

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

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;

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**

- 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.

- 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