



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, September 20, 2021
5:45 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

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

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

Attachments for items on this meeting agenda are available to the public on the Town website at:
<http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. 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) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Adverse Possession/Easement/Quiet Title), Cary v. Jamestown, NC File No. 2020-0375
- B) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Review of Judges Ruling), Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS

IV. AJOURNMENT OF EXECUTIVE SESSION

V. **TOWN COUNCIL INTERVIEWS:** The Jamestown Town Council will meet in special session to conduct interviews of the following applicants for the following appointments as follows:

Applicants	Appointments
Quaker Case	Affordable Housing

VI. **ADJOURNMENT OF SPECIAL SESSION**

The Town Council’s Open Meeting will begin at 6:30 pm

VII. **ROLL CALL**

VIII. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

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

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) Approval of Minutes; review, discussion and/or action and/or vote
 - 1) August 16, 2021 (regular meeting)

- B) 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

- C) Report of Town Officials:
 - 1) Pumping Report
 - 1) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility

- D) Unfinished Business
 - 1) None

- E) New Business
 - 1) None

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

X. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

- A) Review, Discussion and/or Action and/or Vote regarding the proposal to post Tick Smart Warning QR signs learning tool on Tick Bite protection and disease prevention
 - 1) **Tick Smart, Just InTime** learning presentation by Prof. Thomas Mather, Ph. D, URI Center for Vector-Borne Diseases

XI. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended.
 - 1) Review, Discussion and/or Action and/or Vote for 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 19, 2021 unless revoked earlier:
 - a) KALI LLC dba: J22 Tap & Table, 22 Narragansett Ave.
 - b) Jamestown Beer Holdings LLC dba: The Generals Crossing, 34 Narragansett Avenue
 - c) Jamestown Locals LLC dba: Narragansett Café, 25 Narragansett Avenue
 - d) Johnny Angels Clam Shack LLC dba: Angels Kitchen, 23B Narragansett Avenue
 - 2) Review, Discussion and/or Action and/or Vote for 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 Avenue; with proposed Extension to October 19, 2021 unless revoked earlier.
- B) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following application

has been received for a **New Class BV-L – Victualer Liquor License:**

CLASS BV-L– VICTUALER

Epic Decade, LLC
dba: Curiosity & Co.
14 Narragansett Avenue
Jamestown, RI 02835

- 1) Request for Town Council Review, Discussion, and/or Action and/or Vote of approval to proceed to advertise for Public Hearing on a date to be October 18, 2021 by the Town Council, with advertisement in the *Jamestown Press* editions of the September 30th and October 7th

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following **Transfer application** has been received for a **Class BV-L Victualer Liquor License**

TRANSFER: CLASS BV-L VICTUALER

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue

TO: CLASS BV-L VICTUALER

Conanicut Restaurant Group II, LLC
dba: Beech
13 Narragansett Avenue
Jamestown, RI 02835

- 1) Request for Town Council Review, Discussion and/or Action and/or Vote of approval to proceed to advertise for Public Hearing on October 18, 2021, with advertisement in the *Jamestown Press* editions of the September 30th and October 7th

The Town Council Adjourns from Sitting as the Alcoholic Beverage Licensing Board

- B) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:

- 1) Applicant: Conanicut Island Art Association
Event: Fall Fling Art Show/ Opening
Date: October 21, 2021, 5-7:30pm
Location: Jamestown Town Hall

- E) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Town of Jamestown/Chief Mello
Event: Halloween road closures
Date: October 31, 2021, 4-9pm
Location: Clinton Avenue/Green Lane
- F) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Tom Capobianco and Margo Neri
Event: Wedding
Date: October 23, 2021, 3:30pm
Location: Fort Getty Park
- G) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Jamestown Rotary
Event: 45th Annual Jamestown Classic
Date: October 11, 2021, 7:00am - Noon
Location: Fort Getty Pavilion
- H) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Tom Harris
Event: Jamestown Christmas Tree Lighting Ceremony
Date: December 4, 2021, 5:30pm-8:30pm
Location: East Ferry

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
- 1) Response Letter from Jamestown Housing Authority
 - 2) Jamestown Chamber of Commerce canceling use of the municipal Parking Lot.
 - 3) Community Development Block Grant (CDBG) for Jamestown Housing Authority/Pemberton Avenue residences
 - 4) Senior Services Director Vacant Position
 - 5) Capstone Project
 - 6) Covid-19 update
 - 7) Ethics training reminder: 9/23/2021, 7:00 pm, via zoom

XIII. 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) Review, Discussion and/or Action and/or Vote regarding Fort Getty Gatehouse request
 - 1) Memorandum to Town Administrator Jamie Hainsworth from Parks & Recreation Director Ray DeFalco with sketch/rendering of proposed new gatehouse from previous Gatehouse renovation project
 - 2) Letter from Building Official/Zoning Enforcement Officer William L. Moore

- B) Review/Discuss and or action on Response from Jamestown Housing Authority (JHA) to the Town Council's request concerning the letters dated July 26,2021 and October 3, 2019 from U.S. Department of Housing and Urban Development (HUD)
 - 1) Response from Jamestown Housing Authority to the Town Council

- C) Review, Discussion and/or Action and/or Vote regarding notice from Jamestown Chamber of Commerce to end use of outside dining in the municipal parking lot on Narragansett Avenue.
 - 1) Correspondence from Jamie Munger
 - 2) Council to consider best use of municipal parking lot

- D) Review, Discussion and/or Action and/or Vote regarding proposed amendment to Dog Ordinance
 - 1) Draft proposed revision of the Town of Jamestown Dog License Requirements and Leash Law presented by Councilor R. White

- E) Review, Discussion and/or Action and/or Vote to consider Short Term Rental Ordinance
 - 1) Review by Council with Staff on Planning Commissions Short Term Rental Ordinance proposal

- F) Review, Discussion and/or Action and/or Vote to commence a needs assessment and evaluation for a new Senior Center

- G) Review, Discussion and/or Action and/or Vote regarding the July 19, 2021 Presentation by Sharon Gold on idling vehicles and request to post signs in Town, and approval of Resolution No. 2021-07 Anti-Idling Resolution for the Town of Jamestown, Rhode Island
 - 1) Resolution 2021-08 Anti-Vehicle Idling

- H) Review, Discussion and/or Action and/or Vote regarding Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Regular Meeting – Monday, November 1, 2021 @ 6:30 p.m.
 - 2) Town Council/Water and Sewer Regular Meeting – Monday, November 15, 2021 @ 6:30 p.m.

- 3) Town Council Regular Meeting – Monday, December 6, 2021 @ 6:30 p.m.
- 4) Town Council/Water and Sewer Regular Meeting – Monday, December 20, 2021 @ 6:30 p.m.

XIV. 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/or Action and/or Vote to Approve the submission of a RIDEM Natural Heritage Preservation Local Open Space Conservation and Acquisition Grant application for Jamestown Community Farm located at 40 Eldred Avenue (Assessors Plat 4, Lots 2 and 136) to RIDEM. Applicants: Town of Jamestown and the Jamestown Community Farm, Inc. (farm operator), Owner: John Eldred Farm I and III.
 - 1) Letter from Robert Sutton, Farm Manager, Jamestown Community Farm, Inc.
 - 2) Copy of RIDEM Grant Application
 - 3) Jamestown Community Farm Annual Report and aerial picture of farm
- B) Review, discussion and/or Action and/or Vote to approve reapplication by the Town of Jamestown to Community Development Block Grant for the renovation project of the of 18 bathrooms in the residences of Jamestown Housing Authority located on Pemberton Avenue:
 - 1) Memorandum to Town Council from Town Planner Lisa W. Bryer
 - 2) Authorize Town Administrator Jamie Hainsworth to negotiate an agreement between the Town of Jamestown and the Jamestown Housing Authority regarding the grant funding and reporting responsibility.
- C) Review, Discussion and/or Action and/or Vote to Approve the non-binding ICAN Cities Appeal Resolution promoting the elimination of nuclear weapons worldwide, through support for the Treaty on Prohibition of Nuclear Weapons (TPNW)
 - 1) Letter from William W. Smith III to the Town Council
 - 2) ICAN Cities Appeal Resolution presented by Vice President M. Meagher
- D) Review, Discussion and/or Action and/or Vote regarding Brown University Capstone Cyber Security proposal
- E) Review, Discussion and/or Action and/or Vote regarding possible Affordable Housing Options
 - 1) Concept proposal from Vice President Mary Meagher
- F) Review, Discussion and/or Action and/or Vote regarding application for use of the Ft. Getty Pavilion, October 7, 2021 5:00- 7:00pm by the Beavertail Lighthouse Museum Association.
 - 1) Letter from the Beavertail Lighthouse Museum Association (non-profit) requesting waiver of rental fee

XV. 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 Action and/or Vote:
 - 1) Jamestown Affordable Housing Committee (One [1] Member vacancy with a three-year term ending date of May 31, 2023)
 - a) Quaker Case
 - 2) Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with an unexpired term ending date of May 31, 2023 and an unexpired term ending May 31, 2024)
 - a) No applicants
 - 3) Jamestown Housing Authority (Two [2] Commissioner vacancies with an unexpired five-year term ending date of December 31, 2024 and an unexpired five-year term ending date of December 31, 2025)
 - a) Robert Plain (resume on file)
 - 4) Jamestown Zoning Board of Review (One [1] Member vacancy with a five-year term ending December 31, 2021)
 - a) No applicants

XVI. 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 7, 2021 (Regular Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Planning Commission (June 6, 2021)
 - 2) Planning Commission (June 16, 2021)
 - 3) Planning Commission (July 21, 2021)
 - 4) Planning Commission (August 4, 2021)
- C) Zoning Board of Review Abutter Notification- public hearing September 28, 2021 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 pm, application of William and Kathy Richard, whose property is located at 56 Reservoir Circle, and further identified as Assessor's Plat 4, Lot 74 for a Variance granted under Article 6, Special Use Permits and Variances, Section 600 and 606. This application is made pursuant to the provisions of section 82-302, Table 3-2, District Dimensional Regulations for the RR80 Zoning District of the zoning ordinance. The Applicant seeks front yard setback relief of 13.8 feet where 40 feet is required, rear setback of 23.8 feet where 40 feet is required, and a side setback of 17.2 feet where 30 feet is required in order to construct an addition on the structure. Said property is located in a RR80 zone and contains 19,739 square feet

D) Tax Assessor's Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2021 TAX ROLL

01-0004-95M	SOLDIER AND SAILOR- EXEMPTION	\$44.31
01-0004-97M	SOLDIER AND SAILOR- EXEMPTION	\$127.99
01-0004-97M	SOLDIER AND SAILOR- EXEMPTION	\$ 3.56
01-0004-96M	SOLDIER AND SAILOR- EXEMPTION	\$219.08
TOTAL ABATEMENTS		\$394.94

XVII. 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 Council
From: William W. Smith III
Dated: September 8, 2021
Re: Request for Council approval of a non-binding resolution called the ICAN Cities Appeal
 - 2) Town of Bristol Proclamation: Month of October to be Dysautonomia Awareness Month

XVIII. OPEN FORUM

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- William M. Smith III
- B) Non-scheduled request to address

XIX. 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 kmontoya@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on September 16, 2021

**TOWN OF JAMESTOWN
TOWN COUNCIL MEETING**
for
TOWN, WATER AND SEWER MATTERS

August 16, 2021

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Town Hall, Council Chambers, 93 Narragansett Avenue at 6:31 PM by Commission President Nancy A. Beye.

Commission President Beye welcomed Roberta J. Fagan as the new Town Clerk and thanked Arlene Petit and Cheryl Fernstrom for helping out in the Town Clerk's Office.

Commission President Beye noted that Commissioner Randall White would be absent and that Commissioner Brine would be present momentarily.

The following members were present:

Mary E. Meagher, Commission Vice-President
Erik G. Brine (arrived at 6:40 PM)
Michael G. White

Also, present were:

Jamie A. Hainsworth, Town Administrator
Roberta J. Fagan, Town Clerk
Denise Gamon, Town Clerk's Assistant
Christina D. Collins, Finance Director
Michael Gray PE, Public Works Director
Peter D. Ruggiero Esq., Town Solicitor
Denise Jennings, Water and Sewer Clerk

Absent were:

Randall White, Commissioner

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None)

READING AND APPROVAL OF MINUTES

1) July 19, 2021 (regular meeting)

Motion was made by Commission President Meagher, seconded by Commissioner White to accept the July 19, 2021 regular meeting minutes. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Michael White, Aye

OPEN FORUM

Commission President Beye noted that this open forum would be for water and sewer matters only.

- 1) Scheduled requests to address:
(None)
- 2) Non-scheduled request to address:
(None)

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

The Public Works Director reported the following:

- JR-1 is currently in service.
- Pumping was up slightly for the month of July, compared to June 2021 and was down compared to July of 2020.
- Rainfall is up slightly for the month of July, although we remain below average for the year.
- North Reservoir is @ 58MG, usable storage-60MG.
- South Pond is @ 6MG, usable storage- 6MG

2) **Town project reports: (See attached *Project Update Report dated August 2021*)**

Following a brief report by the Public Works Director, it was the consensus of the Commission, to accept the Public Works Director's report, as submitted.

3) **Public Works Director Michael C. Gray Sewer Division Report dated August 5, 2021: *Inspection of Westwind Drive.* (See attached)**

The Public Works Director briefly outlined his report dated August 5, 2021, regarding the Westwind Drive Sewer Forcemain and stated that if the Board decides to take responsibility for the forcemain on Westwind Drive, that he recommends that it be subject to the following conditions:

- The wastewater department does not have as-built plans of the system. The Town has the location of the sewer manholes in the street, but not residential connections to the forcemain or the individual pump stations at each property. He recommends that an as-built be performed of the system. Each property owner will need to assist the surveyor with the location of the pump chamber and the service piping (if known) on their property.
- The Town shall only be responsible for the forcemain piping and the four manholes with cleanouts in Westwind Drive.
- Each property owner shall be responsible for their individual pump, controls, and service piping from their pump chamber to the connection with the forcemain piping in the street.
- That each individual property owner has a maintenance service contract with a service provider, who will be available for emergencies and general maintenance of their system.

Motion was made by Commissioner Meagher, seconded by Commissioner Michael White to approve the acceptance of the Westwind Drive forcemain, as recommended and subject to the conditions as described by the Public Works Director in his report dated August 5, 2021. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye

4) **Finance Director's Report: Comparison of Budget to Actuals as of June 30, 2021**
The Finance Director stated that she did not have anything additional to report.

LETTERS AND COMMUNICATIONS

(None)

UNFINISHED BUSINESS

1) Review, Discussion and/or Action and/or vote regarding the Application of **Our Table, LLC/Marla Romash (applicant) and Gino DiFante (owner) of 53 Narragansett Avenue, Plat 9, Lot 207 (a portion of the first floor), for Utility Service Expansion/Change of Use.** (cont. from July 16, 2021)

The Public Works Director stated that if the application is approved by the Board, he recommends that it be subject to the following:

- All fixtures and appliances meet the low flow standards.
- The water services in the building have appropriate backflow devices.
- The sanitary sewer from the kitchen must be separated from the bathroom and domestic uses.
- The wastewater from the kitchen will require pre-treatment for fats, oils and grease, as required.

Marla Romash of 34 Clinton Avenue thanked the Commission for considering her application for Utility Service/Expansion of use.

Ms. Romash stated the following:

- The Planning Commission has completed their review of her plan to use 2/3 of the first floor at 53 Narragansett Avenue for her restaurant.
- Her plan will be before the Zoning Board of Review at the end of August.
- She plans to be open from 4:00 PM to 10:00 PM and she will not have outdoor seating or entertainment.
- She plans to apply for a liquor license and her goal is to be open year-round and also on Monday through Wednesday, as most restaurants in Jamestown are closed on these days.
- The proposed usage indicated on her application, was based upon J22 and Trattoria Simpatico's usage prior to Covid.

Motion was made by Commissioner Michael White, seconded by Commissioner Brine to approve the application of **Our Table, LLC/Marla Romash (applicant) and Gino DiFante (owner) of 53 Narragansett Avenue, Plat 9, Lot 207 (a portion of the first floor), for Utility Service Expansion/Change of Use** subject to the conditions outlined by the Public Works Director as follows:

- All fixtures and appliances meet the low flow standards.
- The water services in the building have appropriate backflow devices.
- The sanitary sewer from the kitchen must be separated from the bathroom and domestic uses.
- The wastewater from the kitchen will require pre-treatment for fats, oils and grease, as required.

Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye

NEW BUSINESS

1) Review, Discussion and/or Action and/or vote to adopt the **Proposed FY 2021/2022 Water Budget** (*See attached*)

The Public Works Director and the Finance Director briefly outlined the changes in the proposed FY 2021/2022 Water Budget.

Motion was made by Commissioner Meagher, seconded by Commissioner Brine to approve the proposed Water

Budget FY 2021/2022 as recommended in the amount of \$1,364,516. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye

2) Review, Discussion and/or Action and/or vote to adopt the **Proposed FY 2021/2022 Sewer Budget** (*See attached*)

The Public Works Director and the Finance Director briefly outlined the changes in the proposed FY 2021/2022 Sewer Budget.

Motion was made by Commissioner Meagher, seconded by Commissioner Brine to approve the proposed Sewer Budget FY 2021/2022 as recommended in the amount of \$862,878. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye

ADJOURNMENT

Motion was made by Commissioner Michael White, seconded by Commissioner Brine to adjourn the meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners at 7:10 PM. Vote: President Beye, Aye; Commission Vice-President Meagher, Aye; Commissioner Brine, Aye; Commissioner Michael White, Aye

Attest:

Denise Jennings
Water and Sewer Clerk



TOWN OF JAMESTOWN WWTF
MONTHLY REPORT
AUGUST 2021

Douglas Ouellette, Superintendent

Parameters

	<u>Monthly Avr.</u>	<u>Permit Limit</u>	<u>Notes</u>
Flow	.2621	MGD .73 MGD	
Daily Max	.4330		
BOD Removal	98.2%	85%	% Removed
TSS Removal	96.4%	85%	% Removed
Fecal Coliform	2.14	No limit, report only	
Enterococci	1.21	(<35 cfu/100ml Monthly) (<276 cfu/100ml Daily)	

Environmental Compliance (Violations)

There are 0 violations to report for the month of August 2021

Complaints

There were no complaints reported for August

Alarms

The facility had 1 alarm that was related to tropical storm Ida.

Septage

The facility received 5250 gallons for August.

Sludge Production

The facility processed 78,000 gallons of sludge through Wastewater Services Incorporated.

Maintenance Management

Chemical Use

The facility used 882 gallons of Sodium hypochlorite and 500 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 August was: 224 KWH

Precipitation

Precipitation for August was 5.86"

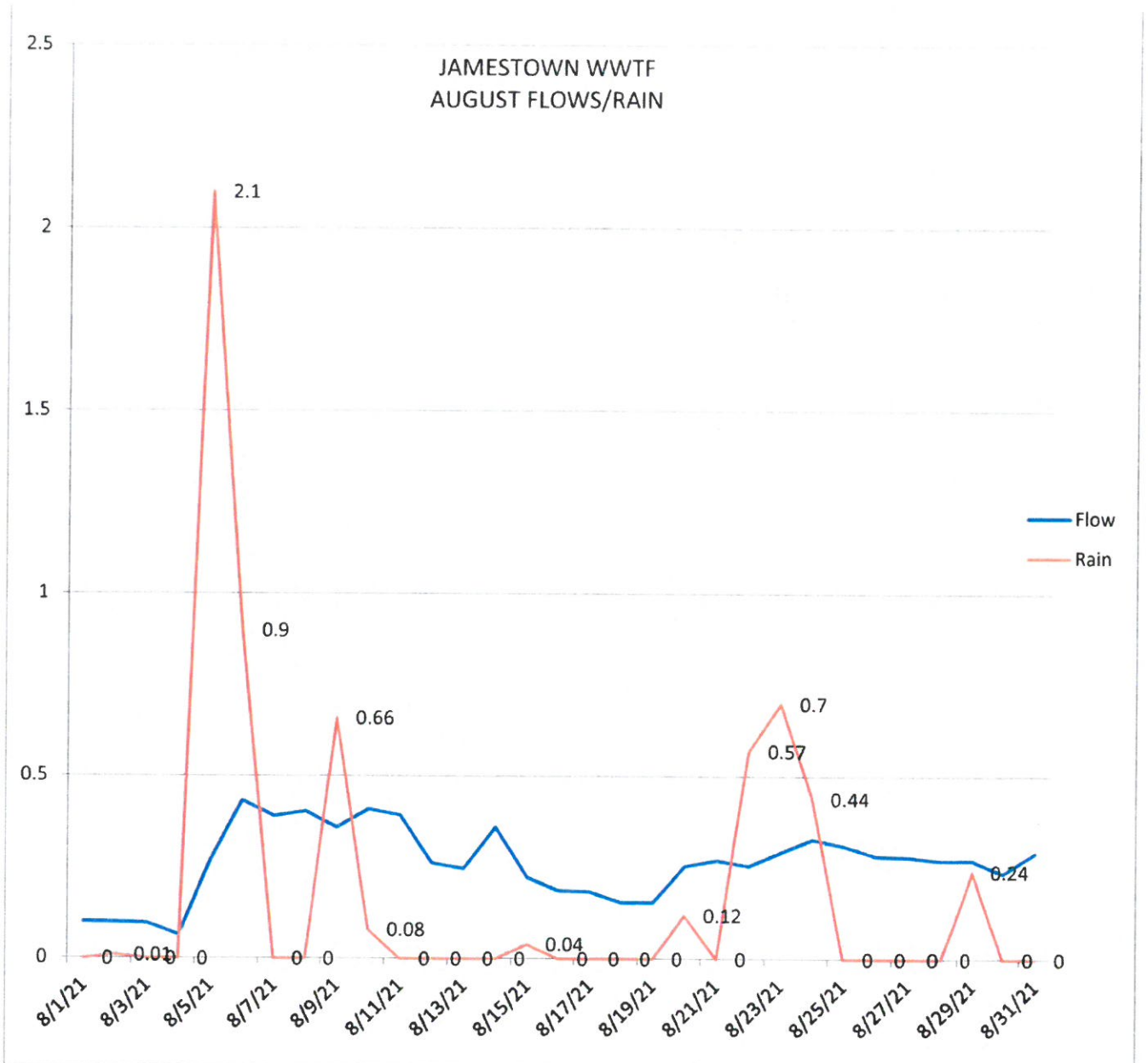
Golf Course

1,108,000 gallons of effluent was pumped to the pond in August.

Work Orders

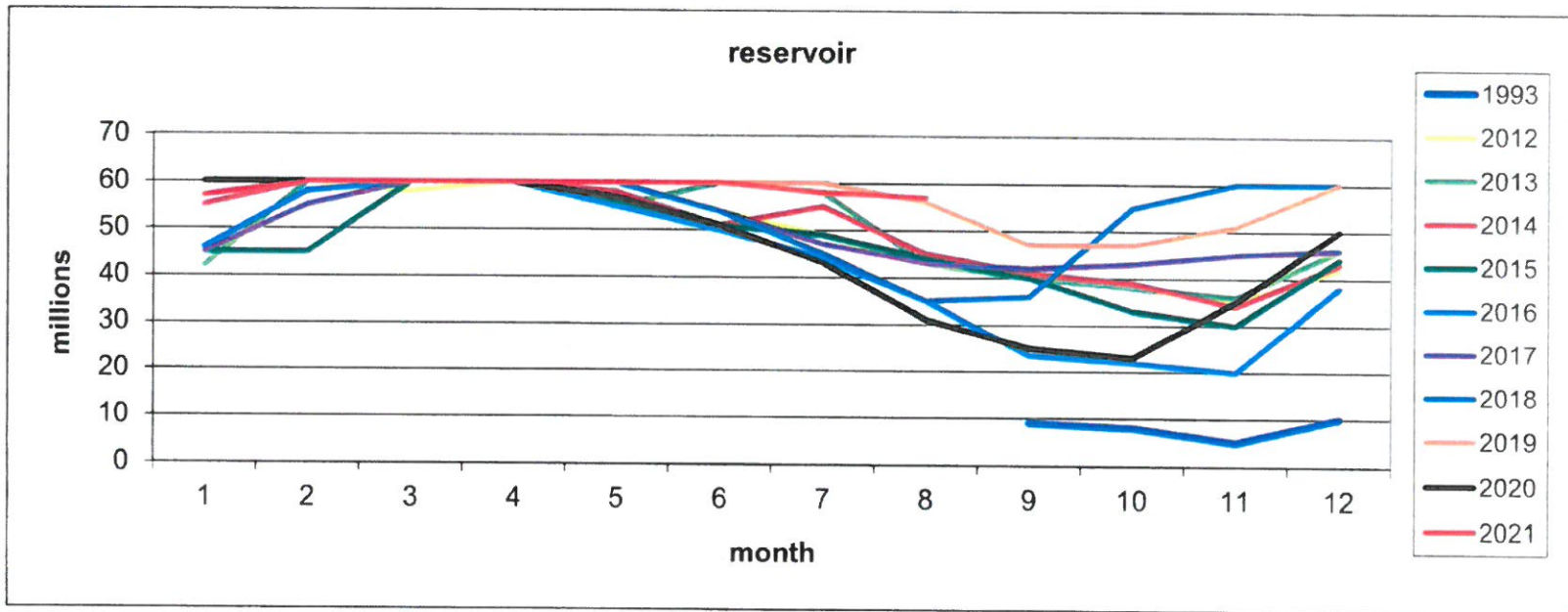
64 work orders were completed.

Graphs



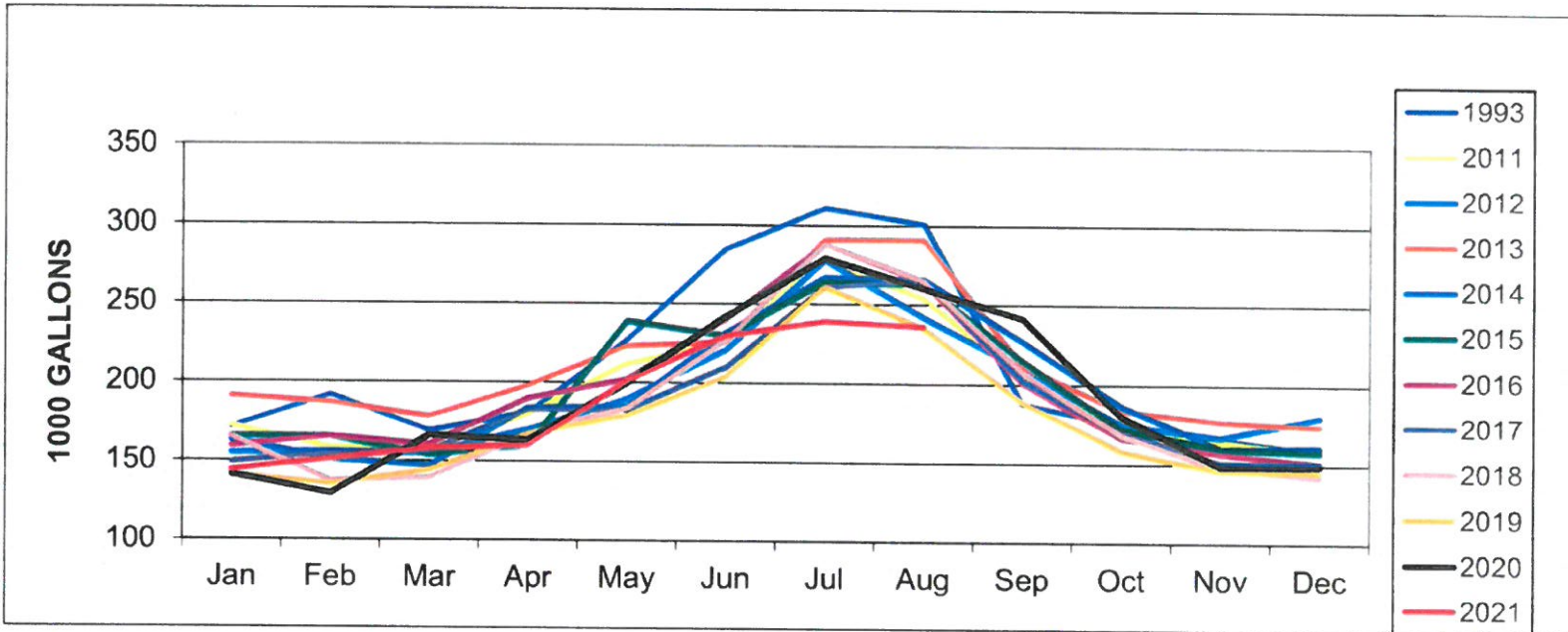
RESERVOIR LEVEL

	1993	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan		30	60	42	55	45	46	45	60	60	60	57
Feb		52	60	60	60	45	58	55	60	60	60	60
Mar		58	58	60	60	60	60	60	60	60	60	60
Apr		60	60	60	60	60	60	60	60	60	60	60
May		57	60	55	58	56	55	60	60	60	60	60
Jun		51	54	60	51	51	50	54	54	60	57	60
Jul		43	49	58	55	49	44	47	45	60	43	58
Aug		47	43	43	45	44	35	43	35	56	31	57
Sep	9	45	40	40	41	40	23.5	42	36	47	25	
Oct	8	58	38	38	39	33	22	43	55	47	23	
Nov	5	60	35	36	34	30	20	45	60	51	35	
Dec	10	60	42	46	43	44	38	46	60	60	50	



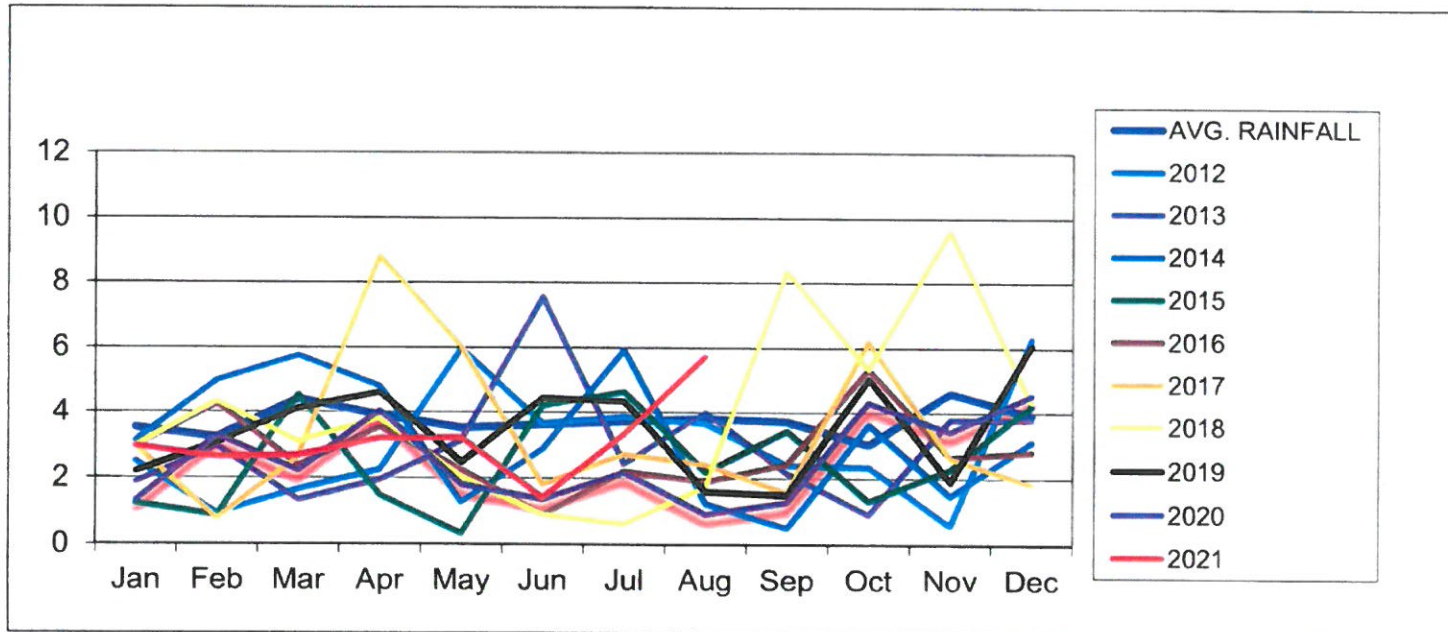
	1993	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	171	172	173	239	172	155	191	163	165	159	149	165	141	141	144
Feb	192	154	173	210	158	156	187	151	165	165	155	137	135	129	151
Mar	169	155	165	198	157	155	178	147	154	160	156	139	144	166	158
Apr	181	174	196	210	180	170	198	184	160	190	183	167	167	163	160
May	227	202	195	180	212	190	223	185	239	202	183	184	179	200	201
Jun	285	246	215	218	226	221	226	232	230	240	210	227	204	242	230
Jul	311	296	277	274	279	278	291	267	264	288	261	288	261	279	239
Aug	301	256	290	251	254	242	291	266	263	264	266	265	235	260	236
Sep	188	210	245	193	205	210	212	227	215	201	203	208	189	241	
Oct	175	187	259	182	175	175	184	187	172	166	170	168	158	180	
Nov	166	175	226	160	164	167	177	160	160	157	151	148	146	149	
Dec	158	192	230	167	158	180	174	161	158	151	151	142	145	149	

PUMPING REPORT

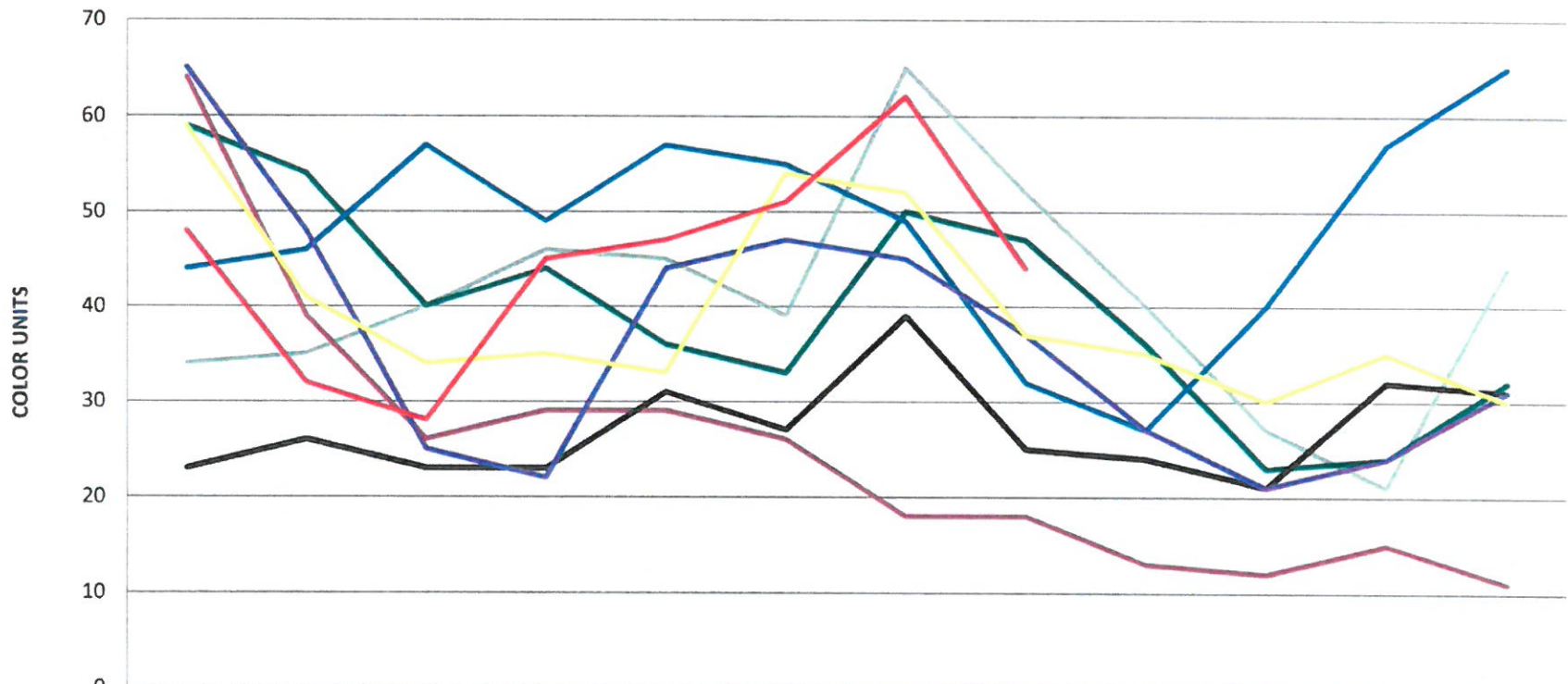


	AVG. RAINFALL	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Jan	3.5	2.49	1.85	3.1	1.22	2.94	2.94	2.94	2.19	1.3	2.94
Feb	3.2	0.93	2.94	4.98	0.86	4.25	0.76	4.33	3.06	3.26	2.62
Mar	4.4	1.64	1.32	5.74	4.53	2.36	2.62	3.07	4.11	2.21	2.66
Apr	3.9	2.24	1.92	4.8	1.47	3.53	8.8	3.79	4.61	4.03	3.18
May	3.5	5.97	3.11	1.27	0.32	2.24	6.03	2.03	2.46	1.79	3.2
Jun	3.6	3.64	7.55	2.86	4.2	0.89	1.79	0.89	4.44	1.36	1.4
Jul	3.7	3.86	2.42	5.93	4.63	2.19	2.7	0.61	4.33	2.16	3.3
Aug	3.8	3.64	3.98	1.23	2.17	1.88	2.4	1.73	1.58	0.91	5.71 29.6 avg
Sep	3.7	2.39	2.13	0.5	3.41	2.42	1.54	8.35	1.49	1.27	
Oct	3	2.33	0.9	3.61	1.31	5.33	6.18	5.34	5.04	4.29	
Nov	4.6	0.58	3.76	1.47	2.27	2.63	2.61	9.61	1.89	3.39	
Dec	3.9	6.28	3.76	3.1	4.2	2.79	1.81	4.33	6.09	4.53	
Total	44.8	35.99	35.64	38.59	30.59	33.45	40.18	47.02	41.29	30.5	25.01

RAINFALL



Transfer Pumping NORTH POND WATER QUALITY



	1	2	3	4	5	6	7	8	9	10	11	12
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	37	35	30	35	30
2021	48	32	28	45	47	51	62	44				

Project Update September 2021

WELLS

JR-1, JR-3

- JR-1 is currently in service. The well pumps water at a rate of 50 gpm directly into the transmission main feeding the water plant from the reservoir.

TREATMENT PLANT

- The water department staff continue to collect monthly samples from North Kingstown Water at their Saunderstown Water storage tank for analytical testing. The results will be used to evaluate whether introduction of water from the NK system could affect corrosion control in the Jamestown distribution system as required by the RIDOH.
- Staff responded during Tropical Storm Henri on Sunday August 22nd and the remnants of Hurricane IDA on Sept 1st and 2nd. There was one issue that developed with electronic controls for our pumps but there was no impact to our customers. Staff responded quickly and were able to troubleshoot the problem and get the system back on line. Power outages can cause damage to electronic equipment that control our treatment facilities. If a storm is expected, we place our treatment facility on generator power before the event to protect the electronics from power surges caused by outages or damage from tree limbs.

TRANSFER PUMPING/RESERVOIR

- The water department staff monitored dam water levels during the tropical storm Henri on August 22nd and the rain event caused by the remnants of IDA on September 1st and 2nd. More than 6" of rain was received during IDA. No issues were reported from South Pond or North Reservoir dams.

DISTRIBUTION SYSTEM

South Pond @ 6 MG

Usable Storage, 6 Million Gallons

North Pond @ 57 MG

Usable Storage 60 Million Gallons

WASTEWATER TREATMENT PLANT

- The monthly average daily flow at the treatment plant for August was 0.26 million gallons per day. The monthly average allowed by our discharge permit is 0.73 million gallons per day. The peak daily flow was 0.43 million gallons. There were no sanitary sewer overflows for the month of August including Tropical Storm Henri.
- The remnants of hurricane Ida was experienced during September 1st and Sept 2nd. The Wastewater staff reported in at 2am on Sept. 2nd with alarms at all the pump stations for excess flow from more than 6 inches of rain received. All stations were flooded due to the flows received causing sanitary sewer overflows (SSO's) from manholes at Knowles Court, West Ferry, and Mackerel Cove. Flows quickly increased to more than 2 million gallons received at the wastewater treatment facility on the first day of the storm. The wastewater treatment facility performed as design meeting the conditions of our discharge permit. RIDEM was notified of the SSOs at the three locations during the storm event as required. Mackerel Cove was closed until the overflow had stopped and bacteria sample results determined it was safe for swimming.

Jamestown

STATE OF RHODE ISLAND

Board of Licensing Commissioners

Application for License

RECEIVED:
SEP 16, 2021 11:04 AM
Roberta J. Fasan
TOWN OF JAMESTOWN Town Clerk

Retailer Class:

A BT **BV** BV-L B-M

Name of Applicant (LLC Name): Epic Decade LLC

DBA: Curiosity & Company (Co.)

Business Address: 14 Narragansett Ave

Business Phone: _____

Hours of Operation: _____

Name, Address, Phone # and Date of Birth of each applicant:

[Redacted applicant information]

Citizen of United States?

If Naturalized, date and court where admitted:

Yes

Name and Address of each person interested or to become interested in business for which application is being made (state nature of interest):

Seth Goldenberg owner

Is application for the benefit of another?

If so, please explain:

NO

Has applicant obtained a loan or arranged to do so from other than a bank?

If so, please explain: YES Goldenberg's Company - Epic Decade works consistently with BankRI as a "financial" partner

If application is in behalf of undisclosed principal or party in interest, give details:

Does Applicant Own Premise? YES Is Property Mortgaged? YES

Is Property Leased? NO

Give Name and Address of Mortgage or Lessee Amount of Extent:

BANK OF AMERICA Turks Head Plaza Prov. RI 02903

amount of mortgage is \$1.2m

Have any of the applicants ever been arrested or convicted of a crime? If yes, explain:

NO

Is any other business to be carried on in the Licensed Premises? If yes, explain:

NO

Is any Officer, Board Member or Stockholder engaged in any manner as a Law Enforcement Officer? If yes, explain:

NO

Do any applicants have any interest direct or indirect, as principle or associate, or in any manner whatsoever, in any retail license issued under Chapter 3-7 of the General Laws of Rhode Island, 1956, as amended? If yes, explain:

NO

Is Applicant the owner or operator of any other business: If yes, explain:

NO

State amount of capital invested in the business: \$650k

Does applicant have a draft system? NO

I hereby certify that the above statements are true to the best of my knowledge and belief.

Lth Selig (Seth Goldenberg) 9/16/21
Applicant Date

Deborah Lopez 9/16/21
Witness of Licensing Board or Notary Date of Witness or Notary Expiration
Public

Instructions of Applicants

1. Every question on the Application Form must be answered. Any false statement made by the Applicant will be sufficient grounds for the denial of the application or the revocation of the license in case one has been granted.
2. Submit with this application a copy of the proposed menu – Class BV, BV-L, BT
3. Submit with this application a copy of Pharmacist's Dept. of Health Licenses. (Class E)
4. **Submit with this application a certificate of insurance evidencing commercial general-liability and liquor liability and property coverage in the minimum of three hundred thousand dollars (\$300,000), per Rhode Island General Law 3-7-29, effective August 1, 2017**

Board of License Commissioners

Alcoholic Beverage License Application

As part of the application process for a liquor license in the Town of Jamestown, the Alcoholic Beverage Licensing Commission of said town conducts an investigation to determine if the applicant has ever been convicted of any crime in this state or any other state. The applicant acknowledges the same, and consents to the investigation by the Commission or its designee, including the Jamestown Police Department, and the release of any information relating to a past criminal conviction of the applicant by any federal, state or municipal source to the Commission or its designee.

Signature of Applicant: Lth Selig

STATE OF RHODE ISLAND

Board of Licensing Commissioners

Application for License

Jamestown

RECEIVED:
SEP 16 2015 11:04 AM
Robert J. Fagan
TOWN CLERK

Retailer Class:

A BT **BV** BV-L B-M

Name of Applicant (LLC Name): Conanicut Restaurant Group II, LLC

DBA: Beech

Business Address: 13 Narragansett Ave

Business Phone: 401-595-4764 [REDACTED]

Hours of Operation: 11 AM - 11 PM 7 days as 261e

Name, Address, Phone # and Date of Birth of each applicant:

[REDACTED]

Citizen of United States? If Naturalized, date and court where admitted:

Name and Address of each person interested or to become interested in business for which application is being made (state nature of interest):

Timothy J. Conway - 100% Member
[REDACTED]

Is application for the benefit of another? No If so, please explain:

Has applicant obtained a loan or arranged to do so from other than a bank?

If so, please explain: Application for loan has been made but not yet effectuated

If application is in behalf of undisclosed principal or party in interest, give details:

Does Applicant Own Premise? *No* Is Property Mortgaged? *Not yet*

Is Property Leased? *Yes - it will be at closing*

Give Name and Address of Mortgage or Lessee Amount of Extent:
See attached Memo of Lease

Have any of the applicants ever been arrested or convicted of a crime? If yes, explain:

No

Is any other business to be carried on in the Licensed Premises? If yes, explain:

No

Is any Officer, Board Member or Stockholder engaged in any manner as a Law Enforcement Officer? If yes, explain:

No

Do any applicants have any interest direct or indirect, as principle or associate, or in any manner whatsoever, in any retail license issued under Chapter 3-7 of the General Laws of Rhode Island, 1956, as amended? If yes, explain:

No

Is Applicant the owner or operator of any other business: If yes, explain:

No

State amount of capital invested in the business: *\$ 300,000*

Does applicant have a draft system? *It will be installed*

I hereby certify that the above statements are true to the best of my knowledge and belief.

By Tandy L Date 9/14/17
Applicant
Witness of [Signature] Date of Witness or Notary Expiration Exp 8-3-25
Licensing Board or Notary Public

Instructions of Applicants

1. Every question on the Application Form must be answered. Any false statement made by the Applicant will be sufficient grounds for the denial of the application or the revocation of the license in case one has been granted.
2. Submit with this application a copy of the proposed menu – Class BV, BV-L, BT
3. Submit with this application a copy of Pharmacist’s Dept. of Health Licenses. (Class E)
4. **Submit with this application a certificate of insurance evidencing commercial general-liability and liquor liability and property coverage in the minimum of three hundred thousand dollars (\$300,000), per Rhode Island General Law 3-7-29, effective August 1, 2017**

Board of License Commissioners

Alcoholic Beverage License Application

As part of the application process for a liquor license in the Town of Jamestown, the Alcoholic Beverage Licensing Commission of said town conducts an investigation to determine if the applicant has ever been convicted of ant crime in this state or any other state. The applicant acknowledges the same, and consents to the investigation by the Commission or its designee, including the Jamestown Police Department, and the release of any information relating to a past criminal conviction of the applicant by any federal, state or municipal source to the Commission or its designee.

Signature of Applicant: By Tandy L



TOWN OF JAMESTOWN

One Day

Event/Entertainment Application

RECEIVED
MAY 13 2022
TOWN OF JAMESTOWN R.I. CLERK

\$5.00 Application Fee

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) Fall Fling/ Opening 10/21/2021
 Date of Event: 10/14/2021-1/7/2022 Hours of Event: 5PM-730 pm
 Location of Event: Town Hall Number of people attending: 25-50
 Name of Applicant/ Business: Conanicut Island Art Association
 Mailing Address: P.O. Box 229 Business Phone #: 368-5530
 Email Address: _____
 Contact Person: Rick Meli Phone Number: 401-368-5530

List the type of entertainment being requested, if applicable (Band, DJ, etc.) _____

Who will the event benefit? Community

Type of Operation: (Private, State Sponsored, Non-Profit): Non Profit

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: 2-0327-2833 Non-Profit ID #: A-1139

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50

All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? ART WORK

Will food be sold at the location? *If yes, you must contact the R.I. Department of Health* Yes No

Will alcohol be provided and/or served at this event? *If yes, Alcohol Liability Insurance must be provided* Yes No

Will traffic control be needed? Yes No

If yes, Please contact the Jamestown Police Department

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property. Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: Rick Meli

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review.



TOWN OF JAMESTOWN

One Day Event/Entertainment Application

\$5.00 Application Fee

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) HALLOWEEN ROAD CLOSURES
 Date of Event: 10/31/21 Hours of Event: 4-9pm
 Location of Event: CLINTON / GREENS Number of people attending: 300-
 Name of Applicant/ Business: JAMESTOWN POLICE DEPT
 Mailing Address: 250 CONANICUS Business Phone #: _____
 _____ Email Address: _____
 Contact Person: CHRIST MELLO Phone Number: 423-4301

List the type of entertainment being requested, if applicable (Band, DJ, etc.) _____

Who will the event benefit? _____

Type of Operation: (Private, State Sponsored, Non-Profit): TOWN

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: _____ Non-Profit ID #: _____

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50

All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? _____

Will food be sold at the location? *If yes, you must contact the R.I. Department of Health* Yes No

Will alcohol be provided and/or served at this event? *If yes, Alcohol Liability Insurance must be provided* Yes No

Will traffic control be needed? Yes No
If yes, Please contact the Jamestown Police Department

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property. Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: [Signature]

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review.



TOWN OF JAMESTOWN

One Day

Event/Entertainment Application

\$5.00 Application Fee

RECEIVED:
SEP 08, 2021 03:52 PM
Roberta J. Fasan
TOWN OF JAMESTOWN Town Clerk

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures
(This form can be used with or without vendors)

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: 45th Annual Jamestown Closure
 Date of Event: 10-11-2021 Hours of Event: 7am - Noon
 Location of Event: Fort Getty Pavilion Number of people attending: 125
 Name of Applicant/ Business: Jamestown Rotary Club
 Mailing Address: P.O. Box 652 Business Phone #: 401-480-4221
Jamestown, RI 02835
 Contact Person: Mark Holland Phone Number: 401-480-4221

List the type of entertainment being requested, if applicable (Band, DJ, etc.) none

Who will the event benefit? local - regional - international charities

Type of Operation: (Private, State Sponsored, Non-Profit): Non-Profit

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: _____ Non-Profit ID #: 05-6008886

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50 none
All vendor/peddlers must submit an application to the Town Clerk's Office

What types of items will be sold at this event? none

Will food be sold at the location? *If yes, you must contact the R.I. Department of Health* Yes No

Will alcohol be provided and/or served at this event? *If yes, Alcohol Liability Insurance must be provided* Yes No

Will traffic control or a public facility be needed? *If yes, please contact the Jamestown Police Department* Yes No

New Requirement in Response to COVID-19

All Applicants must also submit a COVID-19 Event Control Plan:

[https://www.reopeningri.com/resource/pdf/COVID-19-Control Plan Fillable Template-Final-5.13.20.pdf](https://www.reopeningri.com/resource/pdf/COVID-19-Control%20Plan%20Fillable%20Template-Final-5.13.20.pdf)

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property. Certificate of insurance: Yes No



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008	CONTACT NAME: Ali Sulita	
	PHONE (A/C, No, Ext): 1-833-3ROTARY FAX (A/C, No): 630-285-4062 E-MAIL ADDRESS: rotary@ajg.com	
INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Lexington Insurance Company	19437
INSURED All Active US Rotary Clubs & Districts ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	
	INSURER G :	

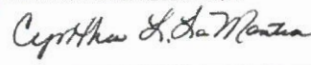
COVERAGES **CERTIFICATE NUMBER:** 899307648 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		015375594	7/1/2021	7/1/2022	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			015375594	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER Jamestown Rotary Club Jamestown Rhode Island P.O. Box 652 Jamestown RI 02835 Additionally Insured: Town of Jamestown	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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TOWN OF JAMESTOWN

One Day Event/Entertainment Application

RECEIVED
SEP 14, 2021 11:29 AM
Roberta J. Fasan
TOWN OF JAMESTOWN Town Clerk

\$5.00 Application Fee

Date Rec'd _____
Office will enter date

All licenses are issued subject to the resolution of debts, taxes and appropriate signatures
(This form can be used with or without vendors)

Please complete the following information:

- Seasonal Event
- Parade
- Race:
 - Bicycle/Wheelchair
 - Run/Jog/Walk/Wheelchair
 - Marine Vessel
- Art/Craft Show
- Theatre/Film Production
- Concert
- Miscellaneous Function (please explain)

Name of Event: (if applicable) Jamestown Christmast Tree Lighting Ceremony

Date of Event: December 4, 2021 Hours of Event: 17:30 - 20:30

Location of Event: East Ferry Number of people attending: 300

Name of Applicant/ Business: Tom Harris

Mailing Address: 876 East Shore Road Business Phone #: 401-423-3452
Jamestown, RI 02335

Contact Person: Tom Harris Phone Number: 401-423-3452

List the type of entertainment being requested, if applicable (Band, DJ, etc.) _____

Who will the event benefit? all residents

Type of Operation: (Private, State Sponsored, Non-Profit): private

R.I. Show Promoter's Permit Number, per RIGL § 44-19-1, (if applicable): _____

If the applicant is a Non-Profit organization, is it registered with the State? Yes No

RI Tax ID #: _____ Non-Profit ID #: _____

Number of Vendors/Peddlers: (circle one) N/A 1-10 11-20 21-30 31-40 41-50
(\$5.00 each Vendor/Peddler in addition to Application Fee)

A list of vendor/peddler and fee must be submitted to the Town Clerk's Office with this license. Vendor/Peddler list Must include name, address, phone number, date of birth, type of merchandise to be sold and exact location of sales.

What types of items will be sold at this event? None

Will food be sold at the location? If yes, you must contact the R.I. Department of Health Yes No

Will alcohol be provided and/or served at this event? If yes, Alcohol Liability Insurance must be provided Yes No

Will traffic control or a public facility be needed? Yes No
If yes, Please contact the Jamestown Police Department, Public Works Department and/or the Recreation Department for rates and forms for approval.

Note: All applicants must submit a liability insurance policy with coverage in the amount of \$1,000,000 (one million dollars) when using Town owned property. Certificate of insurance: Yes No

If there is additional information for the Town Council that you would like to add please attach separate correspondence.

Signature of Applicant: [Handwritten Signature]

Please attend the Town Council meeting on the _____ day of _____, 20____ for Council review.



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 16, 2021
SUBJECT: Updated Report for Town Council Meeting September 21, 2021

Response letter from the Jamestown Housing Authority: On September 14, 2021 I received the letter in response to the letter I sent at your direction to the Commissioners at the Jamestown Housing Authority. Copy in your packet.

Jamestown Chamber of Commerce canceling their use of the municipal Parking Lot. Agenda item for discussion and or action: In January of 2021 the Town Council approved a request from the Jamestown Chamber of Commerce the use of the Municipal Parking Lot located off Narragansett Avenue described as Parcel 8-573, for the remainder of this year ending 12/31/21. The use was intended for local restaurants to dine out side in response to Covid-19 precautions. On September 8th, 2021, I received the email below from Ms. Jamie Munger, President of the Jamestown Chamber of Commerce, canceling the agreement and their use of the parking lot.

Email received from Ms. Munger 9/8/21:

The Chamber Board held their monthly meeting last night, and one of our agenda topics was the municipal lot. The board is in full agreement that we would like to notify the town that our recommendation is to return the lot to its original use at this time. It has become almost painfully obvious that none of the restaurants are using it for dining at this point. Aside from the weekend pop-ups (which have concluded) the lot is no longer being used by any of the businesses.

That being said, with the variant(s) being top of everyone's mind and there being so many unknowns, it would be comforting to know that the town would support the possibility of resurrecting the tents should we find ourselves in another dire situation where the

businesses are having a hard time operating under strict regulations and restrictions that could be the result of another COVID "shutdown".

Please let me know if you need anything further from the board on this matter.

Have a nice day!

Kindest Regards,

*Jamie Munger
Office Manager
Realtor*

End of email.

With Covid numbers on an upswing and winter coming, should we consider leaving the lot as it is with the tents in place for other potential uses?

The Chamber is in the process of having the businesses remove their equipment such as table and chairs from the parking lot. There are several considerations/possibilities (some suggestions below) for its future use, I am asking the Council for your input and direction. The lot can accommodate about 21 cars.

1. Remove both tents and go back to full use of the land as a parking lot.
2. Leaving one tent (rear) remaining in place-you would end up with 12 parking spaces. Keeping the rear tent would allow for some events-pop up etc. and would reduce the likelihood that the chamber would request the reinstallation next spring.
3. The summer season has ended; is there a need at this point for additional parking until at least next May-June.
4. Some of the reasons the restaurants have not used the lot because of the lack of staff. Will that change? Will it become useful if or when they are staffed or are there other uses to consider?

Community Development Block Grant (CDBG) for Jamestown Housing Authority,
Agenda item: Town Planner, Lisa Bryer has been working on the CDBG with Church Community Housing on the renovation project of 18 bathrooms in the residences at the Jamestown Housing Authority complex on Pemberton Ave. The amount requested is approximately \$286,159.00, this is through a reimbursable grant. As work is completed, inspected, approved, payments are made to the contractor(s). Upon proof of payments, the Town (applicant) is reimbursed by the CDBG grant administration. Reimbursement is done in segments.

The JHA does not have the funds needed to support this project. If the grant is approved and the JHA Board is in full agreement, I am requesting your authorization for the Town to allocate the funds to complete the project, as a loan to JHA. All details and agreements to be reviewed and approved by the Town Solicitor.

Senior Services Director Vacant Position: Senior Services Director Betsey Anderson has decided to leave her position effective 9/17/21, which she held since 2018. We have advertised the position. In the interim, Parks and Recreation Director Ray DeFalco will oversee the operation.

Capstone Project, Agenda New Business: At the suggestion of the Council at the last meeting we met with Annette Tonti, Managing Director of RIHUB. Her organization coordinates and oversees the various “Capstone Teams” from Brown and other universities throughout the State. We discussed the possibility of a Capstone team assisting with the Town’s Homeland Security Cyber Resiliency Review (CRR) for the Town. She said that they would not be participating in the review, but that a Capstone team could assist with specific tasks that would be identified from the CRR. The deadline to provide proposed tasks for consideration by a Capstone team is Dec 15th.

Covid 19 update: Covid testing from August 25th to September 15th there were 16 new positive cases reported in Jamestown. Area State testing site is available by appointment only at Wickford Train Station garage, daily Monday to Friday 9:00 a.m. to 5:00 p.m. and Saturday and Sunday 9:00 a.m. to 1:00 p.m. closed on holidays. Other testing sites such as CVS Pharmacies by appointment are also available. Chief Ed Mello will have more to report on Covid and vaccines.

Reminder: Ethics training will be on 9/23/21 at 7pm, via zoom.



TOWN OF JAMESTOWN
Parks & Recreation Office
P.O. Box 377
41 Conanicus Ave.
JAMESTOWN, RHODE ISLAND 02835

Recreation Office (401) 423-7260
Teen Center (401) 423-7261
Fort Getty (401) 423-7211
Fax (401) 423-7229

TO: JAMIE HAINSWORTH, TOWN ADMINISTRATOR
FROM: RAY DEFALCO, PARKS & RECREATION DIRECTOR
SUBJECT: Fort Getty Gatehouse
DATE: September 7th, 2021

This Summer I became aware of some structural problems with the Fort Getty Gatehouse. Staff reported during heavy rainstorms between $\frac{1}{4}$ and $\frac{3}{4}$ of an inch of rain water on the floor. In addition to the standing water the Gatehouse is in need of new doors on each side, the current doors have become rusted and have jagged metal edges on the bottom from rust. Concerns include having a safe place for staff to work in storms, the electrical equipment near water, and securing the Gatehouse during off hours. I would like to begin discussions for renovations or replacement of the Gatehouse for next Summer. I have included sketches from the previous Gatehouse renovation project for reference.





Pictured above from top left -Bottom of front door, back door, electrical panel, back window, roof

Fort Getty Gatehouse Replacement

I have provided the rebids for the already designed projected new gatehouse from 2019 and the bid specs from the original project from 2018.

Fort Getty Re-Bids, 2/11/19							
Company	Bid 1	Bid 2	Bid 3	Alt 1 - Add	Alt 2 - Deduct	Alt 3 - Deduct	Brick Repointing
J.G. Edwards	\$430,000.00	\$321,000.00	\$ 111,000.00	\$ 4,100.00	\$ (16,200.00)	\$ (5,000.00)	\$45/sq
Marino Construction	\$470,000.00	\$357,000.00	\$ 113,000.00	\$12,000.00	\$ (7,500.00)	\$ (500.00)	\$40/sq
The Damon Co.	\$480,151.00	\$120,922.00	\$ 120,922.00	\$ 4,025.00	\$ (9,984.00)	\$ (2,040.00)	\$30/sq
Martone Service Co.	\$448,525.00	\$345,375.00	\$ 103,150.00	\$ 5,385.00	\$ (1,500.00)	\$ (10,000.00)	\$46/sq
Advanced Building Concepts	\$437,532.00	\$340,122.00	\$ 114,640.00	\$ 3,940.00	\$ (10,393.00)	\$ (3,040.00)	\$44/sq
Bid 1 - Both Projects Combined							
Bid 2 - Bath House Only							
Bid 3 - Gate House Only							
Alt 1 - GH Heat Pump							
Alt 2 - Remove Porch							
Alt 3 - Sub Arch Sing for Sheet Metal GH Roof							

Dear Ray,

I just wanted to mention, I was asked to take a look at the current Gate House condition back in August. After several of the heavy rain storms, we had, the building is taking on water especially wind driven rain. My opinion of the building is, it is durable but could use some work on the entrance doors. They are corroded and should be replaced. The driving rain is sending water into the building, and the floor stays wet for hours. The attendants also have an electrical panel right inside the building. The structure is quite old, the gutters do not always help keep attendants dry.

In closing a new building would be a great improvement for the Town and the attendants. A slightly larger building would also be an improvement. If a new building is not possible the doors should be replaced and the roof should be worked on. And the block work where it meets the floor slab should be resealed.

Thank you for your attention in this matter.

William L Moore, Building Official and Zoning Enforcement Officer

93 Narragansett Avenue, Jamestown RI, 401-423-9803

**Jamestown Housing Authority
45 Pemberton Avenue
Jamestown, RI 02835
Tel 401 423- 1561**

Dear Town Administrator and Town Council,


This is my response to your inquiry as to what is and has been done to respond and resolve HUD'S communications.

Sincerely,

Valerie Molloy

Rec'd. 9/14/21
11:40AM JWH

Jamestown Housing Authority
45 Pemberton Avenue
Jamestown, RI 02835
Tel 401 423- 1561
Fax 401 423-3715

TO: Jamestown Housing Authority Board of Commissioners
FROM:  Michael C. McLoughlin, Acting Manager
RE: Deficiencies Noted in HUD Correspondence's Dated 10-3-2019 & 7-26-2021
DATE: September 9, 2021

Response to HUD Correspondences

HUD has contacted the Town of Jamestown in regards to the administration and management of the Jamestown Housing Authority. This document is in response to requests for performance update and evaluation of the JHA current status both programmatic and fiscal.

All JHA outstanding issues with the U.S. Department of Housing & Urban Development (HUD) fall under the previous administrators of the agency. We are unable to speak on behalf of them or answer why circumstances ended up the way they have at JHA. In response to this situation, the management team directed by Michael C. McLoughlin, Executive Director of the Narragansett Housing Authority was brought on by the Board of Commissioners of the Jamestown Housing Authority in May of 2021.

The current management team has been working diligently to correct deficiencies, drawdown funds, correct the broken management system and rectify tenant policies, relations and grievances.

The following is a compilation of the deficiencies noted by HUD in 2 letters dated October 3, 2019 and July 26, 2021 and response from the current management team in regards to each item.

Item to Address:

From 2021 HUD Letter

FY20 PHA 5-year plan – due 10/18/2020

FY21 Annual PHA Plan certifications

FY20 Annual Unaudited FDS submission – due 10/31/20

FY19 Capital Fund budget update in EPIC for additional money

FY20 Capital Fund grant:

*Environmental Review & *budget update in EPIC

FY21 Capital Fund:

*5 Year Capital Action Plan (CAP) in EPIC

*Signed ACC in EPIC

*CFP Document Package

-Board Resolution approving 5 Year CAP

-Written Statement Defining Substantial Amendment

-Public Hearing requirement & statement

-Form SF-LLL – Civil Rights & Lobbying

-HUD form 50071

-Environmental Review, as necessary

Once the 5 Year Action Plan is HUD approved:

-FY21 CFP Annual Budget

*2+ months of reserves to show stability

Improvement Plan suggestions from HUD- no feedback was received until May 17 after waiting for months – MCM

Supplemental CARES Act Operating Funds – deadline for drawdown spending is 12/31/2021 after waiting since 2/3/21 for eligible draw downs

Operating Funds:

- Board Resolution for FY20
- Board Resolution for FY21
- Both due on or before 6/30/21

EIV – reports not run since 8/2020 – HUD sent reminder 1/21/21 to no response

Action Taken:

In order to approve PHA plans (Annual & 5-year) it requires a 45-day notice for a Public Hearing. Anticipate Plans receiving Board approval at the November, 2021 BOD meeting.

FDS Submitted on August 26, 2021

Update completed

Working on Environmental Review, EPIC Update completed,

5 Year CAP completed/ submitted in EPIC
ACC completed/ submitted in EPIC

Pending Public Hearing
Statement Defining Substantial Amendment completed/
submitted in EPIC

SF-LLL-Civil Rights & Lobbying completed/ submitted in EPIC
HUD form 50071 submitted in EPIC

Working on Environmental Review

Submitted, awaiting HUD approval

Working on achieving 2+/m reserve

Submitted on June 22, 2021

Working on past eligible draw downs

Unable to verify BOD vote occurred FY20

FY21 Budget approved at June 30, 2021 BOD Meeting

EIV reports have been run and reviewed for the September 2021 recertification.

Item to Address:

From 2019 HUD Letter

Efforts to establish a Resident Advisory Board

Proof of Notices published for the Annual Meeting

Proof of any outreach conducted to promote comprehensive participation in the public hearing

PHA Plan is available for review for the Public Hearing

Office policies that require all resident requests to be in writing

Establish a Work Order process that tenants are aware of

Accurate recording of Board meeting minutes

Board bylaws on receiving and responding to resident comments

Days and hours JHA office is staffed with administrative staff

Action Taken:

Provided residents information on establishing RAB at July & August BOD meetings

Last notice issued in 2015, anticipate new notice to be issued by months end

Unable to locate documentation

Last notice issued in 2015, anticipate new notice to be issued by months end

Unable to locate office policies

Established a Work Order process in May 2021

Established a process in June 2021

Unable to locate documentation

Office is now staffed Monday-Friday 9:00a.m.–3:00p.m.

MEMO REGARDING PROPOSED REVISIONS TO DOG ORDINANCES

To: Jamie Hainsworth, Town Administrator
Nancy Beye, Town Council President
Mary Meagher, Town Council Vice President
Michael White
Erik Brine

Cc: Peter Ruggiero, Town Solicitor
Edward Mello, Chief, Jamestown Police

From: Randall White

Date: September 15, 2021

I have requested that this Memo, along with a document entitled Proposed Dog Ordinances and another entitled Letters from Residents, be included with the materials in your packet for our September 20, 2021 Town Council meeting. At the September 20th meeting, I would like to present a brief summary of some proposed changes to the town's ordinances regarding the keeping and conduct of dogs. Depending on the pleasure of my fellow councillors, the topic could be discussed further at the September 20th meeting, deferred for discussion at a future meeting, or if and when the council felt that proposed amendments were in order, the matter could be advertised for hearing on an appropriate date.

Since sometime in March or so of this year when the Council first discussed the idea of reviewing and possibly amending certain of the town's ordinances relating to dogs, many residents have offered their ideas, opinions, help, and concerns to me and other councillors through emails, phone calls, and informal discussions. The attachment called Letters from Residents contains many of the emails I received since volunteering to be the Council's point of contact on this issue. I have read and considered each of the letters, and am grateful for the interest the topic has generated. I have tried to respond to the letters as I got them. I apologize in advance if there is any letter that has been unintentionally left out. The more people who weigh in, the more likely we are to arrive at a result that is in the best interests of all Jamestowners. After also conferring with Jamie H., Chief Mello, and Mary Meagher in the Spring, I attempted a draft that touches on the issues that seemed most important to people who expressed their thoughts: leashing requirements, off-leash options and requirements, and the idea that dogs should not be allowed to be "at large".

I look forward to our meeting, and hope we can put a revised ordinance scheme in place in the near future.

Thank you,

Randy White

JAMESTOWN MUNICIPAL ORDINANCES
PROPOSED REVISIONS TO CHAPTER 10

Chapter 10 - ANIMALS^[1]

• **Footnotes:**

--- (1) ---

State Law reference— Animals, G.L. 1956, § 4-1-1 et seq.; authority to regulate dogs, maximum penalty, G.L. 1956, § 4-13-1; dog census, G.L. 1956, § 4-13-11; authority to regulate places for keeping of animals, G.L. 1956, § 23-19.2-1.

• ARTICLE I. - IN GENERAL

•

• Sec. 10-1. - 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:

Animal control officer means the person employed by the town as its officer to enforce this chapter, including any police officer of the town.

Animal shelter means any premises now or hereafter designated by the town for the impoundment, confinement, care and shelter of any animal in the enforcement of this article; such term shall be construed as synonymous with the term "pound."

Bite means the actual puncture or tearing of the skin inflicted by the teeth of any animal.

Collared ~~means~~ - a dog is properly collared when it wears a collar around its neck ~~a collar~~. If such dog is on or in any public street, sidewalk, way, beach, park, grounds or building, such collar shall bear a plate or tag whereon the name and address of its owner are displayed and, when appropriate, a license tag.

Direct command and control- A dog is under the direct command and control of the owner or keeper when:

- (1) the dog returns upon voice command or when prompted by a remotely controlled electronic signal; and
- (2) the owner or keeper maintains constant awareness of the dog's whereabouts and conduct; and
- (3) the owner or keeper carries a leash and employs it when necessary; and
- (4) the owner or keeper prevents the dog from interacting with any other person(s) or dog(s) unless and until said person(s) or owner(s) or keeper(s) of said dog(s) clearly communicate their assent to the interaction. Owners or keepers of dogs who are

participating in off leash activity shall be presumed to have given their implied consent to interaction with other owners, keepers, and dogs engaged in the same activity at the same time and location.

Dog at large means a dog ~~or other animal will be deemed to be "at large"~~ when it is off the property of its owner or keeper and not under the control of a competent person.

Exposed to rabies means an animal bitten by, or exposed to, any animal known to have been infected with rabies.

In heat means sexual excitement in a female animal and such period of time when animals are particularly attractive to male animals of the same species.

Kennel means the premises of any person engaged in breeding, buying, selling, training or boarding of dogs.

Licensed means a dog, or other animal when appropriate, when it has lawfully attached or affixed to its collar a tag or identifying device issued pursuant to law by any ordinance of the town or statute of the state.

Neutered male (dog) means any male dog which has been surgically altered so as to effect the removal of its testicles.

Owner ~~or keeper~~ means any person ~~owning, keeping or harboring an animal~~ who owns, keeps, or harbors a dog, or who has charge and custody of a dog.

Restraint (of dog) means a dog controlled by leash, cord, ~~or chain,~~ fence or other physical, natural, or electronic barrier, ~~on a leash not to exceed seven feet, or is beside a competent person and obedient to that person's commands,~~ or under the command and control of a competent person, or ~~is~~ within a vehicle being driven or parked on the streets, or within the property limits of its owner or keeper.

Spayed female (dog) means any female dog which has been surgically altered so as to effect the removal of its ovaries and uterus to prevent conception.

Veterinarian means a person licensed to practice veterinary medicine under the laws of the state.

(Code 1982, § 4-1; Code 2003, § 10-1)

- Sec. 10-2. - Vicious animal.

- (a)

An animal, other than a dog, is deemed to be vicious when it is dangerously aggressive, savage, ferocious or depraved in its attitude towards other animals or to persons to the extent that it injures or is likely to injure or cause injury to such animal or persons. An animal shall be deemed to be vicious if it has a propensity to want to attack or attempt to attack other animals or persons. An animal shall not be deemed vicious if it is provoked, or bites, attacks, or attempts to attack, any animal or person in self-defense or in defense of its owner or owner's property. ~~An animal shall not be deemed vicious merely by reason of growling or barking.~~

(b)

A vicious dog shall be defined and determined pursuant to G.L. 1956, §§ 4-13.1-2 and 4-13.1-11.

A dog shall not be deemed vicious merely by reason of growling or barking.

(Code 1982, § 4-1; Code 2003, § 10-2)

State Law reference— Regulation of vicious dogs, G.L. 1956, § 4-13.1-1 et seq.

- Sec. 10-3. - Vicious dogs; assault.
- If any dog declared vicious under G.L. 1956, § 4-13.1-11, when unprovoked, attacks, assaults, wounds, bites, or otherwise injures, kills or seriously injures a human being, the owner or keeper shall be fined the maximum amount provided in G.L. 1956, § 4-13.1-9(c) to be used as such town council may prescribe. No such fine shall be imposed unless that officer responsible for enforcement shall have conducted an investigation of such assault and shall have certified that such dog was off the property of its owner or keeper and at large at the time such assault occurred or that such assault resulted from the negligence of such owner or keeper, pursuant to G.L. 1956, § 4-13-1.1.

(Code 1982, § 4-30; Code 2003, § 10-3)

State Law reference— Regulation of vicious dogs, G.L. 1956, § 4-13.1-1 et seq.; penalty of \$1,000.00 authorized for vicious dog assault on a person, G.L. 1956, § 4-13.1-9(c).

- Sec. 10-4. - Unlawful deposit of dead animal.
- No person shall throw, place or put, or cause to be thrown, placed or put, the body or remains of any dead animal into any of the ponds, streams or waters within the town, or shall leave any such body or remains of any such animal to decay on any surface of the ground insufficiently buried therein.

(Code 1982, § 4-24; Code 2003, § 10-4)

- Sec. 10-5. - Wild animals.

- No wild animal may be kept within the town, except under such conditions as shall be affixed by the animal control officer; provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos and educational institutions in accordance with such regulations as shall be established by the animal control officer or any police officer of this town.

(Code 1982, § 4-25; Code 2003, § 10-5)

- Sec. 10-6. - Abandonment.
- It shall be unlawful for any person to abandon any dog or other animal within the town.

(Code 1982, § 4-26; Code 2003, § 10-6)

State Law reference— Cruelly abandoning animals, G.L. 1956, § 4-1-3; abandonment of infirm animal, G.L. 1956, § 4-1-4.

- Sec. 10-7. - Unlawfully injuring, killing, etc.; duties in case of accident.
- (a) No person shall run down any dog or domestic animal with a vehicle, or willfully kill, abandon, injure or abuse any dog or domestic animal, except as may be permitted by law.

(b)

Any person who kills or injures a dog or domestic animal, while driving a car, shall stop at the scene of the accident and render such assistance as is practicable and shall make a report of such death or injury to the animal control officer or to a police officer.

(c)

No person shall poison any dog or domestic animal. In addition to the penalties provided in this chapter, any person alleged to have poisoned any dog or domestic animal shall be reported to the Society for the Prevention of Cruelty to Animals (SPCA).

(Code 1982, § 4-16; Code 2003, § 10-7)

State Law reference— Cruelty to animals, G.L. 1956, § 4-1-1 et seq.

- Sec. 10-8. - Hitching animals to trees, fences or posts.
- No person shall leave any horse, cow, ox or other animal upon any highway, road or lane attached, tied, hitched or secured to any fence, tree, post or other structure unless such horse, cow, ox or other animal shall be hitched or harnessed to a vehicle for the purpose of drawing the vehicle.

(Code 1982, § 4-17; Code 2003, § 10-8)

State Law reference— Cruelty to animals, G.L. 1956, § 4-1-1 et seq.

- Sec. 10-9. - Penalties.

- (a)

There shall be imposed a penalty for the violation of any provision of this chapter as follows:

(1)

First violation: \$25.00.

(2)

Second violation in same year: \$50.00.

(3)

Third and each subsequent violation in same year: \$100.00.

(b) The animal control officer or any police officer shall have the authority to issue a notice of violation of this chapter to any person in violation of the provisions of this chapter. Upon receipt of service of a notice of violation, the violator shall have five days from the date of service to pay the penalty at the police department. The notice may be served upon the violator in any reasonable manner. If a person fails to pay the penalty within such time, then the violator may be served with a complaint and warrant for appearance in court.

(Code 1982, § 4-29; Code 2003, § 10-9)

State Law reference— Maximum penalty as to dogs, G.L. 1956, § 4-13-1.

- Secs. 10-10—10-25. - Reserved.

- • ARTICLE II. - ADMINISTRATION

- • DIVISION 1. - GENERALLY

-

- Secs. 10-26—10-40. - Reserved.

- • DIVISION 2. - ANIMAL CONTROL OFFICER

-

- Sec. 10-41. - Enforcement.

- The provisions of this chapter shall be enforced by the animal control officer and any police officer of the town.

(Code 1982, § 4-2; Code 2003, § 10-41)

- Sec. 10-42. - Complaints.

- All complaints made under the provisions of this chapter shall be made to the animal control officer or any police officer and may be made orally; provided, however, that such complaint shall be reduced to writing within 48 hours and shall be signed by the complainant showing such complainant's address and telephone number, if any.

(Code 1982, § 4-22(b); Code 2003, § 10-42)

- Sec. 10-43. - Recordkeeping.

- (a)

It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and detailed records of the impoundment and disposition of all animals coming into such officer's custody.

(b) It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and detailed records of all the bite cases reported to such officer and all investigations of such cases.

- (c)

It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and detailed records of any and all complaints made to such officer or the police and his investigation of such complaints.

- (d)

It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and detailed daily records of all the animals that are seized or come into custody as well as the disposition of each animal impounded.

- (e)

It shall be the duty of the animal control officer to keep a record of all seized and impounded dogs as prescribed by the state department of environmental management, as required by G.L. 1956, § 4-19-12.

- (f)

It shall be the duty of the animal control officer to keep, or cause to be kept, accurate and detailed records of any and all money in his possession belonging to the town. Such records shall be open to inspections at reasonable times by such persons responsible for similar records of the town, and they shall be audited by the town annually in the same manner as other town records are audited.

(Code 1982, § 4-3; Code 2003, § 10-43)

State Law reference— Disposition of animals impounded, G.L. 1956, § 4-19-12.

- Sec. 10-44. - Right of entry.
- In the discharge of the duties imposed by this chapter, the animal control officer or any police officer shall have the authority at all reasonable times to enter upon any premises, but such authority should not include the right to enter any residence on such premises without the owner's permission to examine a dog or other animal which it is reasonable to suspect is in violation of a provision of this chapter. Such officer shall have the further authority to take possession of any such dog or other animal and remove it from such premises.

(Code 1982, § 4-4; Code 2003, § 10-44)

- Sec. 10-45. - Interference with officers by others.
- No person shall interfere with, hinder or molest the animal control officer or any police officer of the town in the performance of such officer's duties, or seek to release any animal in the custody of the animal control officer or any police officer, except as provided in this article.

(Code 1982, § 4-5; Code 2003, § 10-45)

State Law reference— Obstructing officer in execution of duty, G.L. 1956, § 11-32-1.

- Sec. 10-46. - Destruction of animal under emergency circumstances.
- Under emergency circumstances, the animal control officer or any police officer may destroy any injured or maimed animal after making reasonable efforts to contact the owner of such animal if the owner's identification is present on the animal.

(Code 1982, § 4-8(c); Code 2003, § 10-46)

State Law reference— Disposition of animals in emergencies, G.L. 1956, § 4-19-12(a).

- Secs. 10-47—10-65. - Reserved.
- • ARTICLE III. - DOGS AND CATS
- • DIVISION 1. - GENERALLY
-
- Sec. 10-66. - Confinement of certain dogs.
- (a)

It is unlawful for any owner or keeper to maintain a dog that has been declared vicious upon any premises which does not have a locked enclosure. It is unlawful for any owner or keeper to allow

any vicious dog to be outside of the dwelling of the owner or keeper or outside of the enclosure unless it is necessary for the owner or keeper to obtain veterinary care for the vicious dog or to comply with commands or directions of the dog officer with respect to the vicious dog, or to comply with the provisions of G.L. 1956, § 4-13.1-3(a)(1) or G.L. 1956, § 4-13.1-3 (a)(2). In this event, the vicious dog shall be securely muzzled and restrained with a leash or chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length, and shall be under the direct control and supervision of the owner or keeper of the vicious dog.

(b)

The owner of every female dog, cat or other animal in heat shall keep it confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such a manner that such female dog, cat or other animal cannot come in contact with another dog or other animal except for intentional breeding purposes, provided that no female dog, cat or other animal in heat shall be kept in a motel or an apartment.

(c)

Any dog described in subsections (a) and (b) of this section, found at large, shall be impounded by the animal control officer and may not be reclaimed by owners, unless such reclamation is authorized by any court having jurisdiction.

(d)

Any dog may, the first time it is impounded under the provisions of division 3 of this article, pertaining to nuisance abatement, be reclaimed as provided in [section 10-102](#)(a), but may not be reclaimed when so impounded on second or subsequent occasion unless such reclamation is authorized by a court having jurisdiction in the matter.

(Code 1982, § 4-6; Code 2003, § 10-66)

State Law reference— Control of vicious dogs, G.L. 1956, § 4-13.1-4.

- Sec. 10-67. - Dogs prohibited on school property.
- ~~(a)~~

Except as provided in G.L. 1956, ch. 40-9.1 (G.L. 1956, § 40-9.1-1 et seq.), it shall be unlawful for an owner or keeper to allow such person's dog to be in schoolyards or on school property, including the recreational fields between Melrose Avenue and Lawn Avenue from Watson Avenue to Arnold Avenue.

~~(b)~~

~~Except as provided in G.L. 1956, ch. 40-9.1 (G.L. 1956, § 40-9.1-1 et seq.), no dogs shall be allowed in any stores or eating places, whether at large or under restraint.~~

(e)

~~All dogs, if permitted, must be kept on a leash at all times while in any of the town recreational facilities.~~

(Code 1982, § 4-15; Code 2003, § 10-67)

- Sec. 10-68. - Barking dogs prohibited in apartments.
- It shall be unlawful for a person to keep barking dogs in apartment structures.

(Code 1982, § 4-11; Code 2003, § 10-68)

- Sec. 10-69. - Number of dogs at residences.
- It shall be unlawful for a person to keep more than three dogs over six months of age at the same residence. This section shall not apply to licensed kennels.

(Code 1982, § 4-14; Code 2003, § 10-69)

- ~~Sec. 10-70. — Dogs at large.~~
- ~~No person being the owner or keeper of a dog, or having the charge or custody of a dog, shall allow such dog to run at large off its owner's or keeper's property within the town unless such dog is properly leashed or under the direct command and control of its owner or keeper between the hours of 7:00 a.m. and 4:00 p.m. Any such dog found not properly leashed or under the control of its owner or keeper and off its owner's or keeper's property running loose shall be impounded by the animal control officer, and such dog shall be held at the animal shelter (pound) until such owner or keeper is located. The owner or keeper of such dog shall be issued a citation by the animal control officer, or police officer, for allowing such dog to run loose.~~

(Code 1982, § 4-23; Code 2003, § 10-70)

Sec. 10-70. Dogs Prohibited from Being at Large.

(a) The owner or keeper of a dog shall not allow that dog to move at large beyond the owner's or keeper's property limits. It shall be the responsibility of the owner or keeper of a dog to employ whatever measures are necessary and adequate to prevent the dog from leaving the property unrestrained and from moving about at large within the town. The owner or keeper of a dog may allow the dog to be outside the residence and within the limits of the owner's or keeper's property provided that:

- (1) the dog returns upon the voice commands of a competent person who is present; or
- (2) the dog returns when prompted by an electronic signal controlled remotely by a competent person who is present; or

- (3) the dog is attached to a leash controlled by a competent person; or
- (4) the dog is attached to a rope, cord, or chain of reasonable and adequate length which is affixed to a stationary object; or
- (5) the dog is prevented by a physical, natural, or electronic barrier from exiting the property; or
- (6) the dog is prevented in any other reasonable and adequate way from roaming beyond the property limits.

(b) The owner and keeper of a dog may allow the dog to be outside the residence and within the limits of the property of another person in the manner described in Sec.10-70 (a) provided that the owner of said property expresses assent to the owner or keeper of the dog, and the owner or keeper of the dog is responsible for ensuring that the dog does not move unrestrained beyond the limits of that property.

(c) Any dog found moving about at large within the town shall be impounded by any police officer or other person employed by the town to enforce this chapter, and such dog shall be held at the animal shelter (pound) until the owner or keeper of the dog is located.

(d) The owner or keeper of a dog who fails to prevent the dog from leaving the property and roaming at large as set forth in Sec. 10-70 (a) or (b) shall be in violation of this section and chapter.

State Law reference— Authority to prohibit dogs running at large, G.L. 1956, § 4-13-15.1.

- Sec. 10-71. - Census.
- It shall be the duty of the animal control officer or the town sergeant to conduct a complete annual dog census in the town.

(Code 1982, § 4-27; Code 2003, § 10-71)

State Law reference— Animal census, G.L. 1956, § 4-13-11.

- Sec. 10-72. - Removal of dog feces.
- ~~No person in control of a dog~~ The owner or keeper of a dog shall not knowingly permit such dog to defecate on any sidewalk, park, public or private place or building. The ~~person in control of any dog~~ owner or keeper of any dog which defecates on any of these sites must immediately remove the feces and shall immediately and properly dispose of any bag (or other container or receptacle) into which the removed feces has been placed.

An owner or keeper of a dog who fails to comply with the requirements of Sec. 10-72 shall be in violation of this section and subject to the penalties provided in sec. 10-9.

(Code 1982, § 4-28; Code 2003, § 10-72)

Sec. 10-73. Leash provisions-where and when required

- (a) **Leash Requirement**- Whenever a dog moves about on the public streets, sidewalks, ways, parks, grounds, buildings, and other property within the town, the owner or keeper of the dog shall securely attach (or cause to be securely attached) a leash not exceeding seven feet in length to the identification collar affixed to the dog. The owner or keeper of the dog shall ensure that said leash is held and controlled by a person competent to handle the dog.
- (b) The only exceptions to the leash requirements of sec. 10-73 (a) are set forth in sec. 10-73 (c) and (d).
- (c) **Exceptions to the Leash Requirement** At those locations and within the dates delineated in sec. 10-73 (d), the owner or keeper of a dog may cause or allow the dog to move about without being attached to a leash, provided that the owner or keeper of said dog exercises and maintains direct command and control of the dog.
- (d) The locations and times at which off leash activity in accordance with sec. 10-73(c) is permitted include, and are limited to, the following:
 - (1) At Fort Getty Park dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st through May 15th . From May 16th through September 30th dogs are permitted at Fort Getty, but must be leashed in accordance with sec. 10-73 (a).
 - (2) At Mackerel Cove Beach dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st through May 15th. From May 16th through September 30th dogs are not permitted on the beach at any time.
 - (3) At Potters Cove Beach dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st through May 15th. From May 16th through September 30th dogs are not permitted on the beach at any time.
 - (4) At Head's Beach dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73 (c) from October 1st

through May 15th. From May 16th through September 30th dogs are not permitted on the beach at any time.

- (5) At Park Dock dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73(c) from October 1st through May 15th. From May 16th through September 30th dogs are not permitted to be on the beach at any time.
- (6) At Battery Park dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73 (c) from January 1st through December 31st.
- (7) At Eldred Avenue Recreation Complex dogs are permitted to be off leash under the direct command and control of the owner or keeper in accordance with sec. 10-73(c) from November 15th through March 31st. From April 1st through November 14th, dogs are permitted at the complex but must be leashed in accordance with sec. 10-73 (a).
- (8) At Taylor Point dogs are permitted but must be leashed in accordance with sec. 10-73(a).

- (e) An owner or keeper of a dog who fails to meet the requirements of sec. 10-73 (a) or sec. 10-73 (c) or sec. 10-73 (d) shall be in violation of this section and subject to the penalties provided in sec. 10-9.

Sec. 10-74.

Town staff designated by the Town Administrator shall continually and periodically monitor, assess, and report to the Town Council whether the health, welfare, and safety of the town's residents are adequately protected in the execution of this chapter.

- Secs. ~~10-73~~ 10-75 -10-85. - Reserved.
- • DIVISION 2. - LICENSE^[2]
-

Footnotes:

--- (2) ---

State Law reference— Dog license fees for the Town of Jamestown, G.L. 1956, § 4-13-4.

- Sec. 10-86. - Required; fee.

- (a)

The owner or keeper of every dog over the age of six months living in the town limits shall be licensed by the town clerk during the month of April. A fee as provided in appendix C shall be paid for all neutered dogs and a fee as provided in appendix C shall be paid for all unneutered dogs. A late fee as provided in appendix C shall be paid for the licensing of any dog after April 30, pursuant to G.L. 1956, § 4-13-4.

- (b)

The late fee may be waived by the town clerk for those persons who have newly acquired a dog or who have newly moved to the town.

(Code 1982, § 4-12; Code 2003, § 10-86)

State Law reference— Dog license fees for the Town of Jamestown, G.L. 1956, § 4-13-4.

- Secs. 10-87—10-100. - Reserved.
- • DIVISION 3. - IMPOUNDMENT^[3]
-

Footnotes:

--- (3) ---

State Law reference— Impoundment of animals at large, G.L. 1956, § 4-15-3; letting team go at large, G.L. 1956, § 11-22-9; authority to adopt regulations regarding dogs, G.L. 1956, § 4-13-15.1; municipal pounds, G.L. 1956, § 4-19-1 et seq.

- Sec. 10-101. - Required; notice to owner.

- (a)

Any dog not in compliance with or in violation of [section 10-66](#) or [section 10-152](#) shall be subject to impoundment by the animal control officer. Dogs not claimed by their owners within five days of impoundment may be disposed of at the discretion of the animal control officer, except as provided in this division in the cases of certain dogs.

- (b)

The animal control officer may transfer title to any dog held at the dog pound after five days have expired and such dog has not been claimed by its owner.

- (c)

Immediately upon impounding dogs, the animal control officer shall make reasonable efforts to notify the owners of such dogs, so impounded, and inform such owners of the conditions whereby they may regain custody of such dogs.

(d)

Any dog running at large within the town limits may be impounded or disposed of according to law when such action is required either to protect the dog or to protect the residents of the town.

(Code 1982, § 4-7; Code 2003, § 10-101)

- Sec. 10-102. - Redemption of impounded dogs; other disposition.

- (a)

The owner shall be entitled to regain possession of any impounded dog, except as provided in this section in the cases of certain dogs, upon the payment of impoundment fees set forth in appendix C and establishing proof of ownership which may include license receipt, affidavits of ownership and/or a photograph of the dog.

(b)

Any dog impounded under the provisions of this chapter and not reclaimed by its owner within five days may be humanely destroyed by the animal control officer, or may be placed by the animal control officer in the custody of some person for adoption deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this chapter and with such other regulations as shall be fixed by the town council. Upon adoption, a fee as provided in appendix C shall be charged, and all impoundment fees shall be waived. Under no circumstances shall the ownership of any dog be transferred to an entity prohibited by G.L. 1956, § 4-19-12.

(Code 1982, § 4-8(a), (b); Code 2003, § 10-102)

State Law reference— Gift to dealer or research facility prohibited, G.L. 1956, § 4-19-12(b).

- Sec. 10-103. - Mandatory spaying and neutering of dogs and cats; exemptions.

- (a)

The animal control officer shall not release, sell, trade, give away, exchange, adopt out or otherwise transfer, with or without a fee, any dog or cat that has not been spayed or neutered unless the adopting party executes a written agreement with the animal control officer to have the dog or cat spayed or neutered within 30 days of the adoption date or within 30 days from the date that such cat or dog reaches sexual maturity, with the cost of such spaying or neutering to be the responsibility of the adopting party. The written agreement must include the dog's or cat's age, sex and general description; the date of adoption and the date by which the dog or cat must be spayed or neutered; the adopting party's name, address, telephone number and signature; and

the animal control officer's name, address, telephone number and the dollar amount of the deposit remitted. In addition to executing the written agreement, the adopting party must leave with the animal control officer a deposit in the amount provided in appendix C. Such deposit shall be refunded by the animal control officer to the adopting party upon presentation of a written statement or receipt from a licensed veterinarian of the adopting party's choice where the dog or cat was spayed or neutered providing that the spaying or neutering was performed within the 30-day period. Alternatively, the animal control officer shall make appropriate arrangements for the spaying or neutering of the dog or cat by a licensed veterinarian and have the surgery completed before releasing the dog or cat to the adopting party.

(b)

The following are exemptions from the provisions of subsection (a) of this section:

(1)

The animal control officer returns a stray dog or cat to its owner.

(2)

The animal control officer receives a written report from a licensed veterinarian stating that the life of the dog or cat would be jeopardized by the surgery and that such health condition is likely to be permanent.

(3)

The animal control officer receives a written report from a licensed veterinarian stating that there is a temporary health condition, including sexual immaturity, which would make surgery life threatening to the dog or cat or incapable of being done, in which instance the animal control officer shall grant the adopting party an appropriate extension of time in which to have the dog or cat spayed or neutered based on the veterinarian's report.

(4)

The animal control officer transfers a dog or cat to another state-licensed releasing agency.

(c)

The exemptions provided in subsections (b)(2) and (b)(3) of this section shall only be applicable if the animal control officer receives such written report from a licensed veterinarian within the 30-day period during which the spaying or neutering would otherwise be required, or in the case of a report contemplated by subsection (b)(2) of this section, such report may be provided to the animal control officer during any temporary extension provided by subsection (b)(3) of this section if the health condition of the dog or cat has changed.

(d)

If requested to do so, the animal control officer shall refund deposited funds to the adopting party upon reasonable proof being presented to the animal control officer by the adopting party that the dog or cat died before the expiration of the period during which the spaying or neutering was required to be completed.

(Code 1982, § 4-8(d)—(f); Code 2003, § 10-103; Ord. of 4-9-1994, § 4-8)

State Law reference— Mandatory spaying or neutering of dogs and cats adopted from the town pound, G.L. 1956, § 4-19-16.

- Sec. 10-104. - Fees.

- (a)

Any impounded dog may be reclaimed as provided in this division upon payment by the owner to the animal control officer of a fine the sum of \$25.00 for the first offense and the additional sum as provided in appendix C for each day such animal is kept, and the sum of \$50.00 for any subsequent offense within a fiscal year and the additional sum as provided in appendix C for each day such animal is kept. Impoundment fees set forth in this section, and such additional sums as provided for keeping animals, shall be collected by the animal control officer, or police officer for use of the town.

- (b)

Upon impoundment for any violation of this chapter, the animal control officer shall issue a citation to the owner of the animal for the violation for which the animal was impounded.

(Code 1982, § 4-9; Code 2003, § 10-104)

State Law reference— Livestock impoundment fees, G.L. 1956, § 4-15-7.

- Sec. 10-105. - Voluntary disposition of dogs.

- It shall not be the responsibility of the animal control officer to dispose of dogs at an owner's request. The owner of a dog or any domestic animal who wishes to dispose of such animal shall assume all costs and the responsibility for such disposal.

(Code 1982, § 4-10; Code 2003, § 10-105)

- Secs. 10-106—10-125. - Reserved.
- • ARTICLE IV. - RABIES CONTROL^[4]
-

Footnotes:

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State Law reference— Treatment and control of rabies, G.L. 1956, § 4-13-29 et seq.

- Sec. 10-126. - Required reports of bite cases.

- It shall be the duty of every physician or other medical practitioner to report to the animal control officer or to the police department the names and addresses of persons, and bitten persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

(Code 1982, § 4-13(a); Code 2003, § 10-126)

- Sec. 10-127. - Suspect animals.

- (a)

Report. It shall be the duty of every licensed veterinarian to report to the animal control officer any animal considered by such veterinarian to be a rabies suspect.

- (b)

Death of animal under quarantine. When rabies has been diagnosed in an animal under quarantine or when rabies is suspected in such an animal by a licensed veterinarian, and the animal dies while under observation, the animal control officer shall immediately send the head of such animal to the state department of environmental management for pathological examination and shall notify the proper health official of reports of human contacts and the diagnoses.

(Code 1982, § 4-13(b), (c); Code 2003, § 10-127)

- Sec. 10-128. - Biting of humans; quarantine procedures.

- Every animal which bites a person shall be promptly reported to the animal control officer and shall thereupon be securely quarantined at the direction of the animal control officer or police officer for a period of no less than ten days, and shall not be released from such quarantine except by written permission from the chief of police or the animal control officer. At the discretion of the animal control officer, such quarantine may be on the premises of the owner or at the pound, or at the owner's option and expense, in a veterinary hospital of their choice. In case of stray animals, or of animals whose ownership is not known, such quarantine shall be at the town-designated animal shelter.

(Code 1982, § 4-13(d); Code 2003, § 10-128)

- Sec. 10-129. - Surrender of animal; quarantine expenses; reclamation of animal.

- The owner, upon demand by the animal control officer, shall forthwith surrender any animal which has bitten a human, or which is suspected as having been exposed to rabies, for supervised quarantine, the expense of which shall be borne by the owner. Such animal may be reclaimed by

the owner if it is determined to be free of rabies, upon payment of the same fees levied upon such animal for the time it is interned at the animal shelter.

(Code 1982, § 4-13(e); Code 2003, § 10-129)

- Secs. 10-130—10-150. - Reserved.
- • ARTICLE V. - NUISANCES^[5]
-

Footnotes:

--- (5) ---

State Law reference— Damage by animals, G.L. 1956, § 4-14-1 et seq.; damage by dogs, G.L. 1956, § 4-13-16 et seq.; animals at large, G.L. 1956, § 4-15-1 et seq.

- Sec. 10-151. - Trespass and destruction of property by animal.
- It shall be unlawful to allow or permit any animal to trespass on private or public property so as to damage or destroy any property or thing of value. Such destruction is hereby declared to be a nuisance, and any such animal may be impounded by the animal control officer.

(Code 1982, § 4-8(c); Code 2003, § 10-151; Ord. of 6-10-1996, § 4-21(c))

- Sec. 10-152. - Harboring or keeping of noisy or vicious animals.
- It shall be unlawful to keep or harbor any animal, whether licensed or not, whenever it shall be affirmed in writing and signed by two or more residents of separate dwellings of this town or by two or more persons regularly employed in the neighborhood, or such complaint has been affirmed in writing and signed by one or more residents of this town and the complaint has been verified by the animal control officer, that any animal is a habitual nuisance by reason of repeated howling or barking or making other noise, or being vicious or by its acting potentially vicious. Such keeping or harboring is hereby declared to be a public nuisance.

(Code 1982, § 4-21(a); Code 2003, § 10-152; Ord. of 6-10-1996, § 4-21(a))

- Sec. 10-153. - Abatement by owner and town.
- (a)

Whenever an animal is a nuisance by reason of habitual trespassing, howling, barking or other noise, or by reason of doing damage to property, or by being vicious or by its acting potentially vicious or in any other manner causing undue annoyance, the animal control officer, if such officer finds such nuisance to exist, shall serve notice upon the owner of such animal, that such nuisance must be abated. It shall be unlawful for an owner not to abate such nuisance. In addition to all other penalties, if such nuisance is not thereupon abated, the animal control officer shall impound such animal.

(b)

The animal control officer shall serve notice upon the owner or keeper of the animal that the nuisance must be abated within a period of three days after the service of the notice. Each day shall constitute a separate offense. After the third day such public nuisance continues, a fine of \$25.00 per day shall be imposed.

(Code 1982, §§ 4-21(b), 4-22(a); Code 2003, § 10-153; Ord. of 6-10-1996, § 4-21(b))

- Secs. 10-154—10-175. - Reserved.
- • ARTICLE VI. - FARM ANIMALS
- • DIVISION 1. - GENERALLY
-
- Secs. 10-176—10-190. - Reserved.
- • DIVISION 2. - SWINE
-
- Sec. 10-191. - Permit.

• (a)

Required to keep. No person shall keep swine within the town unless such person shall first have obtained a permit from the town council to do so, and only subject to such rules and regulations as the town council may from time to time prescribe.

(b)

Required to feed swill. No person shall feed any swill or other household offal to any swine which are kept within the town unless such person shall have received a permit to do so, and subject only to such rules and regulations as the town council shall from time to time prescribe.

(Code 1982, §§ 4-18, 4-19; Code 2003, § 10-191)

State Law reference— State permit to feed garbage, G.L. 1956, § 4-3-3.

- Sec. 10-192. - Location of pig sty.
- No pig sty shall be built or maintained on marshy ground or land subject to overflow, nor within 300 feet of any inhabited house or public meeting house other than that of the proprietor of the pig sty.

(Code 1982, § 4-20; Code 2003, § 10-192)

- Secs. 10-193—10-199. - Reserved.
- • ARTICLE VII. - NON-DOMESTICATED ANIMALS
-

- Sec. 10-200. - Feeding non-domesticated animals—Purpose.
- The purpose of this article is to protect the health and safety of residents in the town with respect to dangers associated with coyotes and other non-domesticated animals by minimizing opportunities for such animals to obtain food from sources controlled or controllable by humans.

([Ord. of 10-3-2016](#), § 1(Exh. A))

- Sec. 10-201. - Definitions.
- Words and phrases used in this chapter shall have the following meanings, unless otherwise clearly indicated by the context:

Attractant means any substance which could reasonably be expected to attract or does attract coyotes or other non-domesticated animals.

Feeding means the leaving of food of any kind where it is accessible to coyotes or other non-domesticated animals.

Food means all substances consumed by humans or animals for nourishment except grass and other vegetation, growing crops, and food that is canned or stored in sealed or closable containers.

([Ord. of 10-3-2016](#), § 1(Exh. A))

- Sec. 10-202. - Prohibitions.
- (a)

No person shall feed or in any manner provide an attractant to coyotes or other non-domesticated animals; provided that domestic pets are not attractants, and feeding pets outdoors does not create an attractant if the pet eats all the food immediately, or the remaining food is removed as soon as the pet stops eating, or the pet is fed in a secure cage or other enclosure.

(b)

No person shall leave, store, or maintain any food or attractant in a manner, area, or location accessible to coyotes or other non-domesticated animals.

([Ord. of 10-3-2016](#), § 1(Exh. A))

- Sec. 10-203. - Exceptions.
- (a)

Food for birds or squirrels that is in a feeder located within 100 feet of a residence and elevated to be inaccessible to coyotes.

(b)

Outdoor feeding of farm animals, provided (1) animal food, when not being fed to animals, is stored in a building or a closed container; (2) excessive amounts of food, based on the animals' eating history, are not provided to the animals; (3) injured, old, feeble, or pre-sized animals are not left outside unattended; and (4) all other reasonable efforts are made to reduce attractants to coyotes and other non-domesticated animals.

([Ord. of 10-3-2016](#), § 1(Exh. A))

- Sec. 10-204. - Enforcement.

Violations of this article are punishable by a civil penalty of from \$100.00 to \$500.00 for each day of violation.

([Ord. of 10-3-2016](#), § 1(Exh. A))

LETTERS FROM RESIDENTS ABOUT REVIEW OF DOG ORDINANCES 2021

1. **KRISTINE TROCKI**

From: "Kristine S. Trocki, Esq." <kst@trockilaw.com>

Subject: NO CHANGE IN LEASH LAW PLEASE

Date: March 13, 2021 at 3:56:05 PM EST

To: Mary Meagher <tiptoparch@msn.com>, Michael White <mgblanco@cox.net>

Cc: "Chief Edward A. Mello" <emello@jamestownri.net>, Ray Iannetta <RayI@aol.com>

Hi Mary & Mike ~

Please feel free to forward this to other councilors if you see fit.

Both Ray and I feel strongly that an occasional person complaining should not be enough to outweigh the beauty and tradition of having Jamestown being a dog friendly Island.

That said, people should be held accountable for their dog's bad behaviors, but that should not make it a burden for the overwhelming majority of well behaved dogs/dog owners. I have no doubt Chief can thread that needle. Bad bite dogs or nuisance dogs should be the focus and fines or penalties should be allowed to be administered more easily.

See you on the Zoom,
~ Kristine (cell 401.714.7660 while working from home)

| **KRISTINE S. TROCKI** |

Attorney and Counsellor at Law, LLC

36 Maple Avenue
Jamestown, Rhode Island 02835
Telephone: 401.423.3390
kst@trockilaw.com
www.trockilaw.com

2. BRIAN GARDNER

DRAFT not sent

15 March 2021

Jamestown Press

Dear Editor,

On reading "Council Looking to amend the leash law" in a recent edition of the Jamestown Press – my initial thoughts raced the personal. We have two very happy, very healthy dogs that bring us endless joy. We bring them to places they can run free, off-lease daily. Their health and happiness is very important to us, but the rural, open and free atmosphere of Jamestown and surrounding areas are precious treasures for more reasons than just our dog's freedom.

Of course, the attack on any creature is a sad thing. However, there is recourse in the law TODAY to address these things. It would be helpful if everyone involved in this, had a firm understanding of our laws, and due process. It seems lacking today. We create law based on emotion – rather than reason. "Innocent until proven guilty", evidence not just allegation, and a full and careful review are all parts of our system of law.

One or two 'bad dogs' are not supposed to have the power to ruin the freedom and enjoyment of hundreds of others [ditto humans].

Additionally, no matter how many laws are written, and how much money is spent – bad things will happen. A free people have to take individual responsibility for their own lives. Are we going to leash all the coyotes on the island? Or should self-reliant people do what they can to protect their dogs from this threat – and others?

We have to find a balance between freedom and order, that most people can generally agree on.

Again, there are many sad stories one can hear, but reason has to triumph over emotion, and we need to work to retain the freedom and respect for every individual – and their dogs.

Regards,

Brian

Brian Gardner
7 Port Avenue
Jamestown, Rhode Island 02835
bd_gardner@cox.net
c/401.314.5120 w/401.832.8688

3. JOAN HALL

Dear Randy,

Thank you for taking on the laws concerning dogs. I think some clarification for everyone is a good idea as long as those of us who are full time residents and enjoy the quiet of the Island in the winter are heard. I fell in love with this place because of its dog friendly atmosphere. As a dog lover and someone who cares deeply about maintaining the dog friendly island I have grown to love I wanted to write a letter in support of those of us with dogs. It would be a shame to limit the off-leash time we enjoy with our dogs at Ft Getty after the campers leave.

As someone who is out twice a day almost every day, I can say that Ft Getty, is used almost exclusively by those of us with dogs. During the off season we are there in the rain, sleet, snow and during gales. (our dogs don't care-they need the exercise). We are also the full-time residents who clean up other dog poops left by a few dog owners who do not respect the area. We know who most of them are and it irritates us because it gives those of us who are responsible a bad name, so we clean up after them. We don't want our dogs rolling in dog poop!! I am ready to start turning in the people who refuse the offer of a bag to pick up their dog poop.

I also am a responsible dog owner with a large dog who spent the time and money to train my dog with an e-collar since that was my interpretation of being under voice command- just in case he doesn't want to listen- which is very rare. And would not be opposed to that being the requirement, an electronic leash. I do not allow my dog to run up to strangers unless they indicate they love dogs. Ft Getty has been a joy to meet up with other dog owners and chat and walk while our dogs play- so why should that end? It would be wrong, and unfair to us. I have made many new friends because of the atmosphere of meeting at Getty in the off season and value the friendships I have made. It was how I met the most people after moving to the island, that and sailing.

Most of the time dog owners are there before 11 and after 3pm in the off season- so make those the hours. We can live with specific times. Let us have beach times so they can romp in the water- everyone does it- so why limit us if the major complaints are in town. I don't think anyone should have a problem with dogs being leashed when walking on the streets. All of these are reasonable rules.

Saying that dogs have to be on a leash at all times is not- dogs need to have some fun too!!

Those of us who live here full time should be able to continue to enjoy the island with our dogs off leash if they are under control. My dog is trained, and yes there are a few who I consider unruly-but that is only a few, and those dog owners should be approached. Coastal Canine run by Wally Waddingly has been recommended by us to other dog owners who have in turn trained with him.

So in conclusion, a few people should not be allowed to ruin it for the those of us who love dogs and are responsible owners.

Thank you in advance. Unfortunately I will be unable to attend the meeting on April 5th via zoom.

Warm regards

Joan Hall

34 West Bay View Dr Jamestown RI

Havsflickan Studio LLC
Jamestown, RI
joanhallstudio.com
314-591-0941
skype: jhallsailor

4. MARISA QUINN

Dear Chief Mello and Council Member White,

I'm writing to express interest in serving on any kind of committee that gets formed regarding rules and regulations for dogs and their owners - if indeed that happens - or to simply express my thoughts if a working group is not convened.

When my family moved to Jamestown in 1968, dogs ran free - or at least if there was a leash law, it was neither followed nor enforced. It was an issue then, and it may have even been when the dawn to dusk law was enacted. (I'm no Sue Madden-so my sense of history may be flawed, for sure!)

I personally loved seeing Hey-You, the Gillis's dog (aka Killer), or Billy Marsh's dogs, Peppy and Wolf out and about - and our dog, Chuck, was right there with them. I appreciate that this is untenable, and definitely not a world we can go back to.

That said, I think the sentiments that came through in the Jamestown Press article this week make sense: a balanced, practical approach that recognizes that we are a somewhat rural community with a fair amount of open space and a lot of dogs, as well as busy streets, small children, many who are dog averse etc.

I think a guiding principle in this endeavor at the very outset should be to coalesce and not divide the community given the potential polarization this could engender. Let's find solutions that make sense for most if not all.

My unsolicited takeaways/ideas:

Command and control: The basics of owners needing to have command and control of their dogs makes sense. Dogs on leashes in town for sure. Any penalties for runaways should be commensurate and not greater than other relatively minor infractions. (of course-circumstances may vary depending on the case, infraction frequency etc.)

Share space reasonably and seasonably: Ft Getty, Mackerel Cove, the Battery etc. are very different in January v. July. Can we consider periods when supervised dogs can be free in some of these spaces in the off-season? (Dogs need to swim!!) It could be designated times of day when it's clear for the dog-averse to avoid those areas, knowing that there will be plenty of other times that are open. I know this still has enforcement challenges, but at least there is clarity and

opportunity, and we're not creating a completely restrictive environment that provokes rule-bending.

Dog park!: Many communities have designated dog parks. Let's do it! Charge a monthly fee. It could even be a card swipe situation so it's clear who's in, when, and only dogs registered with the town are eligible. (No cats allowed!) The fees could cover the technology, any poop bag stations and maintenance.

Appropriate staffing: The biggest issue - according to the Press report -- is loose dogs. I find them, often bring them home, track down the owners if possible, and as a last resort, call the police. I agree that this is not an appropriate role for professional law enforcement who have more important things to do (and for many residents, it may be more daunting to see an armed officer than a golden retriever). So-bring back the civilian animal control officer!!! They know the dogs, know the community, and can respond to the other calls I've made to the Police Dept recently beyond the missing dog: dead dolphin at Mackerel, dead seal at Mackerel, coyote sighting, fisher cat sighting etc.etc.

I'm not sure what to do about the people who don't pick up dog waste. That's the worst, and worth investigating if other communities have found good solutions.

Thank you for indulging me, and I stand ready to serve!! No bones about it!

Marisa Quinn
160 Narragansett Ave
401-423-1341

Marisa A. Quinn
Personal email account

5. CHRISTINA MC INTYRE

Randy,

Both Jerry and I agree the dog ordinance should be updated. We are very fortunate our dog is obedient and gentle, although large. When we walk him, we carry a leash. When we see other dogs approaching, we will put him on a leash if the other dog is on one, otherwise we let him go. Also talking to the other owner to be sure it is okay with them. We all need to respect each other. Yes, there are folks who are afraid of dogs and we all should be aware of that. We do think of 13 complaints, we should all try harder to keep them under control. But not such a large problem that we need a leash law in the parks. I do agree there are dog owners that do not pick up after their pets. That needs to stop.

We do try to exercise him early before most folks arrive in the park in the morning, and there are a group of us that do that. Not sure if Covid restrictions have kept more dog owners at home, even more people owning dogs, to exacerbate the situation even more. We do appreciate you taking this on.

If we can be of any assistance, please let us know.
Many thanks,
Tina

Christina W. McIntyre
57 Newport Street
Jamestown

6. LOUISE POTTER

Dear Councilman White,

I walk my dog at least once a day for an hour. We go to Fort Getty, (fall-spring), Fort Wetherill, bike trail, soccer field, Battery, downtown beach, and Park Dock. This all depends of course on the season. I live in town and when I walk with Darcy in town she is always on the leash. When we walk at the parks etc. she usually is off leash. This depends, of course, on the number of people at public area.

The dog walking/running has been a life saver during COVID. It has been the best way, and for a long time the only way, to see people. We are outside, masked and socially distance and the pace of the dog and dogwalker are not a factor. Old and young folks can walk together as various dogs run around. My dog comes and sits at Fort Getty when there are cars driving by and as a regular group, we pick up our dog poop and sometimes others. Even without a COVID pandemic these walks are important.

Please consider these points when determining the dog leashing rules.

Thank you for being a council member and addressing this concern.

Regards,

Louise Potter

9 Plymouth Road

Jamestown

Sent from [Mail](#) for Windows 10

7. **PAT KING**

Dear Randy.

I'm writing to express my views on the upcoming legislation relative to "Leash Laws" in Jamestown.

I became a dog owner in 2018 to a little Shih Tzu puppy (Cody). His bark is horrible but he's the sweetest, little guy and has been an unbelievable source of love and support in very difficult times.

Cody is fearless. He loves to run and play with his friends (the big guys) at various parks on the Island (usually Ft. Getty; except in the summer months when the summer visitors are parked), Ft. Wetherill, the Battery and Eldred Park. All the dogs are well trained and under control with wireless remotes in case they start to stray. Owners are conscientious, picking up their dog's litter, and often, that of others

It is such a joy for owners and animals alike; an opportunity not only socialize, but also to get exercise, enjoy the sun, rain and nature. It would be heart breaking and a travesty to implement a ban. Jamestown is a small, remarkable place to live.

I do understand implementing lease laws in town where it is more populated.

Regards.

Pat

Pat King

73 Conanicus Ave. #1

Jamestown, RI 02835

7d. 401.239-7772

Email: pdksaint@coxnet

8. **BARBARA CARTON**

Hi. I'm a longtime dog owner who often frequents Ft Wetherill at 7 am along with other dog owners. We always pick up dog poop -- even if we see old poop that nobody else has picked up. The park kindly provides a trash bucket near the toilets where we can put our bags. I also take my dog in winter only to Ft. Getty, the Battery and Mackerel Cove. In my experience, most dog owners have non-threatening dog breeds like Labradors, poodle mixes

or Golden Retrievers and are very good about picking up poop. I never encounter a Rottweiler or another "scary to some people" breed off-leash. I'd like to enter a plea on behalf of dog owners to leave parks and beaches open to off-leash walking, especially in winter. Of course, nobody would take an unleashed dog to Ft Getty in the summer. Also, I've never met anybody who is scared of a dog and if I did -- if anybody called out "Hey, I'm scared of your dog" -- I'd snap the leash on my Labrador ASAP. Of course I would! If I had a wish, it would be that there be a bucket to put poop bags in at Ft Getty, etc. When I'm at those places, I take the bag home, trapping it under my windshield wiper until I can deposit it in the garbage. Thank you for your consideration. PS, I remember when we had no leash law at all and I don't recall it being much of a problem, except for the dog officer who routinely collected "strays" and took them to the pound for reclaiming. Barbara Carton, Jamestown

9. **RICHARD KINGSLEY**

Randy,

We, as responsible dog owners, wish to express our concern about the town council passing any ordinances restricting dogs without listening to the dog owners first.

Sincerely,

Richard Kingsley
Holly Turton
85 Clinton Ave
Jamestown

10. **MARCIA LINDSAY**

Dear Councilor White:

I want to express my strong support for continued off season use of Ft Getty for unleashed, licensed dogs (and their minders) which I have enjoyed for over 22 years and three dogs!

When I used to monitor the shoreline for a national avian survey called Seanet, I would also enjoy the beach fronts there.

The dozen or so regular dog walkers I interact with at Getty all share a sense of responsible stewardship of this property. We clean up our pets' waste, as well as others thoughtlessly left, and remove litter and the ever present fish carcasses! Our dogs are always monitored.

We want to continue access to this mixed use space for folks from all over the island to socialize, exercise and engage with each other and their pets. We urge the council to consider our responsible recreation there.

Ft Getty's open upper fields are particularly desirable for monitoring dogs off leash with open sight lines, limited pass through traffic, paved areas for safe walking and MOST often shared mixed use of its open space to all of us at many hours of the day.

Many of us have remarked on the heavier use this unusual year past has brought to many outdoor public spaces, not just the ones mentioned in the Press. We do understand that some clarifications to the current canine regulations are merited now.

Thank you for consideration from one of the many who appreciate and use the public spaces that are open to all as you address the real concerns of those who feel a need for clearer restrictions for our canine friends.

Sincerely,

Marcia Lindsay
18 constellation Ct.
401-787-2730

Sent from my iPad

11. GLORIA DAHL AND PAUL SULLIVAN

Dear Randy,

This letter is in support of having some balance in any 'leash/control' dog law that might be revised.

I am one of 'those' people who loves to have our dog, Stella, run free at Ft Getty. We had a local Jamestown dog trainer train us with the educator e-collar. She is never out of our commands or control. I can give you numerous names of dog owners and non dog owners who can further comment on how well behaved Stella is whether on her own or with a group of pups. Also, I can attest to the fact that most dog owners are very aware of their pets. My first thought is why do a few bad apples in the pet world have to dictate what, when, where and how. In the 13 years with our first pup and the following 3 years with our Stella, I have only seen two 'incident's with other pups. Not with humans. Please take the time to talk to all of us in person before making any changes. We have a lovely island with plenty of space in the non summer months to allow these well-loved pups to roam and be happy.

Please call me or my husband, Paul Sullivan, if you wish to ask us any questions as we both take Stella for her romps.

Thank you,

Gloria Dahl and Paul Sullivan
Jamestown RI

Sent from my iPad

12. **ISABEL COYLE**

Dear Randy

I walk Piper every afternoon at FT GETTY around 3-5 Guarenteed there are some rambunctious puppies but on the whole

most of the dogs follow their owners or romp on the grass not the road that time of the afternoon is when the dogs are there

The resty of the day it's pretty empty and we are not there for the summer at all So maybe people who arte scared of dogs

could refrain from that time period and come the many other hours of the day

sincerely Isabel Coyle

13. **LAURA CARLSON**

Hi Randy,

I'd like to help craft some updated "dog laws" for our town. I've been in the Animal Health and Welfare field for over 30 years and have extensive experience in writing good legislation that makes sense and is enforceable should the need arise. You can (and should) Google me. There
Hi Randy,

I'd like to help craft some updated "dog laws" for our town. I've been in the Animal Health and Welfare field for over 30 years and have extensive experience in writing good legislation that makes sense and is enforceable should the need arise. You can (and should) Google me. There are a lot of studies out there that make a good case for keeping all dogs on leashes all the time...

and the same number that make a good case for designating times and/or places that dogs can be off-leash.

I've got to believe that we can find a fair compromise and write new ordinances that will work for Jamestown.

Please let me know if you'd welcome some free consultation.

--

Laura Carlson
Founding Director, Tails To Teach
a RI 501c3 non-profit
401.487.5100
laura.tailstoteach@gmail.com
www.tailstoteach.org

14. **FRAN FALSEY**

Hello Randy,

We've not met, but Leslie Harkins shared your contact information with me and hope you don't mind.

I wanted to thank you for your perspective you shared at the last council meeting re: proposed changes (or not) to the current dog ordinance. I wasn't able to make tonight's meeting and am hoping it's either been resolved as you described or is still an open item.

I understand the need to have your dog under your control, support the leash laws as they are now so there is some flexibility (support the need to keep ones pup on a leash while in town but off leash and under one's control in recreational areas).

If still under discussion and if there's anything I can do to support your efforts, please let me know.

Thank you.

Sincerely,

Fran Falsey
401-965-5385

15. THOMAS HARRIS

Dear Mr. White,

First of all, I would like to congratulate you on your recent re-election to the Town Council.

I am writing to you today on the subject of laws and regulations concerning dogs on the island. I am a dog owner myself, having adopted a rescue Goldendoodle just over a year ago. Prior to my current dog, I had a Labradoodle on the island for twelve years. I have utilized town resources such as the Battery, and Fort Getty, and Godena Farm as well as state parks such as Beavertail and Fort Wetherill.

I am not in favor in expanding any restrictions on the current leash laws. The current leash laws are pragmatic and reasonable. The current 7am to 4pm restrictions were originally put in place to ensure that schoolchildren were not bothered by animals on their way to and from school. It is nice to be able to let a well trained dog out in your yard in the early evening without worrying about breaking a law or incurring the expense of fencing in your entire yard.

As to the topic of complaints about loose animals, some people enjoy complaining and will complain at the drop of a hat. Some will project their fears on a loose animal where no real danger exists. Let us not overreact to these squeaky wheels. If there is a specific problem with a pet owner letting a hostile animal loose, let us deal with that on a case by case basis, not restrict the rights of everyone on the island.

Additionally, I would like to advocate for designating Fort Getty as a Dog Park in the off-season. Large athletic dogs need to run to maintain their health and cannot properly be exercised while on leash. Fort Getty provides this opportunity and is a wonderful place for social interaction for many islanders and their dogs. It is a great part of our island culture. I currently wait until after 4pm to exercise my dog their off leash, but it would be nice to do this at other hours of the day as well.

Lastly, I think that we should organize efforts to keep our parks free of dog waste. The installation of doggie bag dispensers and trash receptacles at Fort Getty has shown to dramatically reduce the amount of dog waste in the park. However, there are visitors that don't clean up after their pets. Currently, I have taken it upon myself to clean up this waste at Godena Farm. Every other week I go through the Farm with a large bucket and pooper scooper and remove any waste that I find. I also periodically clean up the beach at Park Dock. Perhaps we could create a committee that does a similar clean up at Fort Getty, the Battery, and Fort Wetherill? In the past, there was a group of volunteers that did just such a cleanup at Fort Getty, just prior to the arrival of RV campers. Formalizing this as a committee or volunteer group would ensure that the cleanup occurs on a regular schedule and our parks are visually appealing.

Thank you for considering this.

Thomas L. Harris
876 East Shore Road
Jamestown, RI 02835

harris.t@me.com
Mobile: 401-741-6221

16. **SARAH BAINES**

Sarah Baines
59 Intrepid Lane
Jamestown RI 02835

To Jamestown Town Council
2. Narragansett Avenue
Jamestown RI 023835

March 31st 2021

Re Support of Dog Walking at Ft Getty

Madam Chairwoman and Jamestown Town Council Members

I have been enjoying walking my dog for the last two 2 years at Ft. Getty. My understanding is that we can let our dogs run off leash after 4pm and what a joy it is. The dogs love it and are far better exercised and they also enjoy meeting their doggie friends. Young dogs thrive on this play and socialization. Owners enjoy meeting their dog loving friends and walking together in a companionable manner. For many of us during the last dreary Covid Restricted year, this has been the highlight of our day.

Cleanliness in the park could easily be improved with increased and serious signage, and I am hoping that common sense leash laws can be reviewed so that this situation can be settled to ensure both the safety and enjoyment of Jamestown Citizens.

Kind regards

Sarah Baines

17. **DON CARLSON**

Hi Randy: I'm one of the many dog lovers on our Island contacting you about the proposed changes to leash laws. I know you've received a lot of correspondence already and believe you've been in touch with my sister Laura Carlson — an animal health expert who is planning to open a grooming shop at the old Baker's pharmacy later this spring.

I agree with many of the other dog lovers I've met that it would be a very good idea to assemble a small task force charged with drafting a revised ordinance in coordination with Chief Mello — one that balances all the interests at stake and is reasonably enforceable. I'm an experienced lawyer myself and would be more than happy to help with the drafting of the ordinance under your leadership.

For my part I see this topic as a cultural touchstone for Jamestown. Our laid back, quirky ethos is in part defined by the ordinances we choose to regulate ourselves. Jamestown has flourished by

choosing a different path than our neighbors in Newport and Warwick. The dog ordinances are an anchor of that “marching to a different drummer” mindset that makes Jamestown such an interesting and vital place to live.

I also think dogs should be allowed to run free in dedicated off-leash zones, with clearly-defined, enforceable boundaries. One such zone should be . . . Conanicut Island.

If you decide to take up my offer of help with the drafting task, I will keep those opinions to myself of course.

I'd like to submit a letter later today along those lines. Should I send it to you or the Council directly?

Do you know the timing and plan for the April 5 Council meeting on this topic? I'd be interested in speaking on this issue at Council if that is permissible and appropriate.

Please confirm receipt of this note if you would be so kind. Not sure I got your email just right.

Thanks in advance — and thanks for taking the lead on this culture-defining issue. Keep Jamestown weird!

Warm regards,
Don Carlson

18. BETHANY MOONEY

Mr. White,

I want to thank you for giving a voice to the dog-lovers and dog walkers in our beloved Jamestown.

My family first landed in Jamestown on military orders to the Naval War College in Newport in 2011. We quickly fell in love with this special community and knew it would be our forever home. Having been in many choice duty stations, Jamestown stood out for the small and caring school system, the small town community, and the many, wide-open, public spaces where a dog could just be a dog.

Since 2011, we have enjoyed Jamestown's public spaces with our dogs - Ft. Getty, Ft. Wetherill, South Pond, North Pond, Battery Park, etc. These spaces have been important for our canine family members (and ourselves) to run off-leash, socialize, experience pack behavior and social learning. When dogs can be dogs, they get authentic physical and mental stimulation, unlike leashed walks or runs.

We've been blessed to have found this special town and a special group of like-minded dog lovers that believe in the value of responsible, free-range fun for their beloved pets. Our community of dog-owners takes pride in their town and in the unofficially off-leash areas. Many of us pick up after other dogs, and would immediately leash our pets if there were any question

or concern for the safety of another dog or person. We are largely responsible, compassionate, and community-minded. We also are interested in the safety of all animals and people, but we don't want our interests to be marginalized due to a few irresponsible dog owners and a few disgruntled non-owners.

Finally, as you know, Jamestown has a sizable rotating population of military families. These families have become an important part of our economy and vibrant community. What brings these young families to Jamestown instead of Newport or the surrounding area is the same thing that brought my family here - that small-town, arms wide-open welcome home feeling you (and your dog) get when you arrive.

Respectfully,
Bethany Mooney
Mathematics Teacher
Jamestown Lawn School

19. DAVID CLANCY

Dear Randy -

It has come to my attention that there will be a vote by the council about leash laws in Jamestown on Monday evening.

I needed to write to you to say I OPPOSE the strict manner Chief Mello has bundled all the dog complaints together to present to you.

There are a good number of dog owners I know and a lot I have met over the past year (probably more so with more residents staying on Jamestown the whole year) that feel there is a sensible way to look at this situation we have. Most of us believe that walking our dogs ON leash in public in town is the right thing to do, and OFF leash in the off season on the beach or at Ft Getty is reasonable. Most dog owners live with and know their animals well, I myself know when to leash my dog and know when its safe to let her run free certain times fully understanding that that's what animals need to grow and socialize. I believe if problems do arise, the police can handle these situations on an individual basis.

I urge you to put some thought into this matter, for your friends and neighbors that own and play with their animals before others throw a blanket over the problem and Jamestown creeps slowly toward a gated community rather than the open space and working farm town that I came to love when I moved here 25 years ago.

Thank You for your time

David Clancy

Clancy Designs Glass Studio

382 North Road

Jamestown RI 02835

401-423-1697

clancydesigns@verizon.net

www.clancydesigns.com

20. RICHARD AND MARA BOREN

My wife Mara and I have been residents of Jamestown for 23 years. During 22 of those years I have had the privilege of serving on the Zoning Board. Every day from mid-October to mid-May, Mara and I take our dog, Maddie, to Ft. Getty. This is the only opportunity Maddie has to interact with other dogs without a leash (I have never seen a dog owner walking his/her dog without a leash in hand). I understand that this issue of dogs on/off leashes has become a “cause celebre” in Jamestown. I would suggest a single issue committee be appointed by the Town Council to propose a recommendation to the council. Residents on both sides of the leash law should be asked to serve on the committee. Richard and Mara Boren
Get [Outlook for iOS](#)

21. PETE AND MARIA FLOOD

Dear Randy White,

Thanks for taking into consideration there are two sides to the proposed leash laws. We have lived in Jamestown for 13 years and have always had at least one dog. Generally we walk our dogs on leash when needed and let them go off leash when they can't be a nuisance to anyone or get themselves into trouble. Part of having a healthy and well behaved dog is allowing them to socialize with other dogs. There is a large group of like minded dog owners and professional dog care takers that like to socialize there dogs daily. This is usually done at Ft Getty.

I would ask you to consider making some location on the island a place where dogs could be off leash and socialize. Many of us not only clean up after our own dogs but clean up after other people's dogs. This should be expected everywhere on the island.

Thanks for the consideration,

Pete and Maria Flood

22. KARIN ISHERWOOD COULTER

From: Karin Isherwood Coulter <coulterkarin@gmail.com>
Sent: Monday, April 5, 2021 8:31 AM
To: Detective Derek Carlino <dcarlino@jamestownri.net>
Subject: leash law

Hi Detective Carlino,

I just wanted to voice my opinion on the dog leash controversy and I am hoping you can forward my email to the appropriate person.

I have a dog that has high anxiety and is on medication for this. I always have her leashed and I am very limited on where I can walk her because of other dogs. I have had multiple instances where I am walking her and other dogs come up to my dog and we are the bad ones because my dog becomes aggressive. She is a rescue so we have just come to grips that she needs to be alone away from other dogs.

Today, I was walking with my cat (off leash) and a dog owner had his dog unleashed and he could not control his dog. He told me that my cat should be leashed and I said there is no leash law for cats but there is one for dogs. He didn't have control of his dog even though he thinks he did. Thankfully, my cat went back to my yard but this is just another example of a dog owner thinking they have control of their animal when in reality they do not.

I am in favor of a leash law and if people want to go off leash at a specific place (Ft Getty) then I know I shouldn't go there with my dog but I should be able to walk the new bike path or to Head's Beach and not have dogs come up to us.

I know this isn't your department but the website doesn't have a place to just email or if it does then I didn't see it.

Thank you for your time.

Best,

Karin

23. WENDY SHAPIRO

In reference to the 24/7 leashing law, I would like to state that as a professional dog trainer and handler who has shown dogs in the American Kennel Club sanctioned trials, both regionally and nationally, "under the control of the owner" is a useless phrase. That is because most people are not educated enough about how to properly train a dog, which takes a great deal of patience, effort and time. Training is about positive rewards and verbal praise. You never correct a behavior by any form of negative treatment because that will instill fear and aggression in a dog. That is a natural instinct and behavior on the part of a canine. Behavior modification by positive reinforcement is the only approach to having a well behaved, obedient dog. On day one of 'basic puppy manners' any professional trainer will tell you that the owner is the alpha animal, not the dog and that has to be communicated in very black and white terms to the dog. So if a dog is 'off leash' doesn't mean that it is 'under the control' of the owner. These dogs are not trained to respond on verbal command or hand signals to properly heel or come when called. Therefore, they are out of control and present a hazard to the public at large as well as other dogs who are properly leashed and being walked. Also, I have witnessed many times, residents attaching dogs' leashes to bikes and skateboards. That is not an acceptable way to walk or run a dog. It is not only a disservice to the dog, but it is a form of abuse. You simply do not attach dogs to vehicles, bikes, skateboards, etc. because it is a very easy thing for a dog to break loose and then all havoc ensues. Consider yourself lucky if the dog does not get hit by a vehicle. I witnessed a young girl riding up and down Watson Avenue dragging her dog along while riding on a skateboard. The dog broke free of the rope it was attached to and then not only was running around wild in the street, but ended up in an adjacent yard attacking another dog and then crossed the street and attacked yet another leashed dog with its owner. This is simply unacceptable and dangerous. This brings me to another point. I have repeatedly witnessed dogs being driven in cars, not properly restrained. On day one of dog training classes a professional trainer will tell you NEVER leave your dog unrestrained in a moving vehicle. The dog must be secured in a metal dog crate or other restraining device, such as a shoulder harness. There are three reasons for this. One is that allowing a dog to hang his/her head out of a vehicle window puts it at risk of being struck by all sorts of projectiles from the roadway, or overhanging trees for example, which will result in serious

lacerations or eye injuries. That is just pure ignorance and stupidity. Secondly, a dog unrestrained in a vehicle can interfere with the driver, by getting underfoot where the brakes and accelerator are, or by jumping on the wheel or driver and that will lead to a serious accident. And thirdly, a dog in a moving vehicle with its head and body leaning out the window can easily jump out. I encountered one such person on a walk with my dog, who described how his dog, loose in the car, was hanging out of the window, saw a flock of geese and jumped out of a moving vehicle. The owner actually ran over and killed his own dog with his truck. That is just pure idiocy and irresponsibility. Which brings me back to the kernel of the matter: there needs to be an ACO in the town of Jamestown, enforcing the established dog ordinances. Otherwise, this town will get nowhere in terms of public safety and humane treatment of dogs. If the SPCA were to 'get wind' of what transpires on this island in terms of the treatment of dogs, they would be appalled and forced to take action. Respectfully Submitted, Wendy Shapiro 45 Pemberton Avenue Apt. 16C Jamestown, RI 02835-1427

I am writing a rebuttal of Chief Mello's report. "Thirteen complaints, however, were related to people who were "unable to control their dogs." Mello said these dogs were either over friendly or over aggressive. According to White, just because a dog is considered harmless by its owner, it should not be allowed to approach other pets and humans." However, this is not an accurate representation of the actual facts. For example, in the past year I and my dog, a licensed service animal, have been attacked a total of seven times by loose dogs. I did not report the first six incidents for fear of repercussions. In addition, I did not report these incidents because I have found the police to be completely unhelpful in addressing these issues. Please see the below paragraphs. However, the incident which occurred on October 18, 2020, was so dangerous that I did actually report it to the police. I have that police record on file. One interesting point is that in this particularly dangerous attack (by three loose large dogs), I learned subsequently that the owner of these dogs has connections with the Jamestown Police Department, so that he was not fined or issued a warning. The police reports state that the owner attested to the fact that all three dogs were wearing e-collars, which they definitely were NOT, because they were all over me and my dog in prey mode and they had NO

collars of any sort. And, even if they were wearing e-collars (which I explained in one of many letters to the Town Council), those are an ineffective means of restraining a dog. In dog training (which I have over 20 years of experience) a professional trainer will show you exactly what type of collar and leash you need to walk your dog and how to handle the leash properly so that the dog is always under the control of the owner. Since I live in a senior citizens housing complex which also accommodates people with disabilities, I have witnessed senior citizens being knocked to the ground by loose dogs and when I have tried to assist them and asked if they would like me to call the police they have refused to report it. I cannot imagine the reason for this. Perhaps, they don't think it is important enough, or they are too fearful and afraid of repercussions. Another reason might be that there is no ACO in Jamestown (unlike Middletown and Newport) so unfortunately, there are people who feel they can flagrantly violate the leashing laws because they know they will not be fined or held accountable. I can only surmise. No dog, however 'friendly' it may be, can suddenly switch into an aggressive mode. Dogs pick up on scents and body language very quickly. In training, handlers have to spend months training without the dog, simply working on body language. The position of your head, your shoulders, what you do with your feet, your hands and even your eyes are subtle cues to the dog. In an AKC sanctioned trial, 99% of the time, a Judge will deduct points or will disqualify you because you as the handler have miscued the dog. I have been approached so many times by ignorant dog owners, who tell me that their dog is 'very friendly' and then tell me they would like their dog to 'meet my dog'. My professional dog instructor told me to respond, "Thank you very much, but my dog has all the friends she needs." And then cross over the street and continue walking my dog. As a result of all these attacks on myself and my dog, my service dog, Kira, who used to be very approachable and easygoing has become fear aggressive. That is a natural instinct on behalf of any dog who has experienced trauma. If she sees any dog approaching who appears to be out of control by someone improperly handling a dog, by allowing the dog to pull and tug at the leash, she immediately growls because she is afraid. She is picking up not only on the body language of the approaching dog, but the scent as well. Therefore, I have to keep a close eye on her body language such as slightly flattened ears or a lifted lip which means she is going to attack another dog. I have seen many residents walking their dogs on retractable leashes. Any professional trainer will tell you that walking a dog on a retractable leash is NOT an acceptable way to walk a dog. Without proper knowledge of how to use a retractable leash (which is used for training purposes only inside a gated ring, inside an enclosed building when the dog is learning to work away from you) that dog can be 15 or 20 feet away from an owner in a split second.

and therefore, that owner has absolutely no control of the dog whatsoever. As my professional trainer would say, "Dogs are not stupid, people are." In an incident which occurred on March 22, 2021, I was walking back from the Post Office and Kira picked up a scent (she was trained as a scent dog under the NASW (National Association of Scent Work)). She led me behind a privet hedge where we discovered a flock of hens and roosters. They were darting out into Narragansett Avenue and three of them nearly got run over by cars coming fast down the road. But she knows her job. (She is a Pembroke Welsh Corgi, and corgis were specifically bred in Wales to herd sheep, duck and geese). She got those chickens in order and when it was safe, guided them across the road, and then directed them that they could seek shelter underneath a parked trailer. I found out that they belong to someone at Atlantic Lawn and Garden and told them my dog had saved their chickens' lives. I told them they need to keep those chickens and rooster in a safe enclosed coop. They didn't bother to thank me. I had already contacted the police, but they could care less about a flock of chickens running around. That is why it is so essential to have an ACO in this town. Last week, I saw the same flock of chickens running loose again in the Jamestown Postal Department parking lot. I am not going to waste my time and my dog's time, rounding up those chickens again because of an irresponsible owner. As I told this owner in my first conversation, if you do not protect your chickens, they are going to end up as dead meat. I attended that very contentious meeting at the Lawn Avenue School in which the Town Council decided to institute various budget cuts. One was to eliminate the position of an ACO. The moderator asked for a show of hands. That is not an accurate assessment of how many people were voting for and against the decision to eliminate the position of an ACO. According to the Town Council's fiscal report which I reviewed very thoroughly as well as the report of that town meeting, there was a paper ballot vote. I had asked for a paper ballot but was not given one. The results in favor and against were very close. However, those results were skewed. I can state that for a fact. So, in conclusion, I would like to state that although Chief Mello reported there were only thirteen incidents of dogs approaching/attacking residents and their pets, there are far more incidences of loose dogs attacking residents, of all ages and most of these go unreported. Respectfully Submitted, Wendy Shapiro 45 Pemberton Avenue Apt. 16C Jamestown, RI 02835-1427

24. PATRICIA ORSI

Hello Randy,

Patricia Orsi here of Jamestown, owner of 2, 2-year old Vizsla's, Stella & Chayce (brother/sister, Chayce is Jamestown's 2021 Dog of the Year!).

I treat my dogs like children and have spent time and money to professionally train them. They are quick learners and were trained at 4 months old using today's technology, the remote electronic collar system (e collar, mini educator). They wear them everywhere we go and truthfully, I barely need to utilize the remote for the collar, as they listen to my command. They also play very well with other dogs and they don't bother other people. As field dogs, they need lots of exercise running freely (I can't walk, let alone run as fast as they can....lol)

At the same time, I understand for some people, an electronic collar doesn't mean the dog is under control of the owner. Or, of course, neither does a leash, a head halter, a prong collar or a bag full of treats. These are all just tools created to assist a dog owner in gaining control through training. The REAL question is...how would we know if the person took time to learn how to use these things successfully?

I envision the laws should allow for dog's to be off leash in public (at the parks/beach when appropriate) if owners prove themselves capable of maintaining control despite distractions. A simple test administered by an official and the dog/owner team earns a permit for off leash access to the town every couple years or something similar. It would be good for dog training (especially, as we know with this pandemic there are many many more dog owners), good as a revenue source for the town, good for dogs and good for helping owners learn more about how to develop that kind of relationship with their dog. A big win all around. Besides, it is already being done!

https://www.rockvillemd.gov/DocumentCenter/View/93/Off-Leash-Program?bidId=&fbclid=IwAR0zD_g7ZKBCJe56NwhKfXj56JFkaaUNBlSuQa9R_Ck mVzp7psmhGlCwkkY

It isn't about the tool. I urge you to remember it about understanding dogs, people and training.

I firmly believe a remote dog training collar, the present technology, can help the average dog lover achieve off leash reliability WAY faster than they would otherwise.

I look forward to tuning in this evening!!

Best regards,

Patricia Orsi

--

Patricia Orsi
RI & MA Licensed Realtor
401 487 1789 mobile
PatriciaOrsi.Raveis.com

25. LAURA CARLSON

Laura Carlson
Founding Director, Tails To Teach
a RI 501c3 non-profit
401.487.5100
laura.tailstoteach@gmail.com
www.tailstoteach.org



----- Forwarded message -----

From: **Laura Carlson** <laura.tailstoteach@gmail.com>
Date: Tue, Mar 30, 2021 at 2:50 PM
Subject: Re: Dog laws in Jamestown
To: Erik Brine <ebrine@gmail.com>

Great. I am a middle of the road, live and let live person. One of the best things about Jamestown is that it is very dog-friendly. Reminded me of Ireland when I went into the Narragansett and an old black lab was dozing under a table.

I think Randy makes a good point about education - and that's my superpower. I have been putting together an action list since the incident at McQuades when Ann Garnett's dogs died. I think there is a lot we can do as a community to make Jamestown a safe and happy place for dogs and humans alike. I'd like to see a three-pronged approach:

1. tidy up and make realistic ordinances for well-behaved dogs and also nuisance dogs (and owners)
2. designate seasons, times and places dogs can be off-leash
3. have local businesses and dog-loving residents sponsor: a) attractive and functional dog waste stations with bags b) equip all patrol cars with infrared non-contact digital thermometers c) comfort stations around town to provide safe resting spots and water for dogs outside local businesses.

I have a wonderful, highly accredited Cambridge-based architect who would love to help design some dog comfort stations.

Unfortunately, Maggie, my lead working dog hasn't been doing well and the vet is coming over soon to put her down. So my brain isn't exactly firing on all cylinders today.

So, these are my initial thoughts and I'll dive deeper into ordinance purpose and language later in the week. Is there a subcommittee set up yet to discuss and propose changes to existing ordinances?

FYI: I sent the same note to Randy White that I sent to you, but don't know who else is interested besides Chief Mello.

Laura

Laura Carlson
Founding Director, Tails To Teach
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401.487.5100
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Hi Erik, Randy and Chief Mello,

In my travels around the island over the last few weeks, I heard from lots of residents about their thoughts on updated dog ordinances. It is certainly a hot button topic!

I am concerned that tonight, with emotions running so high on the topic, the discussion might quickly go right off the rails.

After 30+ years working in this field, I've learned a few things. I know that a tired, well-socialized dog is a good dog. And that dogs on leashes, especially those on horrible retractable ones, can get into trouble too.

I'd like to suggest that a small committee be formed to work on new ordinances so we don't lose this opportunity to craft fair and comprehensive "dog laws" for our community. Within a few meetings, a committee can hammer out some common sense ordinances for the town council to review.

And of course, I'll happily volunteer to be on that committee.

Regards,

Laura

Laura Carlson
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www.tailstoteach.org

26. VICTORIA GAMMINO

Dear Mr White,

I am writing with respect to the current discussion of modifications to Jamestown's leash laws. As a dog-owner, I recognize and empathize with those residents who express frustration with badly behaved dogs that are allowed to roam unleashed. While I concur that leash restraint is warranted in high traffic areas such as in the village, restrictions within large open spaces such as Fts Wetherill & Getty and would be detrimental to our dogs and ultimately counterproductive for those who believe this solves the problem.

Unruly dogs can be a nuisance, however it is my observation that they are in the minority. It is an owner's responsibility to assure his/her dogs are well-behaved in any setting, and this relies, in large part, on early socialization. Trainers and behavioral experts are unanimous in this regard. While dog parks appear to solve the problem, they create others, such as exposure to infectious diseases, creation of hostile pack dynamics within a confined area, and inadequate exercise for high activity dogs that require time and space to run at length. (I don't think anyone in Jamestown wants to be living next to a dog that barks constantly for lack of proper exercise

and socialization.) Dog parks also equates to less exercise for pet owners, who --particularly in the Zoom era-- need exercise to maintain physical and mental health more than ever.

Greater restrictions on leash laws in open spaces need not be determined by a vocal minority, but rather a rational approach that relies on personal responsibility to assure dog behavior and civil discourse to resolve disagreements when they arise. The wonderful thing about Jamestown is its size and sense of community. Can we not resolve such modest challenges with grace and respect rather than rancor? I think so.

v/r,
Victoria Gammino
4 Fort Wetherill Rd

27. TISHA KALBERER AND LOUISE CELIDONIO

April 5,2021

Dear Mr. White,

We have been part time residents of Jamestown for over 20 years. A great deal of our joy in owning a home here is walking our dog off leash in the beautiful areas that the town has set aside for public use.

It has become an important part of community living here for us. It is also a marvelous opportunity for the socialization of the dogs which can not be duplicated if they are leashed.

Anyone who witnesses dogs interacting off leash immediately sees their happiness.

We hope this experience will continue to be allowed

In Jamestown.

Tisha Kalberer
Louise Celidonio
800 East Shore Road

28. LESLIE HARKINS

Dear Councilman White,

I am writing to express my desire that the town of Jamestown not enact any new ordinance/s that will restrict the quality of life for the dogs of Jamestown and their humans. Part of the charm of our amazing community is that we have been able to romp with our beloved canines at Ft. Getty, The Battery, and our beaches during the **off season** without restriction for as long as I can remember. This activity is as crucial to our dogs' well-being as it is to the two legged creatures

who spend time with them. Good mental health and physical health for all. I am out every day, morning and afternoon, romping with the most loving, well behaved dogs and am usually joined by a few other dogs and their mom or dad. To see how excited the dogs get when they spot one of their pals off in the distance is heartwarming to say the least. Some people believe dogs can't smile but I can attest to the fact that they do! They greet each other with pure joy. It's the best part of every day and I cannot imagine losing the ability to do this. When the summer season and the arrival of campers at Ft Getty begins all the dogs and their people that I know go to the Battery for romps and sometimes go to the soccer field at Eldred Avenue when it is not in use.

Councilman White, I do support year round leash laws when they apply to the village and school grounds. I also support leash laws that apply to our beaches in the summer time. And I support the need for dogs to be under control whether by commands or e-collars. Many of the dogs I know have e-collars, are well trained, and their people vigilant in watching their dogs while they are romping. And other dogs I know who do not have e-collars have been well trained by their families. I have no doubt that there are some outliers who play at Ft Getty or the Battery or other public spaces. I would like to see those situations addressed individually rather than punishing an entire population for the misbehavior of a few. As a responsible, loving dog person one should always carry a leash and be prepared to put your dog on a leash when/if circumstances require it. Dog people also should always have poop bags at the ready. The biggest problem I have seen in the last year is people not cleaning up after their dogs. It's amazing how much poop has been left behind by irresponsible people. I pick up lots of poop every day at Ft Getty as do others who feel a great sense of responsibility in keeping the park clean.

I'm not aware of the problems that have been reported during the last year as problems have not been the experience I have had. At the last town council meeting Chief Mello stated that there had been 156 calls about dogs, the majority of those calls being about dogs on the loose having escaped their yards. 13 calls were about "problem" dogs and I believe I heard the Chief say that that number covered more than a year's time span. Chief Mello did not give us a breakdown of those 13 calls. Were they 13 individual calls about 13 different dogs? Were they multiple calls from a few people calling about the same dog or dogs? What were the behaviors, circumstances that were reported? Biting, fighting, being a nuisance? I think it is important that we hear from Chief Mello regarding a complete breakdown of the numbers so we all have an accurate picture of what we are looking at and what kind of problem we are trying to solve. Without that information I feel like we may have a solution looking for a problem that may not exist or may not exist to the extent one thinks.

I am pretty sure I haven't expressed everything I had hoped to in this email but I think there is enough here for you to digest.

Jamestown is a special, special place with endearing character. I hope we can keep what's unique about our beloved island.

Thank you for your consideration.

Appreciatively,

Leslie Harkins

Leslie

29. JANE CONLON

Dear Randy,

My name is Jane Conlon..I am a lifelong resident of Jamestown..(64 yrs..my Mom. resident for 94 yrs!) I met you and you wife last summer..when you found my dogs collar at Sheffield Cove..Thank you again.. Any way..I am really concerned about the town enforcing a leash law at Ft Getty(off season Sept to May..when Campers aren't there)

I own 2 large..active golden retrievers..I take them to run at Ft Getty every day..rain..sleet ..snow.. (Off season) I spend 1 to 2 hrs there a day..

I can't tell you how much I enjoy being able to walk and also let my pups run .. everyday..Jamestown..sadly doesn't really have the open space is used to..when I was growing up.. When I go to Getty I bring a tennis ball..my chuck it..and throw the ball to my pups..sometimes they take a swim! I have met the nicest " dog people " there and their pups..we are a close group..

We are all law abiding..responsible people..who keep our dogs in control and pick up their poop ..100% of the time..we treasure Getty..and want it clean..we even pick up other dog poop we might see..and are proud we all help keep Getty clean..and a safe place for us to walk and our dogs to run..

Also..walking in the pavement we don't have to worry about ticks..or coyotes..since we are way up on elevated ground away from woods..etc..

I wear a fitbit..and walk between 25 and 28 miles per week..not only is this walk good for my dogs..but it is also wonderful for the pet owners..! I lost 10 lbs this yr so far and lowered my blood pressure!

I can't even begin to tell you how much the walking relieves my stress and gives me a sense of well being..the fresh air..the 360.view of the ocean..it is truly the best medicine ..

I live in town..I have tried walking my pups on a leash..it is not relaxing or enjoyable..they pull and pull..stop..sniff.etc..I know for a fact I don't get the same exercise as when the pups and I can walk..and they can run freely..and I can't throw a tennis ball when they are leashed..etc

Many of us who walk daily with our dogs at Getty have discussed how upset and heartbroken we would be to lose the privilege of our daily walks and our pup runs at Getty..

We are a great group of responsible animal owners and would do anything to keep this privilege..

I have to say I have read a few complaints in The Jamestown Press about the dogs..I know whose these people are ..and we have all agreed ..we have never seen them at Getty!

If anyone was there is walking and afraid of dogs..we wouldn't hesitate to bring out our leashes.

I understand some people are afraid..but like I said I go there everyday..and the only people I run into are other dog owners..

We are all very considerate people..

I really worry if they make this leash law at Getty..there is no other place on Jamestown to walk your pups..and let them run off leash..safely..

and dog parks are not the same..I hope they don't think that is the solution..

I have been to dog parks..dogs in confined spaces is not conducive to dogs getting along..they get really dirty..muddy..full of poop..and my Vet Dr Wirth told me not take my dogs to one..because there is a high chance of them contracting kennel cough.

..and many dog fights.plus...a big plus..you don't get to walk and exercise at a dog park..and the dogs don't get the same kind of exercise being confined..

Keeping Getty open ..off season to Jamestown

pet owners..and being able to walk and let our pups run free is something near and dear to my heart.. and so important to my physical and mental health..I told my Dr ..taking my pups for their runs daily at Getty and getting my walking in..everyday.. is my "drug" ..might sound funny..but dead Im serious.. There are so many of us who are concerned..I was so happy when Mary Maher send you were willing to help...

We will do anything possible to keep Getty as our favorite spot to walk and run our dogs..just let is know if there is anything else we can do..

Thanks Randy!

Sincerely

Jane Wilcox Conlon

45 Howland Ave

Jamestown R.I. 03835

401 741 0163

30. MEGHAN FROBERG

Dear Mr. White. I hope this letter fins you well. My name is Meghan Froberg...I was once a long time resident in Jamestown and now live in SK with my husband and 4 DOGS. It is deeply important to me and my Jamestown dog community That we have space to let our dogs socialize and play together (in particular ft Getty). 4 the short time we have that place. My suggestion to help regulate the situation is to place more waste baskets up near the top of Getty. And don't punish the whole dog community for one dog complaint...go to the dog owner individually....I go to Ft Getty approx 3-4 times a day. I developed friendships and so have the dogs. I have never seen an issue in the time I've been there. We all pick up our poop and take it with us.Which is why we need more receptacles.

Especially during this crazy year. Us humans and animals NEED a place for us to go...unwind....run free. It effects our mental health. Please take my opinion into great consideration and back up the dog community. Like I said...it is a mental health issue. Taking the parks away and making us leash the dog is going to have a negative effect on such a special community. Please help us!

Best regards

Meghan Froberg

401-575-7206

[Meghanpowers@hotmail.com](mailto: Meghanpowers@hotmail.com)

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Sent from Hotmail Email App for Android

31. WENDY SHAPIRO

From: Wendy Shapiro <wendyjaneshapiro@gmail.com>
Sent: Monday, April 5, 2021 10:48 PM
To: Jamie Hainsworth <jhainsworth@jamestownri.net>; Tim <tim@jamestownpress.com>
Subject: Rhode Island State Laws

Dear Sirs:

I am submitting another letter in reference to the antiquated leashing laws, and lack of an ACO in the town of Jamestown.

Please see attached.

Respectfully Submitted,

Wendy Shapiro

West's General Laws of Rhode Island Annotated. Title4. Animals and Animal Husbandry.Chapter 13. Dogs. § 4-13-15.1. Ordinances concerningunrestricted and vicious dogsprohibited--Leash laws (Last checked March 2021)Summary: ThisRhode Islandstatute provides that cityor town councils may make anyordinances concerningdogsin their cities or townsas the councils deem expedient, pertainingto the conduct ofdogs. ... (1) Every owner or custodianof adogshall cause thatdognot to rununrestricted anywhere

in the city or town.(1) Every owner or custodian of a dog shall cause that dog not to run unrestricted anywhere in the city or town. This section does not apply to any person who uses a dog under his or her direct supervision while lawfully hunting, while engaged in a supervised formal obedience training class or show or during formally sanctioned field trials.(2) It is unlawful for any owner of a dog to place that dog or allow it to be placed in the custody of any other person not physically capable of maintaining effective control of restricting the dog.(3) The city or town dog officer is empowered to seize and impound any dog found off the property of its owner or custodian when that dog is unrestricted.(4) Any person violating the provisions of this section shall be fined not exceeding two hundred and fifty dollars (\$250).N.B. The towns of Johnston, Providence, Middletown, Newport, Narragansett, Portsmouth, South Kingstown, Smithfield, Bristol, Westerly, Burillville, Hopkinton, West Greenwich, and many others have Animal Control Officers, so why is Jamestown an exception? I would have to do a thorough fiscal analysis of the town budget to determine why money is not allocated for installing an Animal Control Officer in the town of Jamestown. Furthermore, since nearly 50% of residents in Jamestown are in flagrant violation of registering their dogs this is against the DEM and Rhode Island Department of Health for proper management of rabies. In order to procure a license which is mandated under the current dog ordinances of Jamestown, a dog owner must provide a current rabies vaccination record signed by a board certified DVM. Please refer to The State of Rhode Island Manual for Rabies Management and Protocols found at the following website:<http://www.dem.ri.gov/programs/agriculture/documents/rabiesprot.pdf> This is a public safety issue. So in conclusion, I would like to state that all dogs within the confines of Jamestown be officially registered with the town and furthermore, that the Town Council reconsider the budget cuts made in the Financial Town Meeting on June 7, 2010 which reports on Page 16 of 21 that the Moderator Donnelly reported the paper ballot vote which was very close with "Yes votes, 211; no votes 246" and the "Motion fails by a majority paper vote in the negative". I attended this contentious meeting and when I asked for a paper ballot I was denied. Therefore, these results are inaccurate and skewed. That meeting took place in the auditorium of the Lawn Avenues school nearly eleven years ago and this town is still without an Animal Control Officer. As I have pointed out in previous correspondence the demographics have changed considerably since 2010. It is eleven years later. There are more people residing in Jamestown and more summer visitors and more summer residents and therefore, more unregistered dogs. I will relate one simple example about why it is absolutely crucial as to the necessity of having an ACO in this town. On March 22, 2021, I was walking

back from the PostOffice when my licensed service dog,Kira, picked up a scent (she was trained as a scentdog under the NASW (National Associationof Scent Work). She led me behind a privet hedge wherewe discovered a flock of loose hensand roosters. They were darting out into NarragansettAvenue and three of them nearly got runover by cars coming fast down the road (exceedingthe speed limit).. But she knows her job. Asa Pembroke Welsh corgi, a hedging breed, corgis werespecifically bred in Wales to herd sheepduck and geese. She got those chickens and roostersin order and when it was safe, she guidedthem across the road, and directed them so that theycould seek shelter underneath a parkedtrailer.I found out that they belong to someone at AtlanticLawn and Garden and told them my dog hadsaved their chickens' lives. I told them they needto keep those chickens and roosters in a safeenclosed coop. I had already contacted the police,but they could care less about a flock ofchickens and roosters running around. Last week, Inoticed the same flock of chickens runningall over the parking lot behind the US Post Office.I had already given warning to the owner ofthese chickens and roosters and due to his irresponsibility,they were loose again.I did not think it worth my time and my dog's timeto round up these loose chickens and roostersagain to save their lives because that is not my job.I had told this owner that if he did not securehis flock, there would end up as dead meat. Sincethere is NO ACO to contact in this town, notonly is this a form of neglect and animal abuse, butit poses a threat to public safety such ascars trying to avert hitting these loose chickensand are swerving out of their way to avoidrunning over them. This owner should be fined. However,there is no ACO in place to enforceany ordinances that are in the written ordinancesof animal control in this town.Therefore, it is imperative that this town find someway of adjusting the budget in order toreinstate the position of an ACO.Respectfully SubmittedWendy Shapiro

Dear Mr. Hainsworth,

Thank you kindly for your prompt email response and for confirming that you are in receipt of the two letters I submitted. Thank you also for your willingness to pass these along for further review.

Again, I greatly appreciate your time and consideration.

Respectfully Submitted,

Wendy Shapiro

P.S. I noticed today when I was renewing my dog license and hand delivered my registration materials to town clerk, Ms. Denise Gamon that there is a new sign posted outside the Town Hall. You are probably well aware of this, but I took a photo of the signage and I am sending it as an attachment. Incidentally, I accidentally found myself directly in line behind Andrea Von Hohenleiten in McQuades market, who had taken the photograph of the two dogs (a golden retriever and a golden lab) running loose at Fort Getty which appeared in the March 25th edition of the 'Jamestown Press', an article written by Tim Riel, Editor. She described it as "those dogs were having so much fun". That is not the point. Those dogs should not be running loose in a public park.

On Mon, Apr 5, 2021 at 3:47 PM Jamie Hainsworth <jhainsworth@jamestownri.net> wrote:

Thank you Wendy I will pass these on for further review. Jamie A. Hainsworth Town Administrator Town of Jamestown 93 Narragansett Avenue Jamestown, RI 02835 401-423-9805
From: Wendy Shapiro <wendyjaneshapiro@gmail.com> Sent: Monday, April 5, 2021 4:11 AM
To: Jamie Hainsworth <jhainsworth@jamestow...>

From: Wendy Shapiro <wendyjaneshapiro@gmail.com>
Sent: Monday, April 5, 2021 11:30 PM
To: Jamie Hainsworth <jhainsworth@jamestownri.net>; Tim <tim@jamestownpress.com>
Subject: ADDENDUM

Dear Sirs:

I have some additional remarks to include. I have spoken with many people in this town regarding instating a 24/7 leashing law. I have been surprised by the multitude of persons' reactions, including **dog owners**. I have been told, they "do not believe in such an ordinance" and that they would "never sign any petition to put a 24/7 leashing ordinance in effect."

I find these responses so outrageous as to be downright ludicrous. These people are ill informed, ignorant, irresponsible and self-centered. They think they are above the law and they have the perfect right to do as they please.

I have also been told by **dog owners** that they "didn't get around to licensing their dogs because other things came in the way". Well, that is absurd. That is tantamount to saying, "Well, I don't think I will bother registering my vehicle with the DVM or even consider getting my vehicle insurance paid on time." Do they not realize the seriousness of the situation and they are acting out of complete irresponsibility towards the general public?

Or even worse, this is similar to people who "do not believe in vaccines." What is there not to believe in? Thank goodness for Louis Pasteur who developed the first human vaccine in 1885 (for rabies), which saved many lives. All you have to do is visit any old cemetery in New England where you find rows of tiny headstones marking the deaths of children in the same family who died within days of each other, most likely because of diphtheria or pertussis. So my response to these sort of uneducated people is that they should be grateful they are alive because without such vaccines, they would not be here on this earth.

I find this attitude highly objectionable. That even strengthens my case for the town of Jamestown to reinstate an ACO who will actually enforce many of these dog ordinances (in addition to other animal ordinances) that are being flagrantly violated every single day. As long as there is no ACO enforcing and fining these individuals (and those fines are very specifically described under the present Jamestown animal ordinances) these individuals can feel free to do whatever they choose. This 'hit or miss' solution by the Jamestown Police Department is not an effective means of overseeing and enforcing these regulations. This town needs an ACO. That is unquestionable and should not even be disputed.

Respectfully Submitted,

Wendy Shapiro

From: Wendy Shapiro <wendyjaneshapiro@gmail.com>
Sent: Tuesday, April 6, 2021 12:28 AM
To: Jamie Hainsworth <jhainsworth@jamestownri.net>; Tim <tim@jamestownpress.com>
Subject: Dog Parks

Dear Sirs:

I wish to address one final point and that is on the subject of Dog Parks. This is not a good option to give dogs free rein to run about and play for a number of reasons.

1. Many people bring dogs to public dog parks which are not properly vetted or vaccinated. The .DA2L4PP vaccine protects canines from distemper, adenovirus type 2 (hepatitis), parvovirus and parainfluenza, all of which are highly communicable and contagious and in most cases, fatal. In addition to which, dogs should have Lyme vaccines, and leptospirosis vaccines, and particularly rabies which is mandated by law. There are other diseases in the 4Dx snap test, a blood test that is run in the veterinary hospital and provides results in 8 minutes. This test is a screening process for six vector-borne diseases. It will detect such parasites as heartworm, Lyme, ehrlichia, anaplasmosis, babesiosis and an enzyme-linked immunosorbent assay, also called ELISA or EIA, that detects and measures antibodies in the dog's blood to determine if the dog has antibodies related to certain infectious conditions.
2. Irresponsible dog owners will often leave behind feces in these parks (which I have observed many times). Dog feces, as you very well know, contain parasites such as roundworms, hookworms, whipworms, coccidia and giardiasis. That is why it is so critical for any dog's annual veterinary exam to provide a stool sample for a laboratory analysis.
3. People often bring aggressive dogs to these dog parks, or even if there are no aggressive dogs, a dog fight can easily ensue. Day one of 'Basic Puppy Manners' is "Never to put yourself or your dog in a compromising situation." and "Never put your hands or any part of your body near an aggressive dog's mouth or in the midst of a dog fight." because there is a 100% chance you will be bit. There are effective ways of breaking up dog fights and a professional trainer will instruct you how to do this. Since I am petite, I have to limit

myself to training small breeds which are easy enough for me to control, should a dog fight erupt. In my own personal experience, with my present female corgi (the only female corgi I have ever owned) her breeder warned me that "females like to rule the roost". My professional trainer gave me very detailed instructions about how to introduce her to my older males dogs. In the beginning, she was very docile, meek and respectful of the older males. However, as she approached her adult age at year one, she violently grabbed the ruff of one of my older males in a death grip and initiated a vicious dog fight, which resulted in serious ulcerations and lacerations to the male dog's corneas which required immediate veterinary attention. I made sure that she understood she was not the Alpha dog in my household and in order to break up any fights, I would have to approach from behind, lifting her up into the air by her collar and putting her directly into her crate (and the other dogs would be crated as well) until all the prey drive, adrenaline and endorphins were lowered and then I would wait about a hour before releasing any of them, in order of seniority and leashed for the next hour to observe them closely to make sure she did not attempt another vicious attack. For some period of time, I had to have a four foot lead attached to her at all times, so that if I detected any body language or growling indicating she was going to go after one of the older males, all I had to do was to put my boot down on that lead to prevent her from doing so. Eventually, she learned that this behavior was not acceptable and would not be tolerated.

So in conclusion, if dog owners want to let their dogs run free, it is best to do so in a secure fenced in yard and if that is not possible, there are many dog training facilities and dog daycare centers which offer 'play sessions' for dogs so that they can run and play with each other in a safe environment under the supervision of a professional dog trainer and handler.

Respectfully Submitted,

Wendy Shapiro

32. MARY LOU SANBORN

Good morning Randy.....I had "attended" the TC meeting last evening but had to "sign off" when you were speaking about the dog leash issue. I do not know what happened after I signed off, but I would like to suggest a dog park for those who want to let their dogs run loose. From what I have seen, most dog owners do not have control of their dogs off leash. I have been attacked by these dogs and get called names etc when I ask dog owners to leash their dogs. This is always an issue on my street and the beach across the street. My feeling is that if a person

likes dogs, that is fine, but others should not have to have the same feelings imposed on them. if the ordinance needs to be revised, I hope it can be done with the welfare of all in mind.

Thank you
Mary Lou Sanborn

33. SUSAN JAMISON

Hi Randy,

Just putting in my two cents on the dog ordinance I hear you are putting together for the town...I love dogs, but I'm terrified of them as well. When I stroll through Fort Getty and some unknown dog is running at me, my heart is terrified, no matter how big or small it is. I do a lot of walking, so I'm hoping dog owners can keep their dogs leashed when in public areas.

I have a family member who helps clean up the litter on the island and she is not happy to have to pick up the dog poop bags left behind on our parks and beaches as well. Those bags take about 50 years to eventually disintegrate (if at all), and I just don't understand why owners who took the time to bag the stuff, just don't take it home with them! Maybe some signs would help this.

Thanks for your time addressing this difficult issue!

Regards,
Susan Jamison

34. STEVE BERNATH

Dear Sir:

Along with many other Jamestown residents who organically and unofficially walk their dogs at Fort Getty in the afternoons I too wish to express my support and concern for the implementation of a sudden and perhaps too radical, draconian interpretation of a "leash law" that would disturb and interrupt what is and has been for years a perfectly tranquil, safe, responsible dog walking forum.

It represents a real community of people and dogs that has developed into an informal tradition indicative of the close-knit community that in many ways makes Jamestown such a unique, appealing place to live that so many residents relish and benefit from.

Absent any real dramatic circumstances that would justifiably halt the established tradition enjoyed by so many Jamestown resident who responsibly appreciates the opportunity to walk their dogs together in a wide-open area such as Fort Getty for certain hours of the day simply as a result of a few select complaints that may have little or nothing to do with what is and has been taking place there for years lacks proportionality and garners further consideration as well as a common-sense solution.

All involve appreciate you advocating for this cause.

Respectfully,

Steve Bernath
Jamestown Resident

35. MARY FORMAN

Dear Mr. White,

While I grew up in a dog-loving home, I do not believe that dogs should be allowed to run off leash. Our own dogs were either in our fenced in yard or on a leash, not because they were aggressive in any way but because we understood that not everyone felt the same way about our pets as we did.

I do understand the desire of pet owners to give their animals some degree of freedom to run. It is, after all, in the animal's nature. But I still do not believe that a dog's needs should be allowed to trump the needs of humans. If people want their dog to be able to run unfettered, then they should fence in their yard.

One neighbor I had on the island always allowed her young lab to run unleashed. Once the dog jumped up on me and I fell backwards. Another time, the dog jumped up on my sister, while she was on a public staircase coming up from the beach. The dog left her with a set of bloody scratches on her hand. If my sister had not been as alert, she could have fallen on the stairs and been really badly injured. It is an unfortunate reality that many dog owners either do not or cannot control their animals. Instead, as their animal races towards you, they say things like, "Don't worry, he doesn't bite." This is not reassuring. As a consequence of allowing dogs to be unleashed, people get injured or frightened, dogs get hurt, and property gets degraded (nothing like coming out of your house to find a fresh load of dog poop in your yard).

Additionally, there is the problem of dogs in the state parks where humans fail to properly pick up and/or dispose of the dog waste. It gets very tiring to see poop left in plastic bags or scattered about in the grassy spaces meant to be recreation areas for people.

These are real problems for which suitable compromises must be found. Some possibilities include:

1. Providing suitable trash receptacles at state parks for the disposal of animal waste
2. Posting existing leash laws at public venues
3. Gently but firmly enforcing existing leash laws, especially during the summer months when the population of the island swells
4. Allowing greater flexibility for unleashing dogs in certain venues in the early morning during off-season months OR, better yet, building a dog park where dogs could have a dedicate space to play unleashed.

The island should be a place for everyone- pet owners and non-pet owners alike- to enjoy. A dog is not harmed by being kept on a leash. In reality, a dog is far more likely to be harmed or to harm someone if he is off leash. That is why we have leash laws in the first place. I say keep them and enforce them.

Thank you for listening.

Mary Forman

Bayberry Rd

(email not for publication)

36. STEPHEN LEVESQUE

While walking my dog (15 pound Schitzu) on a leash last night around 630 at 7 Shady Lane two large (estimated 90 pounds each) dogs; one Sheppard mix and another large brown mix darted across the road at me and my dog. I immediately began yelling at the two dogs but that did not deter them. The large brown one circled around my left front foot and bit my dog on the back at that very moment I heard my dog howl in an awful way and I did everything I could to get the dog away and it released however as I went to pick my dog up the other black Sheppard dog circled behind my right foot and bit my dog again I did everything I could to stop and the dog released. I was still yelling and grabbed my dog and the two dogs remained circling around my feet until the owner decided to come out. Apparently he released his dogs from a fenced yard without a leash and in his words they happened to get out. The house clearly had a front door and rear side door which was behind the fence. This action was entirely irresponsible and caused myself and my wife great duress and harm to my dog. These two dogs were unprovoked, circled around me in an aggressive manner growling with their lips curled and hair raised on their backs and attacked my dog. The owner came out of his house after the attack. He was not surprised at the action of the dogs. He informed the police that the dogs were following him outside however the truth is that they were out in the street first unrestrained. The officers who arrived were professional and courteous. However I believe under state law it now falls upon Chief Mello to convene a viscous dog hearing pursuant to the general laws attached RIGL 4-13.1-11 Viscous Determination. The previous statute allows the law enforcement department to take action if there is not animal control officer. Each of these dogs acted in an unprovoked manner to attack my dog and further assault me - put me in fear of imminent harm RIGL 4-13.1(12) Viscous Dog Defined. Each of these are grounds to declare the dogs viscous and hold the owner responsible. I await your response. Stephen P Levesque, 37 Coronado St. 560-4049

37. CYNTHIA LEVESQUE

Around 7 p.m. on 4/6/21, my son was walking his 12 pound 6 year old shih tzu dog on a leash on Shady Lane. As he was walking by the second house in from Grinnell Street 2 large german shepherd dogs escaped out of their yard and attacked him and his dog.

The owner had no control over the dogs. He said that he was painting the deck in the back yard and opened the gate as his dogs were bothering him.

Thankfully, my son did not sustain any injury as he was able to battle the dogs off himself and his little dog.

The owner came running out to confront my son as he was upset not at his uncontrolled dogs but that my son defended himself and his dog from injury. Point, in fact the small dog had hair pulled out from his backside and neck and sustained a possible back injury.

I know you are receiving letters from dog lovers who feel that we do not need to control dogs on Jamestown. I heard that you are being told to loosen the dog leash law which is already woefully deficient. This cannot be on this crowded island. Sooner or later, someone is going to be severely mauled.

Cynthia Levesque
138 Narragansett Avenue
Jamestown, RI 02835

401 423-1081

38. RAYMOND THOMAS

Mr White,

My name is Raymond Thomas and I live in Jamestown with my grandmother on beaver tail. I am writing you about the proposed changes to the dog ordinances.

I have had to call the police multiple times due to unleashed dogs that the owners say are well behaved ... while their dog(s) are literally running into our yard! Our dog each time is surprised and becomes very upset by this resulting in a physical altercation. This is what will only get worse if you allow more dogs to be off-leash.

I believe it is very irresponsible to allow dogs off leash at all as "well behaved" and "well socialized" cannot be proven or defined and will simply not allow for people that become victims of unleashed dogs to call the police to ensure the dogs become leashed. I ask people constantly to leash their dog on the beach by our home and they scoff at me then do not leash them. I ask in the parks and people refuse. If you change the rules I won't be able to bring my dog to the parks anymore or into town.

I believe this is extremely unfair to us as well as negligent and irresponsible of the town. If an off leash dog attacks my dog, we have to deal with the outcome of that, which could have been entirely avoided

by the town keeping their people safe. All dogs are well behaved until they aren't. But why should people and dogs have to pay the price of a dog attack solely because other people insist their dogs are trained?

Please reconsider these things as I have spent my entire life in Jamestown and this is very, very disheartening.

Best,

Ray

39. **PEBBLES WADSWORTH**

Dear Randy,

Barbie Carton shared the letter that she wrote to you and your response.

I deeply appreciate your understanding of dogs' needs as well as trying to accommodate humans' needs and more.

Yes, the leash laws (if you call them that) need to be better defined for sure . I always say " compromise " is the golden word.

I did not know if you are familiar with NYC's leash laws in Central Park? They have worked out the " comprise" very well; allowing dogs off leash before 9 am and after 9 pm.

I am not suggesting that for Jamestown. I am simply saying if NYC can come up with a " compromise" ; certainly Jamestown can.

Hope this may be useful.

Thank you for all the work you do on behalf of Jamestown and for looking into the dog issues.

Warmly,

Pebbles (Wadsworth)

1093 East Shore Road
Jamestown
Rhode Island 02835

Sent from my iPhone

40. **BETH WEIBUST**

Hi Randy,

I just wanted to tell you how pleased I was when I read the article in the Press on Thursday. I was so relieved to hear your views on support for both, places for unleashed dogs, as well as leashed dogs. I would hate to see Jamestown become yet, another place, where dogs must always be tethered to their owners. There's nothing like running free and, most dogs, handle it with no problems.

We moved here in '84 and our first 2 dogs had free roam of the neighborhood...lots of funny stories from those days: Sparky slowly walking up the street with the neighbor's suet feeder in his mouth, followed by a phone call from laughing neighbor stating, "I think Sparky has our suet feeder." Cody, spending most days in the sunshine of another elderly neighbor's back walkway. With our border collie, Jack, we recognized that he was a very dominant dog, so we installed an invisible fence so he could continue to run and herd without dangers to others

Beth Weibust

**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 the ___ day of _____, 2021 at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding **Chapter 14 – Buildings and Buildings Regulation**. 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 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 at www.Jamestownri.gov.

Section 1. The Town Council of the Town of Jamestown does hereby resolve that the Jamestown Code Of Ordinances, **Chapter 14 – Buildings and Buildings Regulation**, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~strike through~~ 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. NOTE: amendments to the terms and conditions set forth at Exhibit A may be made based on comments received during the public hearing.

Section 2. The Town Clerk is hereby authorized to cause said changes to be made to Chapter 70 of the Town of Jamestown’s Code of Ordinances.

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

Ad Date(s): _____
Publication Source: Jamestown Press
Hearing Date: _____
Action: _____
Certified: _____

1 **Exhibit A**

2
3 **Chapter 14 – BUILDINGS AND BUILDING REGULATIONS**

4
5 **ARTICLE V. – SHORT TERM RENTALS**

6
7 **Sec. 14-80. - Findings.**

- 8
9 a) The Constitution of the State of Rhode Island, Article XIII, Section 2, in relevant part,
10 grants to the Town of Jamestown the authority to enact and amend local laws relating to
11 its property, affairs, and government as long as such local laws are consistent with the
12 Constitution and laws enacted by the General Assembly. This delegation of power includes
13 the police power to enact reasonable legislation to regulate and supervise rental dwellings
14 to protect the public health, safety and welfare.
- 15
16 b) Residential rentals in Jamestown, including short-term rentals in residential
17 neighborhoods, have been the source of noise, congestion, neighborhood disruption, and
18 disorderly behavior involving tenants and other persons on and near the premises, as well
19 as violations of Town ordinances, including the Zoning and Noise Ordinances and
20 violations of various Rhode Island statutes.
- 21
22 c) Short-term rentals have disturbed the peace of the neighborhoods in which they have
23 occurred; they have disturbed the repose, comfort and quiet enjoyment of persons in their
24 homes; and they have disrupted the neighborhood continuity and small-town social fabric;
25 and are inconsistent with the public health and safety and general welfare of the people.
- 26
27 d) The Town of Jamestown has limited potable water supplies, and over occupancy of
28 dwelling units, even on a short-term or transient basis can have detrimental impacts to the
29 Town's resources.
- 30
31 e) The Town of Jamestown finds that, by application of the regulatory framework contained
32 herein, the short-term rental of dwelling units can have a positive effect on the health, safety
33 and welfare of the community by providing a flexible housing stock that allows travelers
34 safe accommodations while contributing to the local economy and providing homeowners
35 an opportunity to hold property in difficult economic circumstances or as an investment.

36
37 **Sec. 14-81. Applicability.**

- 38
39 a) The provisions of this chapter shall apply to all Short-term Rental dwelling units, as
40 defined subsequently, herein, within the Town of Jamestown.

41
42 **Sec. 14-82. Definitions.** For the purpose of this chapter, the following definitions shall apply:

- 43
44 a) Bedroom: Any room in a residential structure which is greater than 70 square feet in area,
45 which is susceptible to present or future use as a private sleeping area, which has at least

1 one window and one interior method of entry and egress but excluding closets and
2 bathrooms.

- 3
4 b) Dwelling Unit: A structure or portion thereof providing complete, independent living
5 facilities for one or more persons, including permanent provisions for living, sleeping,
6 eating, cooking, and sanitation, and containing a separate means of ingress and egress.
7
8 c) Local Representative: A person designated on a registration form filed under this chapter
9 as the person authorized to receive any process, notice or demand required or permitted to
10 be served upon the owner of the premises and required to respond to questions/complaints
11 from tenants, neighbors, and Town staff on a 24/7 basis. A local representative may, but
12 need not, also serve as property manager.
13
14 d) Registrar: The Town Clerk.
15
16 e) Short-term Rental: The rental, lease or other contractual arrangement for the occupation of
17 a dwelling unit, or any portion thereof, by a tenant for residential and/or dwelling purposes,
18 for any period of less than thirty (30) consecutive days. Short-term Rental shall not include
19 duly licensed and permitted hotel, motel, bed and breakfast homes, and community
20 residences.

21
22 **Sec. 14-83. Registration and inspection required; permit.**
23

- 24 a) All Short-term Rental units shall be registered by the record property owner thereof with
25 the Registrar and a permit issued before any use of the Short-term rental unit occurs.
26
27 b) At the time of registration, the dwelling unit and Short-term Rental unit shall be inspected
28 for a fee by the Building Official or his/her designee and the Jamestown Fire Marshal.
29 Thereafter, the dwelling unit shall be inspected by the Building Official each two (2) years
30 thereafter, and by the Fire Marshall each two (2) years thereafter, to be completed no later
31 than the application period filing of the requisite year. The purpose of the inspection is to
32 determine the occupancy limit of the unit pursuant to Sec 14-87 of this chapter and
33 compliance with the relevant State Building Codes, Fire Codes and Town Ordinances,
34 including, but not limited to smoke and CO detectors are installed and compliance with the
35 State Fire Code for dwelling units and Short-term Rental units and to determine the number
36 of off-street and on-street parking spaces required and available. The Building Official or
37 his/her designee shall issue a Short-term Rental permit stating the maximum occupancy for
38 the dwelling unit. The Building Official and/or Fire Marshall may conduct an inspection
39 of any Short-term Rental unit upon complaint or for any other proper reason pursuant to
40 the General Laws, applicable regulations and/or Town Ordinances.
41
42 c) Failure of the record owner of the Short-term Rental unit to allow inspections shall
43 constitute a violation of this chapter.
44
45 d) Any deficiencies found by the Building Official or Fire Marshall must be satisfactorily
46 addressed by the record owner prior to the use or re-use of the Short-term Rental unit;

1 engaging or continuing the Short-term Rental while deficiencies are outstanding shall be a
2 violation of this chapter.

3
4 **Sec. 14-84. Registration form.**

- 5
6 a) The rental registration form shall be developed by the Town Planner and, at a minimum,
7 shall indicate the Tax Assessor's plat and lot number, address of the rental dwelling and
8 Short-term Rental unit, the number of Short-term Rental units therein, the maximum
9 occupancy, the name, permanent mailing address, email address, and telephone number of
10 the record owner and of his or her registered local representative, if different than the
11 owner. Copies of the registration form, with 24 hours, 7 days a week contact information
12 for the record owner and, if applicable, the local representative, will be held on file by
13 Town Clerk, and available to the Jamestown Police and Fire Departments.

14
15 **Sec. 14-85. Filing date; term.**

- 16
17 a) On or before December 31 of each year, the record owner of the rental dwelling unit shall
18 file the completed rental registration form with the Registrar, which registration shall be
19 valid for a one-year period from January 1 to December 31 of the following year. If the
20 property is registered during the calendar year, the registration shall be valid until
21 December 31 of that same year. Failure of the record owner to properly register the Short-
22 term Rental dwelling unit shall constitute a violation of this chapter.

23 **Sec. 14-86. Registration fee.**

- 24
25 a) There shall be a registration fee of three hundred and fifty (\$350.00) dollars for each
26 dwelling unit covered under the provisions of this chapter. A separate fee may be charged
27 for inspections by each the Building Official and Fire Marshall.

28
29 **Sec. 14-87. Occupancy limits and parking requirements.**

- 30
31 a) The maximum occupancy for the dwelling and Short-term Rental unit shall be two persons
32 per bedroom and a maximum of three (3) bedrooms per dwelling unit. The number of
33 bedrooms shall not exceed the number of bedrooms supported by the design load of the
34 property's On-site Wastewater Treatment System ("OWTS"). The record owner shall
35 provide records and/or information that the Building Official or his/her designee deems
36 reasonably sufficient to determine the number of bedrooms for which the OWTS is rated.
37 The maximum occupancy may be further limited by the requirements of Subsection b),
38 herein.
- 39
40 b) One off-street parking space shall be provided on the same lot on which the Short-term
41 Rental is located for each bedroom, plus one additional parking space, as determined by
42 the Building Official. Off-street parking spaces shall be located within an identified
43 driveway and/or parking area and not on lawn areas. All required parking spaces must be
44 dedicated and available for use as required by this ordinance. The total number of parking
45 spaces required shall be one greater than the number of bedrooms utilized for occupancy.

1 Each required parking space shall be not less than 10 feet in width and 22 feet in length
2 exclusive of drives and maneuvering space. Where the total number of parking spaces
3 required by this section cannot be met, the permitted occupancy of the dwelling shall be
4 reduced to conform to the available amount of off-street and on-street parking spaces.

- 5
- 6 c) No tents, storage units, boats, recreational vehicles and the like shall be used and/or
7 occupied while on the Short-term Rental property.
- 8
- 9 d) The record owner shall be responsible and jointly and severally liable for compliance at all
10 times with the Short-term Rental Ordinance provisions, including but not limited to,
11 occupancy limits and parking requirements. Non-compliance with any of the provisions of
12 this ordinance or any other Code of Ordinance provisions of the Town of Jamestown by
13 users of the Short-term Rental unit shall constitute a violation of this chapter.

14

15 **Sec. 14-88. Owner's obligations.**

16

- 17 a) All Short-term rental unit advertisements shall contain an accurate and detailed description
18 of the Short-term Rental unit and the limitations and requirements contained in this
19 ordinance for use of the Short-term Rental unit.
- 20
- 21 b) All Short-term Rental unit agreements shall attach a copy of the applicable short-term
22 rental registration and permit for the premises. The Short-term Rental unit agreement shall
23 state that the renter may be held legally responsible and liable for any violations of law
24 committed by the renter or by other occupants or guests while at the Short-term Rental unit
25 premises, including violations of the laws and ordinances pertaining to noise, disorderly
26 conduct, disturbance of the peace, keeping dogs on a leash, parking, trash maintenance and
27 disposal, and dwelling occupancy limits.
- 28
- 29 c) The owner and/or local representative shall obtain accurate and up-to-date information,
30 including the names, home addresses and phone numbers of the renters, the date of the
31 rental period and a copy of a state issued driver's license or identification card or passport
32 from the renter and any tenants or guests. The owner and/or local representative shall
33 maintain this information throughout the term of the Short-term Rental agreement and for
34 90 (ninety) days thereafter; and shall make this information available to Town officials
35 who are lawfully investigating or prosecuting any offense reasonably believed to involve
36 one or more of the renters. Failure of the record owner and/or local representative to gather,
37 maintain or provide this required information shall constitute a violation of this chapter.

38

39 **Sec. 14-89. Posting of notice by owner.**

40

- 41 a) The record owner shall be responsible and is required to state all short-term rental
42 advertising the maximum number of bedrooms, maximum number of persons, and number
43 of designated on-site parking spaces. The record owner shall be responsible to post and
44 affix in plain view, in a conspicuous place within the rental dwelling unit, a compilation to
45 be provided by Town staff and available at the office of the Registrar, containing general
46 information regarding certain Town ordinances with which tenants must comply, dwelling

1 occupancy limits, and any other pertinent ordinance, or law information which the Town
2 may deem appropriate from time to time. In addition, notice of water conservation, trash
3 pickup, and recycling shall also be posted. The record owner of the Short-term Rental
4 dwelling unit subject to the provisions of this chapter shall cause the registration form and
5 permit required by this chapter to be posted or affixed to the inside of the primary access
6 door to said Short-term Rental dwelling unit so as to allow the lease and registration form
7 to be readily available for inspection by police, zoning, building, or minimum housing
8 officials of the Town of Jamestown. Non-compliance of posting requirements shall be a
9 violation of this chapter.

10
11 **Sec. 14-90. Local representative.**

- 12
13 a) The record owner shall designate on the registration form, if different from themselves, an
14 individual who permanently resides in Rhode Island, or a property manager with a
15 physically staffed office within Rhode Island, as the record owner's local representative,
16 who shall be authorized to receive any process, notice or demand required or permitted to
17 be served upon the owner of the premises. The record owner may be designated as the local
18 representative, only if he or she resides in Rhode Island.
- 19
20 b) The local representative must be authorized by the record owner to respond to tenant and
21 neighborhood questions or concerns on a 24/7 basis. The local representative shall serve as
22 the initial contact person if there are questions or complaints regarding the use of the
23 dwelling unit for short-term rentals. The local representative promptly shall respond in
24 person or via telephone to those complaints to ensure that the use of the dwelling unit
25 complies with the requirements of this chapter, as well as all other applicable Town
26 ordinances pertaining to parking, noise, disturbances, or nuisances, as well as state law
27 pertaining to the consumption of alcohol and/or the use of illegal drugs.
- 28
29 c) The failure of the record owner or local representative promptly to respond in person or
30 via telephone to the Jamestown Police Department or other Town Official inquiries and
31 address and resolve any situation, complaint, or violation within two (2) hours shall be
32 considered a violation of this chapter.
- 33
34 d) The record owner may change the designation of the local representative from time to time
35 by filing an amended registration application including the name, address, and telephone
36 number of the new local representative. Failure to notify the Town of any change in the
37 local representative shall constitute a violation of this chapter.

38
39 **Sec. 14-91. Enforcement; penalty for violation; revocation of permit.**

- 40
41 a) For the purposes of enforcement of the provisions of this chapter, the Town Council of the
42 Town of Jamestown hereby designates and authorizes the Zoning Enforcement Officer for
43 the Town to implement, investigate, enforce, and prosecute the provisions of this chapter.
- 44
45 b) Violations of this chapter shall be enforceable through issuance of a Violation Citation and
46 Summons by the Zoning Enforcement Officer or his or her designee, of the Town and

1 citations shall be heard and adjudicated by the District Court or other court of appropriate
2 jurisdiction.

- 3
- 4 c) Except as provided herein, violations shall be punished in accordance with, and the Town
5 shall have all the powers and remedies provided by, Sec. 1-15 of the Jamestown Code of
6 Ordinances, which include and provide for a first offense penalty of \$250 and a second and
7 subsequent offense penalty of \$500 where each day counts as a distinct and separate
8 violation.
- 9
- 10 d) The Zoning Enforcement Officer may provide in the Violation Citation that upon
11 admittance of the violation the fine may be paid in person, by mail or electronic payment,
12 or other disposition imposed, prior to the first appearance before the District Court.
- 13
- 14 e) Notwithstanding any other remedies available to the Town, the Zoning Enforcement officer
15 may revoke a Short-term Rental permit issued under this chapter if it is determined, by a
16 violator's admission or a court finding of a violation, that three or more violations of this
17 chapter have occurred for the same property within a twelve-month period, and no new
18 permit shall be issued to the property owner for the same property for a period of twelve
19 months following the revocation.

20

21 **Sec. 14-92. Implementation.**

22

- 23 a) This chapter shall take effect upon passage, provided, however, that enforcement of
24 violations shall be stayed until January 1, 2022.
- 25

26 **Sec. 14-93 – 100. – Reserved.**



Town of Jamestown

Resolution of the Town Council

No. 2021-08

Anti-Vehicle Idling Resolution for the Town of Jamestown, Rhode Island

WHEREAS, emissions from gasoline and diesel-powered vehicles contribute significantly to air pollution, including greenhouse gases, and

WHEREAS, numerous traffic studies have found links between exposure to fine particles and health effects including increased incidents of asthma, allergies, and other breathing disorders, and premature death, and

WHEREAS, the United States Environmental Protection Agency has classified diesel exhaust and particulates from gasoline engines, as likely to be carcinogenic to humans; and

WHEREAS, vehicle idling occurs in locations (e.g. school grounds, parking lots, distribution centers, strip malls, construction sites, business centers, etc.) where residents of Rhode Island are exposed to concentrated sources of air pollutant emissions; and

WHEREAS, asthma is a significant public health concern in Rhode Island, especially among children and the elderly; and

WHEREAS, for every gallon of gasoline used, the average car produces about 20 pounds of CO₂, with one-third of greenhouse gas emissions coming from the transportation sector; and

WHEREAS, petroleum-based gasoline and diesel fuel are non-renewable fuels and should be used wisely and not wasted; and

WHEREAS, idling is not beneficial to a vehicle's engine because it causes excess wear and tear on the engine parts; and

WHEREAS, idling more than 10 seconds uses more fuel and emits more pollutants than turning an engine off and on again; and

WHEREAS, current state law prohibits the idling of diesel vehicles for more than 5 minutes per hour and studies have shown that an anti-idling policy for gasoline and diesel vehicles will save fuel, prolong engine life and improve air quality.

NOW THEREFORE BE IT RESOLVED that the Town of Jamestown, Rhode Island supports the adoption of a strong anti-idling policy by:

1. Encourage any gasoline or diesel-powered motor vehicles to turn off their engines immediately at schools and off-site school related events to minimize exposure to harmful emissions.
2. Maintain town vehicles to eliminate any visible exhaust and comply with the annual inspection requirement for those vehicles; and avoid idling unnecessarily on and off worksites.
3. Promote the widespread use of emission controls in construction contracts.
4. Support broad education of the public about the health, environmental and economic impacts of idling and ways to reduce greenhouse gas emissions.
5. Designate Idle Free Zones throughout Jamestown which would include libraries, parking lots, drive-through lines, etc.).
6. Enforce Anti Idling law 250-RICR 120-05-45 on diesel emissions

By Order of the Jamestown Town Council

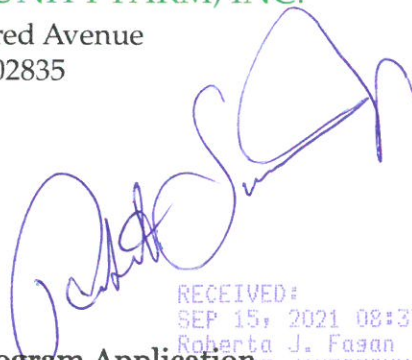
Nancy A. Beye, President

IN WITNESS WHEREOF, I hereby attach my hand and the official
Seal of the Town of Jamestown this 16th day of August, 2021

Roberta J. Fagan, Town Clerk

THE JAMESTOWN COMMUNITY FARM, INC.

P.O. Box 352 | 40 Eldred Avenue
Jamestown, RI 02835



To: Jamestown Town Council
Jamestown, RI
From: Robert Sutton, Farm Manager
Jamestown Community Farm
Subject: Rhode Island Greenspace Grant Program Application
Date: September 15, 2021

RECEIVED:
SEP 15, 2021 08:37 AM
ROBERTA J. FAGAN
TOWN CLERK OF JAMESTOWN Town Clerk

The Jamestown Community Farm is a 501c(3) non-profit organization in good standing with both the State of Rhode Island and the US government. The Jamestown Community Farm, (JCF Inc.) has been farming the 17 acre property on the corner of East Shore Road and Eldred Avenue for over 21 years. For the last few years we have had a formal lease with the owner, Peter Ceppi. However, for the first 10 years it was a “handshake agreement” and during all 21 years Peter has been an excellent landlord and supporter of the JCF. He has given us total freedom to operate the farm, including the right to build the infrastructure and manage the farm soil consistent with our farm mission.

RECEIVED:
SEP 15, 2021 08:37 AM
ROBERTA J. FAGAN
TOWN CLERK OF JAMESTOWN Town Clerk

Peter has owned the land for several decades and originally purchased the land as an investment. Both Peter and I recognize the environmental value of the 17 acres located in the middle of the “Center Island Greenway” and that about 1/2 of the land is in the Town’s public water supply watershed. The JCF mission statement recognizes this environmental sensitivity and over the years the JCF has developed farming methods that respond to this reality and minimize the impact on the land, the watershed and the Island’s natural resources.

For the last couple of years Peter and I have discussed the future of the land, recognizing the investment intention of the original acquisition, the importance of the farm and the environmental sensitivity of the land itself. We also clearly recognize that the Town of Jamestown should be a partner in all of the decision making that determines the future of this land.

For the past few weeks I have discussed this with the Town Administrator, Public Works Director and Town Planner in three separate meetings. I believe that all parties agree that application to the Rhode Island Greenspace program is the next best step in the process. The JCF is not oblivious to the reality of the land costs involved and that we as an organization have the responsibility to participate in meeting that cost.

Thank you for your attention to and consideration of this matter and I will attend the next Council meeting prepared to answer any questions you may have.

CC: Town Administrator, Public Works Director, Town Planner, Peter Ceppi, JCF Inc.



2022-_____
(OFFICE USE ONLY)

**STATE OF RHODE ISLAND
NATURAL HERITAGE PRESERVATION COMMISSION
LOCAL OPEN SPACE CONSERVATION & ACQUISITION GRANT**

Instructions: Save this form on your computer and fill in information for the questions below.

Submission: Email completed grant applications and required attachments to michelle.sheehan@dem.ri.gov

Questions?: Contact Michelle Sheehan: michelle.sheehan@dem.ri.gov or 222-2776 ext 4436

PROJECT AND SPONSOR IDENTIFICATION

1. Applicant Name: J'Town Town & Comm. Farm Tax # [FEIN]: 05-600202
(If municipal land trust, use town FEIN#)
2. SIGNATURE: by checking this box, the person filling out this application certifies that he or she is eligible to submit said application on behalf of the applicant.
 Name and title: Lisa Bryer, Town Planner Date: 9/13/21
3. Address: P.O. Box 377, 93 Narragansett Avenue, Jamestown, RI 02835
4. Telephone (office, home or cell): (401) 423-7209
5. Email Address: lbryer@jamestownri.net

PROPERTY INFORMATION

1. Address of property to be acquired: 40 Eldred Avenue, Jamestown, RI
2. Assessor's Plat and Lot number(s): Plat 4, Lots 2 and 136
3. Acreage to be acquired: 12.03 acres
4. Current Owner(s) of Property: Eldred Farm 1 & III
5. Interest to be acquired: (fee simple, development rights, conservation easement, etc.):
Fee Interest
If needed, provide additional details: JCF - fee owner, Town - own development rights
6. Appraised Value (if known): _____ Source and Date of Appraisal: _____

CRITERIA INFORMATION - you must limit your response to the amount of space designated below each question; please be concise.

A. HABITAT PROTECTION (25 Points)

1. Of the following natural communities, check any that have been positively identified on the property:

- | | |
|--|---|
| <input type="checkbox"/> <i>Estuarine Intertidal Wetlands</i> | <input type="checkbox"/> <i>Morainal Grassland</i> |
| <input type="checkbox"/> <i>Freshwater Tidal Marsh</i> | <input type="checkbox"/> <i>Maritime/ Inland Dune System</i> |
| <input type="checkbox"/> <i>Coastal Plain Pond and/or pond shore</i> | <input type="checkbox"/> <i>Pitch Pine/Scrub Oak Barren</i> |
| <input type="checkbox"/> <i>Open Peatland (Bogs and Fens)</i> | <input type="checkbox"/> <i>Calcareous Habitats (forests, outcrops, etc.)</i> |
| <input type="checkbox"/> <i>Vernal Pools</i> | <input checked="" type="checkbox"/> <i>Other: prime agricultural soils</i> |
| <input type="checkbox"/> <i>Undeveloped coastal land</i> | |

Describe all type(s) that are present, including acreage and condition.

the Jamestown Community Farm habitat is unique in that it is made up of 1) prime agricultural soils, 2) approximately 50% watershed land, 3) part of a 1,000 acre center island wildlife corridor/drinking water watershed corridor 4) Honeybee habitat, 5) prime bird and bat habitat and 6) recreational corridor and most of these habitats are overlapping. All these habitats are being managed naturally and organically and will be permanently protection from development with receipt of this grant.

2. Does the property support, or is it capable of supporting, rare/endangered species? Identify the species and sources of information.

The Jamestown Community Farm, is organically farmed without the use of any herbicides or pesticides and managed with best management practices as recommended by the RISCS and the RI Eastern Conservation District. This makes the farm very conducive to any and all wildlife habitation including rare species of birds, bats, bees, and New England cottontail.

The Jamestown Community Farm property is part of a 1,000 center island complex of upland, wetland, farmland, watershed and coastal areas that are permanently protected from development through development restrictions such as easements, town ownership, deed restrictions, development rights protection, and fee simple ownership for the purpose of preservation. This acquisition will benefit that complex by preserving additional watershed land and the final piece of current agricultural land that is not permanently protected.

B. PLAN IMPLEMENTATION

Is the protection of this specific property or its surrounding areas identified in any of the following:

1. A specific action in the town's Comprehensive Plan Implementation Program? Yes No

Provide details and citation

Future Land Use Page 45: "Although the zoning is Rural Large Lot Residential, the land use within the Town's drinking water watershed should continue to remain largely open space."

SEE ADDITIONAL ATTACHED NARRATIVE DESCRIPTION

2. An implementation action in an element of the State Guide Plan? Yes No

Provide details and citation

3. An implementation action in any other conservation plan? Yes No

Provide name of plan, details and citation or attach if not available online

The JCF has successfully worked with NRCS to develop programs for passive weed control and pasture restoration.

C. OTHER RESOURCE PROTECTION

1. Does the property contain prime or important agricultural soils under production that will be preserved and maintained in agriculture as part of the property acquisition?

Yes No

If yes, identify how many acres and briefly describe:

The preservation of the JCF will protect 12 acres of prime agricultural Newport soils that will remain in farming for perpetuity.

2. Are there any historic or archaeological resources on the property that will be protected through its acquisition?

Yes No

If yes, briefly describe:

The Historic "Ice Road" runs from the North Pond Reservoir to East Shore Road. This historic road was traveled by Jamestown's settlers after cutting blocks of ice from the reservoir and traveling to the storage house across the "Ice Road". The JCF property borders the last unprotected section of the Ice Road.

3. Is the property in a scenic corridor or does it otherwise provide a significant scenic vista?

Yes No

If yes, briefly describe:

Jamestown's center island is a valuable, 1,000 acre largely protected corridor that has significant scenic value to Jamestown. When you enter Jamestown from either east or west bridge, you are struck by the beautiful open space which dominates the entire center of Jamestown. This largely protected corridor has significant scenic as well functional value as described else where in this grant.

D. URBAN HABITAT PROTECTION

If the property is located in an urban area, please describe how the open space or habitat values of the property are significant or unique in the context of the urban community:

The JCF is not located in an urban area.

E. PUBLIC RECREATION OPPORTUNITY

1. Will the property provide public recreational opportunities?

Yes No

If yes, briefly describe activities to be allowed, use restrictions, programming, and amenities currently available or to be provided such as parking and trails.

The JCF is adjacent to the Soccer Field and Ice Road Bike Path and often a popular stopover along a bike ride. The JCF opens up its farm stand to local sales one day a week, as a way to pay for some of its expenses and has been very well received by the community and beyond. For 20 years the JCF has encouraged the public to walk the farm and by selling produce once a week, it is a way to get the word out to the public that this space is open and available for recreational purposes. The annual pumpkin event also provides public activity on the JCF grounds. Parking is available at the Farm and Soccer Field

2. Will the property provide a connection between a neighborhood or population center and protected openspace or significant natural resource?

Yes No

If yes, describe the open space or natural resource.

The JCF property is directly adjacent to the Ice Road Bike Path which connects the population of Jamestown's north end and the Village. The JCF property is a wonderful amenity to that bike path as it is at the terminus if you begin at the North Road side and provides additional public recreation use.

F. PROPERTY MANAGEMENT

1. Please describe the existing and planned use and management of this property including any conservation/management practices/plans.

The future use of this property is for the JCF. The JCF is a responsible steward of the land and has worked with NRCS and RI Eastern Conservation District in developing management programs for crop rotation, regenerating the soil, natural irrigation system, reduced tillage system, no pesticide or herbicide use, nutrient management, composting and natural weed reduction techniques.

2. Describe how the planned use of the property appropriately considers the habitat/natural resources identified for protection:

The planned use of the property appropriately considers the natural habitat for protection including the farmland as well as the watershed for protection land keeping the whole area natural to induce wildlife and native species to be allowed to grow during appropriate times and around the borders of the farm.

3. Describe who will manage the property and the experience and capacity of the management entity:

The JCF has always had a farm manager and will continue to do so in perpetuity for the benefit of the farm. That position is currently volunteer but plans are in place to transition from a volunteer position to a paid position over the next few years. The JCF has a certified accountant as a financial manager of the funds and an attorney. Bob Sutton, JCF Manager has 21 years experience managing the JCF and most of his life has been spent farming in one way or another. His goal is to find a farm manager that will be interested in taking the JCF into the future. The JCF also depends on over 100 volunteers for planting, weeding, harvesting and the like as well as 4 interns per summer (grant funded).

4. Is your entity accredited with the Land Trust Alliance?

Yes No

Required Attachments: please attach only the following documents:

1. Copy of a **map** clearly depicting the property boundaries and any buildings, parking areas, and trailheads
2. **Landowner intent form** to allow inspection (please use form found on our website:
<http://www.dem.ri.gov/programs/planning/grants/index.php>)
3. Evidence of the **governing board's consent** to make application and its commitment to keeping the property open in perpetuity. If multi-community application, provide evidence for all governing boards.

EMAIL COMPLETE APPLICATION AND ATTACHMENTS TO:
michelle.sheehan@dem.ri.gov

The Jamestown Community Farm Inc.

The Jamestown Community Farm Inc. was created 20 years ago with the belief, that fresh local vegetables are a necessity of a healthy life and that fresh local produce should therefore be available to all, regardless of income or place of residence. In other words grow, harvest and deliver fresh vegetables to where people of limited income live.

Further, fresh vegetables should be grown with in an agriculture environment as completely free of chemicals as possible and with little, if any, negative impact on the soils, water and natural environment of the community.

Finally the entire farm production should be managed in a way that maximizes involvement of people of all ages in the community and exists as a learning experience, social and recreational event and an opportunity to actually produce and deliver significant volumes of fresh produce for those in need.

The Workforce



Volunteers of all ages Tues. Thurs .evenings
Sat. morning. Paid intern program, summers from June
to August. The farm averages from 100 to 125 different
individual volunteers/ core group 15 to 20. With the
exception of the barn builders, all the pictures are from
the summer of 2020. The intern program averages 4
interns per summer and is funded by a foundation
grant. The barn was built entirely by contractors in
2011, volunteering their time as was the high tunnel
greenhouse. The equipment sheds were built by the
interns under the direction of the farm manager.



The Produce



Annual Production

10 to 14 tons grown annually
Wide variety of garden vegetables
All plants started from seed at farm
Distributed to 3 food pantries weekly
Sold to public from farm cart / Saturdays



Building Infrastructure



Infrastructure

Barn 1232 square feet
High tunnel greenhouse 2880 square feet
Small greenhouse 500 square feet
Equipment storage sheds 600 square feet
Misc. small sheds/coops 200 square feet



Equipment



Equipment

3 older tractors well maintained
New: Brillion field seeder, flail mower, disc harrow
Deep shank sub-soiler, soil conditioner, misc. other farm equipment.



The Food Pantries



Martin Luther King Jr. Center, Newport



McAuley House, Providence



Johnny Cake Center, Peacedale



JCF farm stand, Jamestown

The Community Farm also provides produce to customers of the Jamestown Community Food Pantry and to individual townspeople who are in needs.



Finances

The Treasurer is a retired CPA who has volunteered at the farm from the beginning. The treasurer provides the board of directors with monthly statements and a yearend report. He supervises the intern payroll with the assistance of a private payroll company. Several years ago he converted our entire financial management program from a manual to a recognized electronic financial bookkeeping system. He is responsible for providing monthly bank statements and managing our investment program. He provides all required federal and state reporting at the end of the year and our 501 c(3) is in good standing with both state and federal agencies. The JCF Inc. has no debt and our lease payments to the landowner are on time and current.

Our annual funding comes from the following: Annual "Patron List" donors (annual budget). Foundation grant for summer intern payroll Saturday summer sales from farmer market farm stand (annual budget). One time individual donations (capital improvements). Federal 5 year NRCS grant for field restoration (annual budget and annual cover crop seeding program). Specific grants from charitable organizations (capital improvements). General grants from businesses that have interest in what we do (special projects). Our annual operating budget averages between \$25,000-\$30,000 including summer intern program.

Community Support

From the outset the Farm has recognized that involvement of the Jamestown community was critical to our success. I believe we have been successful. We are involved with the Jamestown schools, churches, business community, Recreation Department, Boy Scouts (we have sponsored 6 Eagle Scout projects) girl scouts, garden clubs and the Jamestown Press. In the past year, all of these organizations have been involved in some Farm project. We also work with several other local farmers. We have an agreement with one of the largest landscape businesses in town to store and create leaf compost for the farm. In the wider community we have been featured in a national AARP program, an NPR radio program on Thanksgiving Day (our board president was actually in California and heard the program) and featured in three national magazines.

Most importantly we are involved with the individuals of Jamestown. We could not function without individual volunteers of all ages leaving their home on a Tuesday/Thursday night or Saturday morning; driving, walking, riding their bikes to the farm and getting the farm work done.

Successional Plan

From the outset, 20 years ago, I have been the Farm Manager. After my career retirement I began working at the farm full time as a volunteer. From April through September that involves a full 40 hour week plus about 5 hours on Saturday mornings. Along with the regular farm work, I have the responsibility for all farm management and most of the daily administrative responsibilities. I also write all grant requests and complete all subsequent reporting relative to the grant requirements. I am very proud

of what we have created and our many accomplishments. I essentially enjoy every minute of my work and I have no plans to reduce my workload. However, I also recognize reality and my responsibility to plan for a succession to a new farm manager. In the last couple of years I have been working with a variety of individuals that would be very successful in the position of farm manager. The Board of Directors has also recognized that it is probably unlikely that a volunteer farm manager will take on the entirety of my workload and they have created a funding program that is a very good start on a paid farm manager position.

The fact is however, that stabilizing and making permanent the land ownership of the 17 acres is the very critical next step. For the last 20 years both the landowner and I have had an excellent trusting relationship. The owner told me many years ago that “as long you’re alive and I’m alive this is the way it will be”.

Our lease agreement has a “right of first refusal” clause and about two weeks ago the owner told me that he and his family had talked and agreed that they would like to begin negotiations on the sale of the land to the Jamestown Community Farm.





Office of the Town Planner

MEMORANDUM

TO: The Honorable Town Council
Ms. Nancy Beye, President

FROM: Lisa W. Bryer, AICP, Town Planner

RE: 2019 Reapplication for Community Development Block Grant Program– Jamestown Housing Authority Bathroom Renovation - Town Council Authorization

DATE: September 15, 2021

The Town of Jamestown has participated yearly, as a “non-entitlement” community for competitive state funds from the Community Development Block Grant (CDBG) Program since 1987. The Program’s primary objective is the development of viable communities by providing decent housing, a suitable living environment and expanding economic opportunity; principally for persons of low and moderate income. The Town of Jamestown applies each year for funding under this program for the following range of activities:

- a) Provision of employment opportunities for low and moderate income individuals;
- b) Improved housing opportunities for low and moderate income families and individuals;
- c) Provision of community facilities and services principally benefiting low and moderate-income families and individuals.

Reapplication is necessary due to the project not being completed/money not spent and the subsequent increase in construction cost. The RI Office of Housing and Community Development has encouraged the Jamestown Housing Authority and the Town to reapply as the bathrooms at the Jamestown Housing Authority are badly in need of repair.

We are asking the Town Council to 1) approve reapplication for the grant funding (CDBG) and 2) to authorize the Town Administrator Jamie Hainsworth to negotiate an agreement between the Town of Jamestown and the Jamestown Housing Authority.

The completed reapplication and details will be presented to the Council at our October meeting

C: Jamie Hainsworth, Town Administrator
Roberta Fagan, Town Clerk
Christina Collins, Finance Director
Rain Daugherty, CCHC, CDBG Program Director
Michael McLaughlin/Christine Lennon, Jamestown Housing Authority

PO Box 281
Jamestown, RI 02835
8 September 2021

Jamestown Town Council
c/o Roberta Fagan, Town Clerk
Town of Jamestown
93 Narragansett Ave, Jamestown, RI 02835

Dear Council Members,

To participate with the International Day of Peace (21 September) and the International Day for the Total Elimination of Nuclear Weapons (26 September) I respectfully request your Council to approve a non-binding resolution called the ICAN Cities Appeal (see text below) at your 20 September meeting.

The Cities Appeal has been supported widely both in the USA and abroad. It has been passed by Paris, Geneva, Los Angeles, and Philadelphia; by the states of California, New Jersey, Oregon, and Maine; and by dozens of towns and cities across the USA including multiple towns in New England and Rhode Island. You can see the full list at this site:
https://cities.icanw.org/list_of_cities

This Appeal promotes the elimination of nuclear weapons worldwide, through support for the Treaty on the Prohibition of Nuclear Weapons (TPNW) which came into force as international law in January this year. The US government has not yet ratified this new Treaty and the US media has not given it wide coverage. Nevertheless, it is a major step forward in securing the safety of all Jamestown residents.

Some may say that banning nuclear weapons is not a local issue, and should be left to diplomats on an international scale, but I disagree. The threat of nuclear war has overshadowed us for seven decades. Looking at the public domain via Wikipedia, there are 15 times listed when nuclear war nearly happened (and there may be many more crises which have not been made public). These terrible weapons could be set off at any time if the fragile balance of diplomacy between the USA and Russia gets disrupted by miscommunication, accident, or malice. A nuclear war would devastate our beautiful tranquil island home, and it is important to take any possible steps to prevent that from happening.

The ICAN Cities Appeal states: 'Our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, we support the Treaty on the Prohibition of Nuclear Weapons and call on our governments to sign and ratify it.'

I urge you as the Jamestown governing body to pass this resolution. I look forward to any discussion you may have about these issues, either before 20 September or during the Council meeting that evening.

Sincerely, William W. Smith III
401-423-0433

Town of Jamestown



RESOLUTION OF THE TOWN COUNCIL No. 2021-10

ICAN Cities Appeal Resolution for the Town of Jamestown, Rhode Island

WHEREAS, Nuclear weapons pose an unacceptable threat to people everywhere

WHEREAS, on 7 July 2017, 122 nations voted to adopt the Treaty on the Prohibition of Nuclear Weapons

WHEREAS, on January 22, 2021 the Treaty on the Prohibition of Nuclear Weapons was entered into force.

WHEREAS, all national governments are now invited to sign and ratify this crucial global agreement, which prohibits the use, production and stockpiling of nuclear weapons and lays the foundations for their total elimination

WHEREAS, Cities and towns can help build support for the treaty by endorsing the ICAN Cities Appeal.

WHEREAS, the Town of Jamestown is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment

NOW THEREFORE BE IT RESOLVED that the Town of Jamestown, Rhode Island supports the Treaty on the Prohibition of Nuclear Weapons and calls on our governments to sign and ratify it.

By Order of the Jamestown Town Council

Nancy A. Beye, President

IN WITNESS WHEREOF, I hereby attach my hand and the official
Seal of the Town of Jamestown this 7th day of September, 2021.

Roberta J. Fagan, Town Clerk

From Mary Meagher

I propose that the town of Jamestown, in an effort to acquire (and develop) more units of affordable housing should seek to **purchase the development rights to existing homes** by offering qualified owners of those homes the equivalent of a reverse mortgage.

How would it work? For example, a couple whose combined income is currently 100% or even 120% of median income (for Jamestown, in its current assignment by HUD, median income for a two person household is around \$67000, for Newport it would be \$78000) owns a home in Jamestown. These people actually satisfy the criteria of affordable housing in terms of their income, but they hope to sell or leave their property to their heirs for a big payout. But they might need money now or in the near future to supplement their yearly income and so might be receptive to a reverse mortgage type of offering. I mean, have you seen Tom Selleck on TV pushing reverse mortgages? The man is so SINCERE! And I suspect there are more than a few Jamestown households that fulfill the "affordable" criteria. Most years, I do!

The **development rights** to that home might be understood as the difference between what an "affordable price" for that home would be and its assessed value. The affordable price would be one that a two person household income of \$67000 could afford. We determine this by following HUD and RIHOUSING guidelines that a household should spend no more than 30% of their income on these housing costs: mortgage, taxes and insurance.

For an income of \$67000, thirty percent is \$20,100. Or \$1675 per month. Let us assume home insurance to be \$150 per month. (\$1800 per year) Lets allow real estate taxes to be between \$2800 and \$3600. Or a max of \$300 per month. (This is an acknowledgement that an "affordable" home is encumbered by that designation and not "market rate".) That leaves \$1225 per month for mortgage which roughly pays for a mortgage of \$325000.

Example Lets say this couple's home is worth \$500000. In our plan, the town would purchase the development rights to this home for \$175000, to be paid over a term of twenty years. Development rights equals a 99 year term. (That could be negotiated but nothing less than 50 years) At 99 years, that could be understood as costing less than \$2000 per year.

But in terms of paying these folks, they would be paid over a 20 or 30 year term or perhaps less (but not less than 10 years.) They could be paid in a variety of ways. A cash outlay of \$730 per month (\$8750 per year) (\$8750 a year for 20 years equals \$175000) A combination of cash outlay and forgiveness of taxes. Taxes on a \$500000 property would be about \$4000. Maybe there is a credit of half that amount and a cash payment of \$6750. Maybe the owners donate the rights and can get a federal tax deduction of a specific amount.

The upshot of this is that for an investment of \$100000 per year (4 cents on the tax rate) over the next twenty years, the town could purchase the rights to 10-12 properties. It could help to support folks who own their homes but actually fulfill the criteria of affordable housing. It would represent an investment in the existing housing stock, not a new home or development that might raise alarm in town. It could help 20 plus Jamestown seniors or near seniors retire in their own homes. And if the properties are of sufficient size or the homes appropriately configured, the town might add/ build another affordable structure or accessory apartment on the property, an intervention that is less likely to trouble the neighbors.

In buying the development rights, we are still allowing the owners to sell or bequeath their property at the affordable value. So after 20 years, they could sell to an approved, qualified "Affordable" buyer at the equivalent of today's \$325000. Should they sell before the twenty years, (or whatever term is negotiated) maybe they forego the towns payment to them of the yearly stipend? Or something gets worked out.



Beavertail Lighthouse Museum Association

Dedicated to Preservation and Education

P.O. Box 83 Jamestown, RI 02835

RECEIVED:
SEP 13, 2021 02:26 PM
Roberta J. Fagan
TOWN OF JAMESTOWN Town Clerk

Town of Jamestown
Parks & Recreation Dpt.
93 Narragansett Ave.
1st Floor
Jamestown, RI 02835

September 13, 2021

Re: Pavilion Fee Waiver Request

Dear Town Administration:

The Beavertail Lighthouse Museum Association (BLMA) has submitted an application to use the Ft. Getty Pavilion for an appreciation luncheon for its volunteer docents who served throughout the season at the lighthouse.

The BLMA is a non-profit 503(c)(3) entity and benefits the entire Island community by maintaining and operating the lighthouse for public use. The museum is staffed in season by volunteer docents during open hours of the museum and the lighthouse tower.

BLMA is requesting a rental fee waiver for the use of the Pavilion on Thursday, October 7th, 2021 to host an appreciation luncheon for its volunteer docents.

Please consider this request and let us know if this can be granted.

Thanks very much.

Sincerely,

A handwritten signature in black ink, appearing to read "Leo N. Orsi, Jr.", written over a faint circular stamp.

Leo N. Orsi, Jr.
Member, BLMA Board of Directors

LNO:kmo



Town of Jamestown

Public Service Appointment Application

Committees, Commissions or Boards applying for (MAY APPLY FOR MORE THAN ONE):

Jamestown Housing Authority

RECEIVED:
SEP 14 2021 03:40 PM
Roberta J. Fagan
TOWN OF JAMESTOWN Town Clerk

Name: Robert Plein
Address: 18 Colvert Place
City: Jamestown Zip Code: 02835
Home Phone #: [REDACTED] Business Phone #: [REDACTED]

Are you a registered voter in the town of Jamestown: Y N

May we contact you at work: Y N Occupation: Farmer/Writer

E-mail address: [REDACTED]

Is your request for reappointment? Y N

If yes, how long have you served on the Committee, Commission or Board? _____

Have you attended meetings of a Committee, Commission or Board in the past? Y N

If yes, which one: Planning, Zoning, Aff. Housing, Harbor Management, etc

Is there a specific evening or other period of time you would be unavailable to attend meetings? Y N

If so, please indicate: _____

Do you anticipate having to refrain from participating in discussions or voting on any particular matter(s) that may come before said Committee, Commission or Board because of a conflict of interest? Y N

If so, please explain: _____

Please be advised that appointment to the Zoning Board of Review, the Planning Commission, and several other Boards require time during the regular work day to review plans and conduct site inspections. Are you able to meet the time requirements and make that commitment? Y N

PLEASE BE SURE TO ATTACH A RESUME

[Signature]
Signature

Sept 14, 2021
Date

Please be advised that you may need to go before the Town Council for an interview.

Interview scheduled for: _____ at _____ PM.

Please return to:

Town Clerk's Office
93 Narragansett Avenue
Jamestown, RI 02835
(401) 423-7282
Fax # (401) 423-7230

OPEN SESSION MINUTES
September 7, 2021

A motion was made at 6:25pm to continue the Executive Session at the conclusion of the Open Session by Councilor Brine with second by Councilor M. White to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

I. ROLL CALL –

Town Council Members present: Vice President Meagher, Councilor Brine, Councilor M. White and Councilor R. White

Also in attendance: Solicitor Peter Ruggiero, Town Administrator Jamie Hainsworth, Finance Director Christina Collins, Town Planner Lisa Bryer, Town Clerk Roberta Fagan, IT Consultant Michael Glier

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Vice President Meagher convenes the Town Council meeting at 6:32pm and sends best wishes to President Beye for health and wellness.

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Acknowledgements:

- 1) Formal Swearing in of new Town Clerk Roberta J. Fagan

Vice President Meagher reads the Oath formally swearing in Roberta J. Fagan as the Jamestown Town Clerk. Roberta Fagan affirms and swears to the Oath.

- B) Review, Discussion and/or Action and/or Vote regarding the request of Representative Deborah Ruggiero to recommend the Town of Jamestown for the Purple Heart Town Proclamation

- 1) Presentation by Representative Deborah Ruggiero
2) Proclamation 2021-08 Purple Heart Town

Representative Deborah Ruggiero gave a brief presentation on the premise of Purple Heart Community – recognizes our combat wounded service members, with physical and invisible wounds, and as a community never forgetting the sacrifices of our veterans and families. The goal is to connect more communities and bring awareness to what services are available to qualifying veterans that may or may not have the Purple Heart designation. VFW State Adjunct Matt McCoy addresses the Council and describes the goal to have every city and town sign on as a Purple Heart Town or City; and highlighting future plans to extend the trail over the bridges. Although there is no central registry for Purple Heart qualifying individuals, RI Veteran Affairs is researching and identifying individuals to obtain services they rightly deserve. Vice President Meagher requests veteran and fellow Town Councilor M. White to read the Purple Heart Proclamation.

A motion was made to adopt Proclamation 2021-07 designating Jamestown as a Purple Heart Town by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

A motion was made by Councilor R. White with second by Councilor M. White to convene as the Alcoholic Beverage Licensing Board. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. 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 as well as, when applicable, proof of insurance. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended that the following application has been received for a **New Class BV-L – Victualer Liquor License:**

CLASS BV-L – VICTUALER

Our Table LLC
dba: Our Table
53 Narragansett Avenue
Jamestown, RI 02835

- 1) Request for Town Council Review, Discussion, and/or Action and/or Vote of approval to proceed to advertise for Public Hearing on a date to be October 4, 2021 by the Town Council, with advertisement in the *Jamestown Press* editions of September 16th and September 23th

A motion was made to approve to advertise the Public Hearing to consider New Class BV-L Victualer Liquor License by Our Table LLC by Councilor E. Brine with second by Councilor M. White to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

- B) Town Council Sitting as the Alcoholic Beverage Licensing Board
1) **REQUEST** that the applications listed below will be in order for hearing at a meeting of said Licensing Board on Monday, November 1, 2021 at 6:30 p.m. and advertised in the *Jamestown Press*. **NOTICE:** Is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **RENEWAL** applications have been received by the Town Council for licenses under said Act, for the year December 1, 2021 to November 30, 2022; review, discussion and/or potential action and/or vote:

CLASS A (PACKAGE STORE) – RETAIL

Tunstall, Inc.
dba: Grapes & Gourmet
9 Ferry Wharf

A motion was made to approve hearing the renewal application of the CLASS A (PACKAGE STORE) – RETAIL, Tunstall, Inc., dba: Grapes & Gourmet on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

Varsha, Inc.
dba: Jamestown Wine & Spirits
30 Southwest Avenue
40 Bay View Drive

A motion was made to approve hearing the renewal application of the CLASS A (PACKAGE STORE) – RETAIL, Varsha, Inc., dba: Jamestown Wine & Spirits on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

CLASS B – TAVERN

JB's On the Water, LLC
dba: JB's On the Water
150 Conanicus Avenue

A motion was made to approve hearing the renewal application of the CLASS B TAVERN, JB's On the Water, LLC dba JB's On the Water on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

CLASS B – VICTUALER

Johnny Angels Clam Shack LLC
Dba: Angel's Kitchen
23B Narragansett Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, Johnny Angels Clam Shack LLC, Dba Angel's Kitchen on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

Islandish, Ltd.
dba: Chopmist Charlies
40 Narragansett Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, Islandish, Ltd. Dba Chopmist Charlies on November 1, 2021 at 6:30pm and

advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

Jamestown Locals LLC
dba: Narragansett Café
25 Narragansett Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, Jamestown Locals LLC, dba Narragansett Café on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

New England Golf Course Management, Inc.
dba: Jamestown Golf and Country Club
aka: The Caddy Shack
245 Conanicus Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, New England Golf Course Management, Inc, dba Jamestown Golf and Country Club, aka The Caddy Shack on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

Slice of Heaven, Inc.
dba: Slice of Heaven
32 Narragansett Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, Slice of Heaven, Inc., dba Slice of Heaven on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, ESJ, Inc., dba Simpatico Jamestown on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

KALI, LLC
dba: J Twenty-Two Tap & Table
22 Narragansett Avenue

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, KALI, LLC, dba J Twenty-Two Tap & Table on November 1, 2021 at 6:30pm

and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

Tallulah's Taqueria, LLC
Db a Tallulah's Tacos
35 Narragansett Avenue, Unit D

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER, Tallulah's Taqueria, LLC, Db a Tallulah's Tacos on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

CLASS B – VICTUALER - LIMITED

Village Hearth Bakery, Inc.
dba: Village Hearth Bakery
2 Watson Avenue
Jamestown, RI 02835

A motion was made to approve hearing the renewal application of the CLASS B VICTUALER- LIMITED, Village Hearth Bakery, Inc., dba Village Hearth Bakery on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

CLASS D – FULL (CLUB)

Conanicut Yacht Club
dba: Conanicut Yacht Club
40 Bay View Drive

A motion was made to approve hearing the renewal application of the Class D – FULL(CLUB) Conanicut Yacht Club on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

A motion was made by Councilor M. White with second by Councilor R. White to adjourn sitting as the Alcoholic Beverage Licensing Board. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

The Town Council Adjourns from sitting as the Alcoholic Beverage Licensing Board

- C) Victualing License Application (New): All victualing license application approvals are subject to compliance with all state and local requirements and any and all COVID-19 protocols in affect; Review, Discussion and/or Action and/or Vote on the following:

- 1) Applicant: Our Table LLC dba Our Table
Address: 53 Narragansett Avenue, Jamestown, RI 02835

A motion was made to grant approval the Virtualing License Application (New) by Our Table LLC dba Our Table by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

- D) Event/Entertainment License: All Event/Entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:

- 1) Applicant: Tallulah's Taqueria LLC dba Tallulah's Taqueria
Address: 35 Narragansett Avenue

Vice President Meagher states that the applicant was asked at the August 16th Town Council meeting to offer additional information for the expansion of the existing Entertainment License. The applicant was not present to address the Town Council. Town Administrator Jamie Hainsworth read the written Entertainment License proposal submitted by the applicant. Chief Mello was not aware of the new Entertainment License application and proposal. Chief Mello recommends to keep Entertainment License as is and have applicant submit new application when current license expires on November 30, 2021. Discussion regarding the application lacked start times. The Council agrees that there needs to be specific start time and end time.

A motion was made to continue the request to the September 20th Town Council Meeting by Councilor R. White with second by Councilor E. Brine to continue until next Town Council meeting. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

- E) Licenses and Permits

- 1) **REQUEST** to advertise for extended hours [in accordance with RIGL §5-24-1 (a) and (b)] in the *Jamestown Press* for a public hearing on November 1, 2021: **NOTICE:** Is hereby given that there will be a public hearing by and before the Town Council of the Town of Jamestown on Monday, November 1, 2021 at 6:30 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue, Jamestown, RI pursuant to §5-24-1 of the General Laws of Rhode Island 1956 and as amended upon the following: **RENEWAL** application; review, discussion and/or potential action and/or vote:

Cumberland Farms, Inc.
dba: Cumberland Farms Store #1108
41 North Main Road
Plat 8 Lot 626

Application of **Cumberland Farms, Inc. dba: Cumberland Farms Store #1108**, for renewal of additional operational hours to open at 5:00 a.m. for said establishment, holder

of a Victualing License issued by the Town of Jamestown. If granted, this will allow the establishment to continue to be open from 5:00 a.m. to 2:00 a.m. daily (RIGL §5-24-1 allows this establishment to be open from 6:00 a.m. until 2:00 a.m. without additional operating hours).

A motion was made to approve to advertise hearing the renewal application for extended hours by Cumberland Farms, Inc. dba Cumberland Farms Store #1108, on November 1, 2021 at 6:30pm and advertisement in the Jamestown Press by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Broad Band Services to the Island
 - 2) Short Term Rental Ordinance
 - 3) Letter to Jamestown Housing Authority
 - 4) Hurricane Henri Emergency Order
 - 5) Covid 19 update: Covid Testing

Town Administrator stated that items on his report are on the Town Council agenda and would be discussed during the meeting.

- B) Police Chief Ed Mello
 - 1) September 11, 2011 – 20th Anniversary Memorial Ceremony

Police Chief Ed Mello, joined by Mr. Donnelly and Mr. Swistak addressed the Town Council regarding the planned event on Saturday, September 11, 2021. For the first time the four entities, the Jamestown Police Department, VFW, American Legion and Fire Department are working together to plan the 9/11 20th Anniversary Memorial Ceremony.

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) Review, Discussion and/or Action and/or Vote to consider a publicly operated Broad Band Utility to all residents
 - 1) Review New Shoreham study (distributed at August 16th Town Council Meeting)

IT Director Michael Glier addressed the Town Council looking for feedback after reviewing the New Shoreham study. A motion was made to approve issuing an RFP for a consultant to research a high-level design, financial plan and developing subsequent RFP for an island wide broad band by Councilor M. White with second by Councilor E. Brine. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

- B) Review, Discussion and/or Action and/or Vote to consider Short Term Rental Ordinance
 - 1) Review by Council with Staff on Planning Commissions Short Term Rental Ordinance proposal

Town Planner Lisa Bryer presented an overview of the final draft of the proposed Short-Term Rental Ordinance that the Staff and Planning Commission is recommending as a starting point. Discussion ensued. Town is considering some type of ordinance to regulate Short-Term Rentals to set expectations for owners and tenants, to mitigate problems and maintain community contentment. At this time the Town of Jamestown has no requirements or regulations addressing short-term rentals. The Town Council needs to decide whether to regulate by way of registering and tracking short term rentals; or prohibit any future short-term rentals which is currently enforceable under Table of Use in Zoning Ordinance of permissible land uses. Michael Swistak, Planning Commissioners, 143 Narragansett Avenue addresses the Town Council. The short-term rentals number approximately 120-150 and currently are unregulated businesses. Mr. Swistak is urging the Town Council to review and tweak the draft ordinance so that a final ordinance is adopted by January 2022. Marian Falla, 75 Green Lane addresses the Council and offers suggestions for short-term rental ordinance: 1) Cap the number STR units, 2) Impose a Community Impact Fee 3) Registry for STR with map identifying with notifications to adjacent property owners.

No motion or vote taken. The Town Council continued the topic to the September 20, 2021 agenda.

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/or Action and/or Vote to commence a needs assessment and evaluation for a new Senior Center

Town Administrator Hainsworth addressed the Council in response to many comments that have been received over the years on the status of the Senior Center. It was decided to continue the topic to the September 20, 2021 agenda.

- B) Review, Discussion and/or Action and/or Vote regarding the July 6, 2021 letter of concern from the Jamestown Fire Department Board of Fire Wardens on the lack of affordable housing as it relates to the availability of volunteer first responders
 - 1) Letter of Jamestown Fire Department Board of Fire Wardens

Discussion ensued.

Town Administrator Hainsworth commends the Fire Department Board of Fire Wardens on writing the letter bringing awareness to the critical need for affordable housing and volunteer first responders.

Mr. Bill Kelly, 76 Reservoir Circle, requests to address the Town Council relating to the issue of affordable housing. Affordable Housing is vital to this community and sites the non-fiction book *Show Me a Hero* – based on Yonkers case study.

No motion or vote taken.

- C) Review, Discussion and/or Action and/or Vote regarding the July 19, 2021 Presentation by Sharon Gold on idling vehicles and request to post signs in Town, and approval of Resolution No. 2021-08 Anti-Idling Resolution for the Town of Jamestown, Rhode Island

- 1) Resolution 2021-08 Anti- Vehicle Idling

Vice President Meagher reads the Anti – Vehicle Resolution. Town Administrator Hainsworth and Chief Mello provide feedback and perspective.

The Council decides to continue the topic to a later meeting.

- D) Review, Discussion and/or Action and/or Vote regarding application for use of the Recreation Center ten consecutive Wednesdays, starting September 1, 2021 thru November 3, 2021, 5:30pm – 7:30pm by the Jamestown Guitar Circle.

- 1) Application and letter from the Jamestown Guitar Circle (non-profit) requesting waiver of rental fee

Discussion ensued.

A motion was made to waive the Recreation Center rental fee for the Jamestown Guitar Circle by Councilor E. Brine with second by Councilor M. White to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

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 Action and/or Vote:

- 1) Jamestown Affordable Housing Committee (One [1] Member vacancy with a three-year term ending date of May 31, 2023)
- a) Quaker Case

A motion was made to send notification to Quaker Case for interview to take place on September 20, 2021 before the next scheduled Town Council meeting. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

- 2) Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with an unexpired term ending date of May 31, 2023 and an unexpired term ending May 31, 2024)
- a) No applicants
- 3) Jamestown Housing Authority (Two [2] Commissioner vacancies with an unexpired five-year term ending date of December 31, 2024 and an unexpired five-year term ending date of December 31, 2025)
- a) No applicants
- 4) Jamestown Juvenile Hearing Board (One [1] Alternate vacancy with a two-year term ending date of December 31, 2021)
- a) Nancy Ventrone

A motion was made to approve appointing Nancy Ventrone by Councilor M. White with second by Councilor Randy White to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

- 5) Jamestown Zoning Board of Review
 - a) John Shekarchi to replace Ed Gromada
 - b) Alternate – No applicants

Discussion ensued.

Vice President Meagher questioned whether it was necessary to advertise the Zoning Board of Review seat opening before John Shekarchi is approved to move from an alternate to full member of the Zoning Board of View.

A motion to advertise the Zoning Board of Review open seat was made by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

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 16, 2021, 2021 (Regular/Water and Sewer Meeting)
 - 2) August 21, 2021 (Emergency Meeting)
 - a) Declaration of Local Disaster Emergency Resolution

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Housing Authority Board of Commissioners (June 30, 2021)
 - 2) Zoning Board of Review (July 27, 2021)

- C) Tax Assessor’s Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2020 TAX ROLL

REED ADAM I	NO BILL UNDER 5 DOLLARS	01-0001-96M	\$3.79
KALE STEMS LLC	CAR TOTALLED 7/29/2019	11-0041-64M	\$ 82.90
NORTH MEADOW FARM	EXEMPT FARM PLATE	01-0004-36M	\$22.68
WINDMIST FARM	EXEMPT FARM PLATE	01-0004-27M	\$363.11
ANDERSON STEPHEN M	EXEMPT FARM PLATE	01-0357-18M	\$73.01
HODGKISS FARM	EXEMPT FARM PLATE	08-0563-00M-2	\$132.75
WINDMIST FARM LLC	EXEMPT FARM PLATE	14-0046-00M-7	\$40.04
WINDMIST FARM LLC	EXEMPT FARM PLATE	14-0046-00M-8	\$60.84
BALL JEFFREY A	REG. IN PA 10/23/2020	02-0096-04M-2	\$73.99
BALL JILL H	REG. IN PA 10/27/2020	02-0096-04M	\$6.67

TOTAL ABATEMENTS	\$859.78
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- D) Narragansett Electric dba National Grid for the purchase of existing street lights in the amount of \$20,041.54 – after review and consultation of Solicitor authorize the Town Administrator to sign Agreement of Sale

- 1) Agreement
 - 2) Agreement of Sale
- E) September 11, 2001 - 20th Anniversary Memorial
- 1) Application for September 11, 2001 - 20th Anniversary Memorial Ceremony

A motion was made to approve the Consent Agenda by Councilor E. Brine with second by Councilor M. White to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.

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: Town Council
From: Robert Sutton
Dated: August 12, 2021
Re: Bike path naming
 - 2) Copy of Letter to: Wayne Banks, Jamestown Harbor Commission
From: Charlotte Zarlengo
Dated: August 16, 2021
Re: Regarding a copy of most recent Harbor Management plan submitted to CRMC plan, Heads Beach mooring site coordinates, approval of locations of moorings inside and outside of mooring field
 - 3) Copy of Letter to: Town Council
From: Frank Meyer
Dated: August 21, 2021
Re: Broadband for Jamestown
 - 4) Copy of Letter to: Town Council
From: Clean Water Access
Dated: August 25, 2021
Re: Thank you for approving the Ben Tuff Swim
 - 5) Copy of Letter to: Town Council
From: William A. Kelly
Dated: August 31, 2021
Re: Cell Phone Tower request

Charlotte Zarlengo, 350 Seaside Drive, addresses the Town Council regarding the letter sent to the Wayne Banks, Jamestown Harbor Commission. The Jamestown Shores Homeowners association is concerned about the water quality for safe and enjoyable use of the Heads Beach swimming area as well as the increasing number of moorings at Heads Beach.

No motion or vote taken. Vice President M. Meagher agrees that it can be reviewed on a future agenda.

XI. OPEN FORUM

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 – Frank Meyer
- B) Scheduled request to address – William A. Kelly
- C) Non-scheduled request to address

There were no comments during Open Forum.

Councilor R. White recused himself from Executive Session Agenda Tax Assessment Appeals and departed at 8:29pm

A motion was made at 8:29 to reconvene the Executive Session by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye.

XII. EXECUTIVE SESSISION

- B) Review, Discussion and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation (Review of Judges Ruling), Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS

Discussion ensued. A Vote was taken regarding the Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS, regarding possible settlement, however the disclosure of the specific vote is withheld from disclosure pursuant to RIGL § 42-46-4 and 42-46-5(a) Subsection (2) Pending or Potential Litigation (Review of Judges Ruling).

A motion was made to adjourn the Executive Session and rejoin the Open Meeting by Vice President Meagher with second by Councilor M. White to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye.

The Town Council reconvened the regular meeting at 8:50 p.m. Vice President Meagher announced that the Town Council took no action in Executive Session.

A motion was made by Councilor M. White with second by Councilor Brine to seal the Minutes of the Executive Session. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye.

XIII. 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.

A motion was made to adjourn open meeting at 8:51 by Councilor M. White with second by Councilor E. Brine to approve. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye.

Attest:

Roberta J. Fagan, Town Clerk

Approved As Written
PLANNING COMMISSION MINUTES
Jamestown Town Hall
93 Narragansett Ave.
August 4, 2021
7:00 PM

I. Call to Order and Roll Call

The meeting was called to order at 7:03 p.m. and the following members were present:

Michael Swistak – Chair	Duncan Pendlebury – Vice Chair
Rosemary Enright – Secretary	Mick Cochran
Bernie Pfeiffer	Dana Prestigiacomo
Michael Smith	

Also present:

Lisa Bryer, AICP – Town Planner
Wyatt Brochu – Town Solicitor
Chris Arner, Architect
Gino DiFante – Applicant
Connie Slick
Marla Romash

Michael Swistak recused from the following application.

II. Old Business

- 1) 53 Narragansett Avenue, Plat 9 Lot 207 – Change of Use in the Jamestown Village Special Development District, Jamestown Zoning Ordinance Article 11 - Development Plan Discussion, Review and Approval, recommendation to Zoning Board on Special Use Permit for liquor.**

The Planning Commission has looked at this application at a prior meeting and there were a couple of things they wanted clarification on.

Chris Arner, Architect will be making a presentation for the owner/applicant Gino DiFante. An overview, first floor is retail divided into 3 spaces, 2 will be occupied by one use. The second and third floors will remain the same.

Parking Requirement: First floor 16 spaces, second floor – 10 spaces, and the third floor – 3 spaces for a total of 29 spaces. 27 spaces on the property and 2 additional on the street for a total of 29.

Lighting was a concern, they have done a plan that includes lighting and also signage.

They went through and inventoried the existing lighting currently on the outside of the building and have included a lighting plan, what will be removed and remain.

Commissioner Pendlebury said they talked about lighting distribution at the last meeting and in particular the parking area lighting. The floodlights that do not work will be replaced and directed downward. Pendlebury said this was discussed in the last meeting and the parking lot needs to have ample lighting in the parking lot and not shining into the residences. We need to see the distribution. Mr. Arner said all of the lights will be directed downward as to not impact the neighbors.

The other issue Commissioner Pendlebury said was the retaining wall. There were areas that were hit and are now protruding into the neighbors property. Mr. Arner said he did check it out. They can be pulled back in place and maintained he said. The fence posts can be tightened up. He thinks if they fix the posts on the chain link fence it will be ok.

Connie Slick – Narragansett Avene is a direct abutter. She said unfortunately the press said some things that are not true. She wants to set the record straight. She reached out to Gino DiFante when he first purchased the building to welcome him into the neighborhood. She also reached out to Marla Romash to get together but those discussions fell apart. Her feeling is as a property owner you can do whatever you want to your building within reason. You want to address each others needs. She thanked Pendlebury for asking for the lighting plan. The light up high goes directly into her house, it is not down lit. She wants the reassurance that it will be downlit. She hopes the research for the lighting will continue. The fence has been a problem for quite a while. They have gone back and forth with the wall over the years. When Bakers put up the fence he said they hope they don't have a problem because of something that was done with the fence. From the time it was done, in 2006 a car drove over and into her building. She wants to make sure that with an establishment serving wine and beer she wants to make sure that does not happen. She would like to see more of a barrier and privacy for a fence. The one thing that has not been addressed is the entrance. She does not want them to be smoking close to her property. She is concerned about the wall/fence. Part of the recommendation is to move to zoning for a liquor license. She discussed about moving forward that it is a beer and wine license. She wants to know what the hours are too. These are her concerns as an abutter. Not trying to stop business.

Lisa Bryer said it says liquor because that is how it is addressed in the zoning ordinance. Their application is a class B which is wine and beer. Lisa Bryer also explained the cap set by the town can be raised and lowered which is routine. The council will look at hours of operation too.

Chris Arner said the boards can add limitations on the license in addition to the council. The type of license itself can add its own restrictions too.

Marla Romash said they have tried to address the concerns of the boards and the neighbor. They want to be good neighbors. There are limits with the license with regards to hours of operation, etc. She said they are not the Ganny and will not be the Ganny. There will be no smoking on the restaurant premises. She said with the restaurant they will not allow it near the restaurant.

Commissioner Cochran made a comment about the lighting plan from the proposal and conditions of approval. It can to be reviewed administratively. Duncan Pendlebury there are standard parking lot standards of 2 foot candles.

The Planning Commission made some changes to the proposed motion with Findings of Fact and Conditions of Approval that are included in the motion.

A motion was made by Commissioner Pendlebury and seconded by Commissioner Enright That the application of Gino DiFante, 53 Narragansett Ave. was reviewed by the Planning Commission and hereby grants Development Plan approval based on the following finding of fact and subject to the following conditions of approval:

Findings of Fact:

1. The application was reviewed under the standards of Zoning Article 11 as a new use.
2. This application has been reviewed by the TRC on 6-16-21, 7-28-21 and by the Planning Commission on 7-7-21;
3. The applicant was represented by Chris Arner, AIA, and has provided the following information for the current application:
 - Plans entitled COMMERCIAL BUILDING 53 Narragansett Avenue, Jamestown, RI, Plat 9, Lot 207 dated 7-28-21:
 - Proposed (location) Site and Lighting Plan, Photographs, Parking Calculations, and;
 - Floor Plans, Zoning and Code Requirements;
4. The proposed improvements consist of:
 - a) Interior Improvements to the second and third floor, but no change in use. Conversion of the first floor from a Pharmacy/retail use to Restaurant/Office/Personal Service/Retail;
 - b) Exterior improvements including lighting, signage, rubbish collection, and parking compliance;
5. This property is located in the Commercial Downtown (CD) District. Restaurant, office, personal service and retail uses are permitted in the CD District. Restaurant with Liquor requires a special use permit. The Planning Commission finds this application is consistent with the Jamestown Comprehensive Plan.
6. The restaurant and additional uses as shown on the plans have shown to comply with parking based on proposed uses including a 46 seat inside restaurant. Therefore, there is adequate parking for the intended use, 27 on-site and 2 on street as permitted by Zoning Ordinance 82-1204J.
7. A joint trash receptacle area (dumpster) is provided for all site uses in the rear of the site.
8. Throughout the process, the direct abutter at 49 Narragansett - Plat 9 Lot 208 has provided comments and concern over the retaining wall leaning towards her property by 6 inches, the fence on top of the retaining wall needing repair and maintenance, providing curb stops, noise from proposed outdoor dining, inappropriate lighting, on-site liquor nuisances, and trash location;
9. The applicant has committed to no smoking outside on the premises; and,

10. The applicant has revised the application to include No outdoor dining.

Conditions of Approval:

1. The site improvements shall be built in strict accordance with the plans referenced above, including:
 - a. Prior to final approval, It should be concluded whether the fence on the eastern property line is structurally sound and replaced and/or painted on both sides if necessary;
 - b. Prior to the certificate of occupancy, the building official will insure lighting compliance with Zoning Ordinance Sec. 82-312;
2. A Special Use Permit is required for liquor service;
3. A liquor license is required for serving liquor;
4. Board of Water and Sewer Commissioners approval is needed prior to a building permit;
5. A final lighting distribution plan, using a parking lot standard of 2 foot candles, shall be approved administratively prior to final approval; and,
6. Final Development Plan Approval shall be granted administratively when all conditions of approval are satisfied and the Special Use Permit has been granted by the Zoning Board of Review.

So unanimously voted: Duncan Pendlebury, Rosemary Enright, Mick Cochran, Bernie Pfeiffer, Dana Prestigiacomo, Michael Smith.

III. Correspondence

1. Letter to Planning Commission from Donna Cameron Gricus – Re: Sewer Pipes. This is not the Planning Commissions jurisdiction. Received
2. FYI – Administrative Subdivision A.P. 5 Lots 401&404 Brissette/Carney. Received
3. FYI – Administrative Subdivision A.P. 9 Lots 360&615 Neri/Iannetta Trocki. Received

IV. Approval of Minutes July 7, 2021; review, discussion and/or action and/or vote

A motion was made by Commissioner Enright and seconded by Commissioner Smith to accept the minutes with the following change:

Page 4, 3rd line, The main issue at the TRC was the plans were **not** detailed and did not answer the necessary questions.

So unanimously voted.

V. Citizen's Non-Agenda Item – nothing at this time

VI. Reports

1. Town Planner's Report

We are moving forward with our energy and resiliency plan I have sent an email to you and asked who would like to be involved so please let me know.

The Town Council is taking up the short-term rental ordinance, minor changes made. It will be received by them again with minor changes for their next meeting and possible workshop in September and October public hearing. They had an informal discussion, adding bedroom

count possibly so council might make changes and now about limiting it to owner occupied units. Difficult to enforce.

- Future meetings – topics and applications

First meeting in September possibly 29 Narragansett Ave. will be on and also Freebody LLC might be on for that meeting too.

Commissioner Enright has asked about Carr Lane. Wyatt Brochu reported that Ashley Sweet and Jim Reardon will be replacing Lisa Bryer who will be representing the town as owner, Church Community will be the applicant.

Pendlebury asked if Don Powers is going to make a presentation to us or the applicant? The peer review architect, Don Powers, will do the presentation. They just re-submitted yesterday and with cursory review it appears they are somewhat similar plans and did not include many of the changes Don Powers suggested. Don will need to review them and provide comment.

VII. Adjournment

A motion to adjourn was made by Commissioner Enright and seconded by Commissioner Smith. So unanimously voted.

Attest:

Lisa Bryer

Town of Jamestown as an abutter.

Town property: Plat 4 – Lots 6 & 12

TOWN OF JAMESTOWN
ZONING BOARD OF REVIEW
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE JAMESTOWN ZONING BOARD OF REVIEW WILL HOLD A PUBLIC HEARING SEPTEMBER 28, 2021, AT THE JAMESTOWN TOWN HALL 93 NARRAGANSETT AVENUE, JAMESTOWN, RHODE ISLAND AT 7:00 P.M. UPON THE FOLLOWING:

Application of William and Kathy Richard whose property is located at 56 Reservoir Circle, and further identified as Assessor's Plat 4, Lot 74 for a Variance granted under Article 6, Special Use Permits and Variances, Section 600 and 606. This application is made pursuant to the provisions of section 82-302, Table 3-2, District Dimensional Regulations for the RR80 Zoning District of the zoning ordinance. The Applicant seeks front yard setback relief of 13.8 feet where 40 feet is required, rear setback of 23.8 feet where 40 feet is required, and a side setback of 17.2 feet where 30 feet is required in order to construct an addition on the structure. Said property is located in a RR80 zone and contains 19,739 square feet.

BY ORDER OF THE ZONING BOARD OF REVIEW

RICHARD BOREN, CHAIRMAN

WILLIAM MOORE, ZONING OFFICER

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 not less than 3 business days prior to the meeting.

PLEASE NOTE: All Correspondence or Exhibits you wish the Board to consider on any of the above matters must be received by the Zoning Office no later than Friday, September 17, 2021. You may submit those documents the following ways: Email to pwestall@jamestownri.net or via drop box located on the West Street side entrance of Town Hall, or by regular mail 93 Narragansett Avenue, Jamestown, RI 02835.

**Please find website link for Meeting Material, Notice of Applications, Exhibits, and Correspondence:
<http://www.jamestownri.gov>**



**Town of Jamestown
Tax Assessor**

**93 Narragansett Avenue
Jamestown, RI 02835**

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

To: COUNCIL PRESIDENT BEYE, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENT OF TAXES FOR THE **SEPTEMBER 20, 2021** MEETING

Please see the attached.

•
RESPECTFULLY SUBMITTED,

Christine Brochu

CHRISTINE BROCHU
TAX ASSESSOR

PO Box 281
Jamestown, RI 02835
8 September 2021

Jamestown Town Council
c/o Roberta Fagan, Town Clerk
Town of Jamestown
93 Narragansett Ave, Jamestown, RI 02835

Dear Council Members,

To participate with the International Day of Peace (21 September) and the International Day for the Total Elimination of Nuclear Weapons (26 September) I respectfully request your Council to approve a non-binding resolution called the ICAN Cities Appeal (see text below) at your 20 September meeting.

The Cities Appeal has been supported widely both in the USA and abroad. It has been passed by Paris, Geneva, Los Angeles, and Philadelphia; by the states of California, New Jersey, Oregon, and Maine; and by dozens of towns and cities across the USA including multiple towns in New England and Rhode Island. You can see the full list at this site:
https://cities.icanw.org/list_of_cities

This Appeal promotes the elimination of nuclear weapons worldwide, through support for the Treaty on the Prohibition of Nuclear Weapons (TPNW) which came into force as international law in January this year. The US government has not yet ratified this new Treaty and the US media has not given it wide coverage. Nevertheless, it is a major step forward in securing the safety of all Jamestown residents.

Some may say that banning nuclear weapons is not a local issue, and should be left to diplomats on an international scale, but I disagree. The threat of nuclear war has overshadowed us for seven decades. Looking at the public domain via Wikipedia, there are 15 times listed when nuclear war nearly happened (and there may be many more crises which have not been made public). These terrible weapons could be set off at any time if the fragile balance of diplomacy between the USA and Russia gets disrupted by miscommunication, accident, or malice. A nuclear war would devastate our beautiful tranquil island home, and it is important to take any possible steps to prevent that from happening.

The ICAN Cities Appeal states: 'Our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment. Therefore, we support the Treaty on the Prohibition of Nuclear Weapons and call on our governments to sign and ratify it.'

I urge you as the Jamestown governing body to pass this resolution. I look forward to any discussion you may have about these issues, either before 20 September or during the Council meeting that evening.

Sincerely, William W. Smith III
401-423-0433



Town of Bristol, Rhode Island

PROCLAMATION

Be it hereby known to all that:

WHEREAS, dysautonomia is a group of medical conditions that result in a malfunction of the autonomic nervous system, which is responsible for "automatic" bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more;

WHEREAS, some forms of dysautonomia are considered rare diseases, such as Multiple System Atrophy and Pure Autonomic Failure, while other forms of dysautonomia are common, impacting millions of people in the US and around the world, such as Diabetic Autonomic Neuropathy, Neurocardiogenic Syncope and Postural Orthostatic Tachycardia Syndrome;

WHEREAS, dysautonomia impacts people of any age, gender, race or background, including many individuals living in Bristol;

WHEREAS, some forms of dysautonomia can be very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship;

WHEREAS, some forms of dysautonomia can result in death, causing tremendous pain and suffering for those impacted and their loved ones;

WHEREAS, increased awareness about dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with dysautonomia in our community;

WHEREAS, Dysautonomia International, a 501(c)(3) non-profit organization that advocates on behalf of patients living with dysautonomia, encourages communities to celebrate Dysautonomia Awareness Month each October around the world;

WHEREAS, we seek to recognize the contributions of the professional medical community, patients and family members who are working to educate our citizenry about dysautonomia in Bristol.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Bristol declares the month of October to be **DYSAUTONOMIA AWARENESS MONTH**.


Steven Contente, Town Administrator



IN WITNESS WHEREOF, we have hereunto set our hand and affixed the SEAL of the Town of Bristol, Rhode Island on adoption this _____ day of _____


Nathan R. Calonge, Chairman


Mary A. Parella, Vice Chairwoman


Antonio A. Teixeira, Councilman


Timothy E. Sweeney, Councilman


Aaron J. Ley, Councilman

ATTEST: 
Melissa Cordeiro, Town Clerk