance shall take effect upon its passage.

55
56 Ad Date(s): July 30, August 6 and August 13, 2020

57 Publication Source: Jamestown Press

58 Hearing Date: August 17, 2020

59 Action: _____

60 Certified: _____

61
62
63 **Exhibit A**

64
65 Amend the Zoning Ordinance Definitions as follows:

66
67 Sec. 82-103. Definitions.

68
69 The following words [terms] shall have the following meanings [in this chapter]:

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

83 ~~(i) The base flood elevation on the FEMA FIRM plus up to five feet (5') of any utilized or~~
84 ~~proposed freeboard, less the average existing grade elevation; or~~

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

89
90 Sec. 82-317. Community floodplain ordinance for special flood hazard areas.

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

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

97 C. Applicability.

98 1. Special flood hazard areas. The special flood hazard areas are herein established as a
99 floodplain overlay district. The district includes all special flood hazard areas within the Town of
100 Jamestown designated as zones A, AE, AH, AO, A99, V, or VE on the Newport County Flood
101 Insurance Rate Map (FIRM) and Digital FIRM issued by the Federal Emergency Management
102 Agency (FEMA) for the administration of the National Flood Insurance Program. The map
103 panels of the Newport County FIRM that are wholly or partially within the Town of Jamestown
104 are panel numbers 44005C0059J, 44005C0067J, 44005C0069J, 44005C0078J,
105 44005C0088J, 44005C0157J, 44005C0159J and 44005C0176J dated September 4, 2013 (as
106 periodically amended. The exact boundaries of the district may be defined by the 100-year base
107 flood elevations shown on the FIRM and further defined by the Newport County Flood Insurance
108 Study (FIS) report dated September 4, 2013. The zoning enforcement officer is responsible for
109 floodplain management. The FIRM and FIS report and any revisions thereto are incorporated
110 herein by reference and are on file with the town clerk, planning board, and building official.



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: September 29, 2020

SUBJECT: Report for Town Council Meeting October 5, 2020

Agreement between R.I. Department of Environmental Management, the Town of Jamestown and Conanicut Marine Services, Inc. (CMS), F.Y.I. No Action: The Town Council had previously authorized the Town Administrator to sign the Supplemental Environmental Project entitled "Taylor Point Restoration Project". With all three entities signing the agreement RIDEM on September 16th, the project will now proceed. Administration met with representatives of CMS and reviewed the scope of the project as well as the timeline for completion. D.P.W. Director advised the group he plans on beginning and completing the project in mid-October. The agreement requires all work to be completed by November 30, 2020.

Motor Vehicle Tax update, No Action F.Y.I.: As previously reported, the property tax bills were mailed out in the usual time, they did not include the motor vehicle tax. The General Assembly has delayed passing the FY 21 budget, which includes the motor vehicle tax phase out, it appears a decision won't be made until sometime in November. We will continue to monitor this, to achieve the best decision for Jamestown.

Application for State Funding Grant, "Take it Outside" No Action F.Y.I.: The Administration has filed a grant application through the States Department of Commerce requesting funding for the "take it Outside" program offered through the Federal COVID-19 funds. The request seeks funds for improvements, equipment and labor costs to accommodate local businesses to continue operations in the colder weather in the municipal parking lot on Narragansett avenue as well as some individual business locations. This grant was filed with ideas/input and support of the Jamestown Chamber of Commerce.

Status of Beavertail Lighthouse Property becoming surplus property, F.Y.I. No Action: I have met with RI DEM Associate Director and some of his staff to discuss their plans in the process of surplusage of the lighthouse. They have notified the Coast Guard and the Government Services Administration (GSA) of their interest in taking ownership of the property. RI DEM, The Town Administration and the Beavertail Lighthouse Museum Association (BLMA) are working on a proposed M.O.U. to continue the use of

the property as a museum. The Administration is presently reviewing the draft document and will meet with BLMA. Once we achieve an agreed upon document we will present to the Council for input and consideration.

Water Use Restrictions Advertised, F.Y.I. No Action: Water use restrictions that became effective September 21 and will remain in effect until further notice. This was advertised in the Jamestown Press in the September 24, 2020 edition.

Vacancy of Executive Assistant, F.Y.I. No Action: The position of Executive Assistant was advertised and we received over 45 applicants, of which we interviewed 16 well qualified people. Some of those 16 applicants had additional interviews, we will make a final selection by the end of this week.

Rhode Island Slave History Medallion, F.Y.I. No Action: A very generous resident of Jamestown has donated the funding to purchase and erect the first medallion at the East Ferry location. Charles Roberts, Ex. Director of the organization is working with Rosemary Enright of the Jamestown Historical Society and coordinating the installation of the medallion. We will inform the Council further on the date of the dedication. As you previously approved this location and two other locations when there is funding for additional medallions, one at the Jamestown Historical Museum and the other at the corner of High and Walcott in the triangle.

Request Jamestown Estates Homeowners Association, Sewer line Westwind Drive, F.Y.I. No Action: Pursuant to the Councils direction at the September 21st, Council meeting the Administration has continued to research the records from 1985 in reference to the ownership of the sewer line. Once we have thoroughly reviewed this matter we will report back to the Council.

Grant Award; Election Administration, F.Y.I. No Action: The Town Clerk applied and was successful in obtaining approval for a grant from the Center of Tech and Civic Life, in the amount of \$5,000.00 to be used to cover expenses associated with early voting and election day. This grant will be very helpful covering the unexpected and additional costs associated with Covid-19 for items such as Personal Protective Equipment, additional cleaning expenses and election administration equipment.

October

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 Town Council Meeting: 6:30 pm	6 Town Council Meeting: 6:30 pm	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

November

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

2020

**TOWN COUNCIL MEETING
September 21, 2020**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on September 21, 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/93956215296> Meeting ID: **939 5621 5296**. 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, Director of Parks and Recreation, Andrew Wade, Water & Sewer Clerk, Denise Jennings, Erin Liese, Town Clerk and Denise Gamon, Town Clerk's Assistant.

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President White called the meeting of the Jamestown Town Council to order at 6:32 P.M. in the Jamestown Town Hall, Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

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

III. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS *Please see Water and Sewer Board Minutes

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

The Council adjourned at 7:28 P.M. 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 (Continued from August 17, 2020)
 - a) Memorandum of Chief Mello dated September 8, 2020 regarding

the Noise Ordinance

A motion was made by Councilor White with second by Vice President Meagher to move into Public Hearings for proposed amendments regarding Noise. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

Councilor White would like to schedule (2) work sessions Tuesday, September 29 and if needed Tuesday, October 6, 2020, and to continue the Public Hearing for the Proposed Amendments to the Code of Ordinances, Article III – Noise Ordinance for the Monday, October 19, 2020 Town Council Meeting.

A motion was made by Vice President Meagher with second by Councilor White to approve the Noise Ordinance work sessions and continuing the Public Hearing until the October 19, 2020 Town Council Meeting. 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 from the Public Hearing regarding the Proposed Amendments to the Code of Ordinances, Article III – Noise Ordinance Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- 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

A motion was made by Vice President Meagher with second by Councilor White to move into the Public Hearing for the Proposed Amendments to the Zoning Ordinance related to Building Height Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

Lisa Bryer, Town Planner presented a Power Point explaining the Base Flood Elevation and Design Flood Elevation.

Discussion ensued.

Vice President Meagher and Councilor White had received confirmation from the Ethics Commission that there was no conflict of interest in voting on the Proposed Amendments to the Zoning Ordinance related to Building Height.

Councilor Piva requested to continue the hearing until after his meeting with the Ethics Commission to the next Town Council Meeting, Monday, October 5, 2020 when he would have the opportunity to participate. After a lengthy discussion Councilor Piva said he had received a letter from the Ethics Commission stating he not vote on the Proposed Amendments to the Zoning Ordinance related to Building Height.

A motion was made by Vice President Meagher with second by Councilor Beye to continue the Public Hearing for the Proposed Amendments to the Zoning Ordinance related to Building Height until the next Town Council Meeting on October 5, 2020

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

A motion was made by Vice President Meagher with second by Councilor White to leave the Public Hearing Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor, White, Aye, Councilor Piva, recused himself

- B) Approval of One Day Event License Application
 - 1) Applicant: Arnold-Zweir Post 22, American Legion
 - Event: 2020 Veterans Day Ceremony
 - Dates: November 11, 2020
 - Location: Veterans Memorial Square

A motion was made by Councilor White with second by Vice President Meagher to approve the 2020 Veterans Day Ceremony to be held on November 11, 2020

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

- C) Renewal of Event License Application
 - 1) Applicant: Jamestown Chamber of Commerce
 - Event: Restaurant Outdoor Dining
 - Dates: Extending to October 20, 2020 unless revoked earlier
 - Location: Narragansett Avenue, Narragansett Avenue Municipal Parking Lot & East Ferry Parking Lot

A motion was made by Vice President Meagher with second by Councilor Piva to approve the Chamber of Commerce Restaurant Outdoor Dining extension to October 20, 2020 unless revoked earlier 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 Piva to sit as the Alcoholic Beverage Licensing Board Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- D) 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 October 20, 2020 unless revoked earlier .

- a) KALI LLC dba J22 Tap & Table, 22 Narragansett Ave.
- b) Jamestown Beer Holdings LLC dba The Generals Crossing- 34 Narragansett Ave.
- c) Jamestown Restaurant Group LLC dba Narragansett Café- 25 Narragansett Ave.
- d) Johnny Angels Clam Shack LLC dba Angels Kitchen- 23B Narragansett Ave.

A motion was made by Vice President Meagher with second by Councilor Beye for the Approval of Request for Temporary Seasonal Expansion of Existing Liquor License Applications until October 20, 2020 unless revoked earlier Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- 2) Renewal of Approval of KALI 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 October 20, 2020 unless revoked earlier.

A motion was made by Vice President Meagher with second by Councilor Beye to approve the Renewal of KALI, LLC for Temporary Seasonal Expansion of Existing Liquor License for service and consumption areas to include 20 Narragansett Avenue until October 20, 2020 unless revoked earlier Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

- E) Town Council adjourns as the Liquor Licensing Board

A motion was made by Vice President Meagher with second by Councilor White to adjourn from the Liquor Licensing Board Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

VI. 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:

F) Resolutions

- 1) Relating to State Assistance during the COVID 19 Emergency

A motion was made by Councilor Piva with second by Councilor White to approve the Resolution, as presented, regarding seeking assistance from the State during the COVID 19 Emergency Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

VII. 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: October 5, 2020 and October 19, 2020
 - 2) Rescheduling of Noise Ordinance WorkshopDates were reviewed

- B) Review, Discussion and Possible Action to extend the March 16, 2020 Declaration of the Town of Jamestown State of Emergency to October 20, 2020 unless revoked earlier, to curtail the spread of the COVID 19 Virus.

A motion was made by Councilor Beye with second by Councilor Piva to approve the extension of the Town of Jamestown State of Emergency to October 20, 2020 unless revoked earlier, to curtail the spread of the COVID 19 Virus

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

- C) Review, Discussion and Possible Action to extend the Executive Order 2020-1, to October 20,2020, 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.

A motion was made by Councilor Piva with second by Councilor Beye to approve the extension of the Executive Order 2020-1, to October 20, 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

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

- D) Review, Discussion and Possible Action on the Golf Course Club House Project and requested change order in the amount of \$81,719, for the addition of cart storage to the building construction; approve the design changes and credit of \$39,711. With a total request net amount of \$6,049.81 above the \$2.9 million that was allocated for the project
 - 1) Memorandum dated September 16, 2020 from Public Works Director Gray regarding Golf Course ProjectPublic Works Director Mike Gray provided an update on the project.

A motion was made by Councilor White with second by Vice President Meagher to approve the request of Public Works Director Gray for the amount of \$6,049.81 for the addition of cart storage to the building construction of the Golf Course Club House Project **Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye**

VIII. **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) Conanicut Island Sailing Foundation Memorandum of Agreement Agreement Amendment; review discussion and/or potential action and/or vote
 - 1) Memorandum dated September 16, 2020 from Parks & Recreation Director Wade regarding MOU-CISF Alteration Request

A motion was made by Vice President Meagher with second by Councilor White to approve the amendments to the MOU between the Town of Jamestown and CISF; to exclude specific dates for Sea Adventure Camp and to include June thru August. With the addition of Item14; “Off-Season Storage” – “CISF shall be permitted to an “off-season” storage location with the Fort Getty property between October 31 and April 15. The off-season location shall be determined by the Parks & Recreation Director. Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

Meg Myles of CISF thanked Parks and Recreation Director, Andrew Wade for all of his assistance and support.

IX. **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) Letter of Interest for Reappointment -Thomas McNiff

**A motion was made by Vice President Meagher with second by Councilor Piva to reappoint Thomas McNiff to the Discover Newport Board
Vote: President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye**

- 2) Zoning Board of Review
 - a) Letter of Interest-John E. Shekarchi, Esq.

- 3) Permission to Advertise Expiring Terms:
 - a) Beavertail State Park Advisory- 1 opening
 - b) Conservation Commission- 1 opening
 - c) Fire Department Compensation- 1 opening
 - d) Harbor Management – 2 openings
 - e) Jamestown Housing Authority – 1 opening
 - f) Juvenile Hearing Board- 4 openings (2 Full, 2 Alternate)
 - g) Library Board of Trustees - 3 openings
 - h) Police Pension Committee- 1 opening
 - i) Traffic Committee – 2 openings
 - j) Zoning Board of Review – 4 openings (1 full, 3 Alternate)

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

X. 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 17, 2020 (Regular Meeting)
 - 2) September 1, 2020 (Regular Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Zoning Board of Review (July 28, 2020)
- C) Ratification of Administrative Event Approvals
 - 1) Meatball Grab &Go- September 19, 2020
 - 2) Swim Event Fort Getty- September 13, 2020
- D) Rescinded Executive Orders
 - 1) Executive Order 20-06- Regarding Parking Fines an No Parking
- E) Award a Bid for Improvements at the Lawn Avenue Recreation Complex’s Basketball Courts Crack Repairs and Resurfacing to J. G. Coffee in an amount not to exceed \$4,683.00
- F) Award a Bid for Improvements at the Lawn Avenue Recreation Complex’s Tennis Courts Crack Repairs and Resurfacing to J.G. Coffee for \$6.35 per linear foot for the Upper Courts and \$7.25 per linear foot for Lower Courts.

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

ADDENDA TO 2020 TAX ROLL

03-1154-10	Plat 16, Lot 222	\$ 834.56
04-0594-57	Plat 9, Lot 662	\$ 771.86
07-1111-65	Plat 14, Lot 247	\$ 502.94
12-0102-46	Plat 14, Lot 89	\$ 112.09
13-1522-65	Plat 9, Lot 123	\$ 187.50
15-0240-50	Plat 5, Lot 519	\$ 182.83
16-0840-03	Plat 8, Lot 58	\$ 712.50
TOTAL ADDENDA		\$ 3,304.28

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

XI. 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: Town Administrator Hainsworth
From: Christine Ariel
Dated: August 24, 2020
Re: Noise Ordinance
- 2) Copy of Letter to: Town Administrator Hainsworth
From: Christopher Gray
Dated: August 20, 2020
Re: Noise Ordinance
- 3) Copy of Letter to: Town Administrator Hainsworth
From: Christian Infantolino
Dated: August 17, 2020
Re: Noise Ordinance
- 4) Copy of Letter to: Town Administrator Hainsworth
From: Dennis Webster
Dated: August 17, 2020
Re: Noise Ordinance

- 5) Copy of Letter to: Chief Mello
From: Patrice Kilroy
Dated: August 18, 2020
Re: Noise Ordinance
 - 6) Copy of Letter to: Town Council
From: Melody Drnach
Dated: August 28, 2020
Re: Recreation Department Thank You
 - 7) Copy of Letter to: Town Council
From: Guy Settipane
Dated: August 13, 2020
Re: Zoning Amendment, Ch. 82
- B) Public Notice Received:
- 1) Zoning Board of Review: Jamestown as an Abutter
Application of Andrew Bilodeau- Plat 5 Lot 164
Hearing Date: September 22, 2020
 - 2) Zoning Board of Review: Jamestown as an Abutter
Application of Paul Hamilton & Patricia Young- 260 Beavertail Road
Hearing Date: September 22, 2020

**XII. 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

A motion was made by Vice President Meagher with second by Councilor Piva to move into Executive Session pursuant to: Pursuant to RIGL § 42-46-5(a) Subsection (5) Lease of Real Property – 18,000 sq. ft. of real property at the westerly end of Narragansett Avenue to Dutch Harbor Boat Yard, LLC; Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Complaint of The Laura C. Albert Revocable Trust and Gerard J. Albert Revocable Trust - Case Number: NC-2020-0220 Quiet Title Conanicut Park Plat; Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Hull Cove Plat 12, Lot 138 & Lot 6

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

XIII. EXECUTIVE SESSION

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

- A) Pursuant to RIGL § 42-46-5(a) Subsection (5) Lease of Real Property – 18,000 sq. ft. of real property at the westerly end of Narragansett Avenue to Dutch Harbor Boat Yard, LLC
- B) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Complaint of The Laura C. Albert Revocable Trust and Gerard J. Albert Revocable Trust - Case Number: NC-2020-0220 Quiet Title Conanicut Park Plat
- C) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Hull Cove Plat 12, Lot 138 & Lot 6

Town Council President White announced one vote was taken during the Executive Session on item A) the authorization of the Town Administrator to negotiate a lease with Dutch Harbor. Unanimous vote.

Vice President Meagher recused herself from item C) departing from the meeting at 9:56 P.M.,

XIV. ADJOURNMENT

Adjourned Executive Session

A motion was made by Councilor Piva with second by Councilor Beye to adjourn at 10:12 P.M. Vote: President White, Aye; Councilor Beye, Aye; Councilor Piva, Aye; Councilor, White, Aye

Attest:

Denise Gamon, Town Clerk's Assistant

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the August 25, 2020 Meeting

**A regular meeting of the Jamestown Zoning Board of Review was held August 25, 2020.
THIS MEETING Was TELECONFERENCED VIA ZOOM AND VIA TELEPHONE:**

The Chairman called the meeting to order at 7:27 p.m. The Zoning Officer called the roll and noted the following members present:

Richard Boren, Chairman
Terence Livingston, Member
Edward Gromada, Member
Judith Bell, 1st Alt.
Erik Brine, 2nd Alt.
James King, 3rd Alt.

Also present: Host Cinthia Reppe, Planning Assistant
Brenda Hanna, Stenographer
Chris Costa, Zoning Officer
Wyatt Brochu, Counsel
Pat Westall, Zoning Clerk

MINUTES

Minutes of July 28, 2020

A motion was made by Edward Gromada and seconded by Terence Livingston to accept the minutes of the July 28, 2020 meeting as presented.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Judith Bell, and Erik Brine voted in favor of the motion.

James King was not seated and Dean Wagner was absent.

CORRESPONDENCE

All correspondence was in reference to items on the agenda.

NEW BUSINESS

Carlson

A motion was made by Terence Livingston and seconded by James King to refer the application of Donald R. & Laura J. Carlson, whose property is located at 20 Brook St., and further identified as Assessor's Plat 9, Lot 281 for a variance/special use permit to the Planning Commission. It is the Board's conclusion that they did not have jurisdiction to proceed.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Judith Bell, and James King voted in favor of the motion.

Erik Brine was not seated and Dean Wagner was absent.

Orsi

A motion was made by Terence Livingston and seconded by Edward Gromada to grant the request of Leo N. Orsi, Jr. & Patricia M., whose property is located at 795 North Main Rd., and further identified as Assessor's Plat 16, Lot 181 for a variance from Article 3, Sec. 82-302 (Table 3-2) district dimensional regulations, and Article 6, Sec. 82-605 variances authorized by this ordinance to install a 12' x 16' utility shed with a side setback of 1' where 10' is required.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):]

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in a R40 zone and contains 19,758 sq. ft.

2. The building will be a 192 sq. ft. equipment shed for lawn equipment.
3. The north/south placement is the only viable place for the shed.
4. The shed will be 4 feet from the property line where 10 ft. is required.
5. Neighbor Dennis Mello is supportive of this application.
6. Nobody objected.
7. The neighbors shed is in a similar position on the property.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Judith Bell, and Erik Brine voted in favor of the motion.

James King was not seated and Dean Wagner was absent.

JTMB

A motion was made by Richard Boren and seconded by Terence Livingston to grant the request of JTMB Ventures Trust, whose property is located at 1046 East Shore Rd., and further identified as Assessor's Plat 1, Lot 296 for a variance.

Chairman Boren will write the decision with findings of fact and will read the written decision at the September 22, 2020 Zoning Board Meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Terence Livingston, Edward Gromada, Judith Bell, and Erik Brine voted in favor of the motion.

James King was not seated and Dean Wagner was absent.

ADJOURNMENT

A motion was made and seconded to adjourn at 9:20 p.m. The motion carried unanimously.



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: September 29, 2020
SUBJECT: Harbor Commission Bids

Jamie,

We have solicited bids for the service of the thirty-six (36) private aids to navigation (PATONS) under the responsibility of the Jamestown Harbor Commission. Below is a summary and my recommendation to award said services:

Channel Markers and Buoys

Three-year contract-to haul, inspect, clean and store 36 markers/buoys
Rhode Island Mooring Services- \$ 22,925.00
Monarch Marine-\$ 23,100.00

Rhode Island Mooring Service has provided this service to the JHC for past six (6) years under a previously awarded contract. They have a consistent and reliable record of work and accurate record keeping related to the services provided.

With that, I recommend that the contract be awarded to Rhode Island Mooring Service for a period of three years.

Recommend: Rhode Island Mooring Service in the amount of \$22,925.00



Town of Jamestown
Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835

Channel Marker and Buoy Bid Worksheet
2020

Company Name Monarch Marine
Contact DAVID WESNER, owner/operator
Phone 401 855 0889
Email marine mooring@gmail.com
Insurance Provider Great American Insurance Company
Policy Number OMH 185-44-98 02
Expiration Date 04/24/2021

		Amount
Year 1	October 2020 - September 2021	<u>\$7,700.00</u>
Year 2	October 2021 - September 2022	<u>\$7,700.00</u>
Year 3	October 2022 - September 2023	<u>\$7,700.00</u>
Option Year 4	October 2023 - September 2024	<u>\$7,700.00</u>
Option Year 5	October 2024 - September 2025	<u>\$7,700.00</u>
Option Year 6	October 2025 - September 2026	<u>\$7,700.00</u>



Town of Jamestown
Harbor Office
250 Conanicus Avenue
Jamestown, RI 02835

Channel Marker and Buoy Bid Worksheet
2020

Company Name Rhode Island Mooring Services
Contact Jesse Male or David Desalvo
Phone 295-2502
Email Jesse@rimooring.com, (cc) David@rimooring.com
Insurance Provider Travelers
Policy Number 20L-14754868-19-ND
Expiration Date 12-3-2020

	Amount
Year 1 October 2020 - September 2021	\$ 7,550.00
Year 2 October 2021 - September 2022	\$ 7,550.00
Year 3 October 2022 - September 2023	\$ 7,925.00
Option Year 4 October 2023 - September 2024	\$ 7,925.00
Option Year 5 October 2024 - September 2025	\$ 8,320
Option Year 6 October 2025 - September 2026	\$ 8,736



**Town of Jamestown
Tax Assessor**

93 Narragansett Avenue
Jamestown, RI 02835

Phone: 401-423-9802
Email: cbrochu@jamestownri.net

To: COUNCIL PRESIDENT WHITE, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENTS & ADDENDA OF TAXES FOR THE **OCTOBER 5, 2020** MEETING

ADDENDA TO 2020 TAX ROLL

02-0880-00 Bologna, Thomas & Kathy	Plat 4, Lot 109 – New Construction – Prorated 140 days – New Value \$4,188,500	\$ 1,418.73
10-0029-42 Jafry , Brynn & Syed	Plat 11, Lot 33 – New Construction – Prorated 182 days – New Value \$4,220,900	\$ 3,598.41
13-1365-01 Mello, Dennis & Deborah	Plat 3, Lot 84 – New Construction – Prorated 125 days – New Value \$509,400	\$ 549.03

TOTAL ADDENDA	\$ 5,566.17
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RESPECTFULLY SUBMITTED,

Christine Brochu

CHRISTINE BROCHU
TAX ASSESSOR