

TOWN COUNCIL MEETING
January 7, 2019

I. ROLL CALL

Town Council Members present:

Michael G. White, President
Mary E. Meagher, Vice President
Nancy A. Beye
Randall White
William J. Piva, Jr.

Also in attendance:

Andrew E. Nota, Town Administrator
Christina D. Collins, Finance Director
Edward A. Mello, Police Chief
Andrew J. Wade, Parks and Recreation Director
Peter D. Ruggiero, Town Solicitor
Cheryl A. Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

President White called the regular meeting of the Jamestown Town Council to order at 6:35 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance.

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

None.

**IV. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS,
RESOLUTIONS AND PROCLAMATIONS**

None.

V. PUBLIC HEARINGS, LICENSES AND PERMITS

A) Town Council Sitting as the Alcoholic Beverage Licensing Board

A motion was made by Vice President Meagher with second by Councilor Piva to convene as the Alcoholic Beverage Licensing Board at 6:36 p.m. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

1) **REQUEST** that the application listed below will be in order for hearing at a meeting of said Licensing Board on Monday, February

4, 2019 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 **TRANSFER** application has been received by the Town Council under said Act, for the period February 4, 2019 to November 30, 2019; review, discussion and/or potential action and/or vote:

TRANSFER OF CORPORATE STOCK:

CLASS B – VICTUALER

ESJ, Inc.

dba: Simpatico Jamestown
13 Narragansett Avenue
Benjamin L. Brayton 100%

NEW CORPORATE STOCK HOLDERS:

CLASS B - VICTUALER

ESJ, Inc.

dba: Simpatico Jamestown
13 Narragansett Avenue
Benjamin L. Brayton 50%
Amy Barclay de Tolly 50%

A motion was made by Vice President Meagher with second by Councilor Beye to proceed to advertise for Public Hearing on February 4, 2019. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 2) **REQUEST** that the application listed below will be in order for hearing at a meeting of said Licensing Board on Monday, February 4, 2019 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 **NEW** application has been received by the Town Council under said Act, for the period February 4, 2019 to November 30, 2019; review, discussion and/or potential action and/or vote:

NEW LICENSE:

CLASS B – VICTUALER – LIMITED

Johnny Angels Clam Shack LLC

dba: Angel's Kitchen
23 Narragansett Avenue

A motion was made by Vice President Meagher with second by Councilor White to proceed to advertise for Public Hearing on February 4, 2019. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

A motion was made by Vice President Meagher with second by Councilor Piva to adjourn as the Alcoholic Beverage Licensing Board at 6:39 p.m. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

VI. OPEN FORUM

- A) Scheduled request to address. None.
- B) Non-scheduled request to address.

Charlotte Zarlengo of Seaside Drive addressed the 32 lots in the Jamestown Shores proposed for protection. A 2006 Workshop centered on protecting as many lots in the Shores as possible to protect the water supply was referenced. Ms. Zarlengo noted water issues in the Shores, the need to protect lots located in the wetlands in perpetuity, the water supply is challenged, and the need for protection so that we don't have to come back to Council again to promote water supply protection in the Shores.

Town Administrator Nota stated Town Planner Lisa Bryer is developing a report on the Shores lots that should be ready within the next month for presentation to Council. It is expected the majority of the lots will be recommended for protection. There is no separate funding source for property acquisition, and the Shores lots acquired by the Town for protection were determined as non-buildable. The Land Trust Easement or other easement would be the focus of conversation.

Ms. Zarlengo asked that the lots be protected in perpetuity by placing them under the Conanicut Island Land Trust Easement.

Town Administrator Nota stated the Town doesn't have enough data to render an opinion and a more comprehensive study is needed so that Council can make an informed decision going forward. An internal meeting with URI faculty is proposed to review this important issue.

Richard Boren of Intrepid Lane noted he attended the 2006 workshop referenced and Richard Pastore gave a thorough analysis of the Jamestown Shores that resulted in development and adoption of the Groundwater Overlay District ordinance. As a member of the Zoning Board for 19 years, he has encountered residents from the Shores at eight or nine meetings every year for the very issues discussed this evening.

Vice President White noted the lots are safe under Town ownership, was on the Planning Commission in 2006, and recognizes the importance. If the lots are protected it is still not all that the Town needs to do to protect the water recharge area. He shares these concerns, and that is why a comprehensive plan is in order to make the right decisions.

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

None.

VIII. UNFINISHED BUSINESS

- A) Appointment of Town Solicitor and Prosecutor; review, discussion and/or potential action and/or vote
 - 1) Letters of interest and resumes
 - a) Archer & Foppert; interview conducted
 - b) Ruggiero, Brochu & Petrarca; interview conducted

A motion was made by Vice President Meagher with second by Councilor Piva to appoint Ruggiero, Brochu & Petrarca to be the Town Solicitor again.

Discussion. Vice President Meagher thanked Eric Archer, Deb Foppert and Charles Beal for the interview and interest in serving the Town. The interview strengthened her thinking the current Solicitor should be reappointed. President White was happy to see another firm come forward. Based on his years of experience on the Council and the long relationship with Ruggiero, Brochu & Petrarca, he would like them to continue. Councilor Beye agreed. Councilor White stated he was pleased to have the opportunity to interview Archer, Foppert and Beal. The contrast of experience of our current Solicitor distinguishes them in the field and they should continue.

Back to the vote on the motion. **President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

Solicitor Ruggiero thanked the Council.

A motion was made by Vice President Meagher with second by Councilor Piva to move up Item X. A) Appointments and Vacancies 9) a) and b) in the agenda. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

IX. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

- A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote on each listed appointment and/or vacancy
 - 9) Jamestown Zoning Board of Review – Member (One vacancy with

a five-year term ending date of December 31, 2023); duly advertised

- a) Term limit reached
 - i) Richard A. Boren
- b) Letter of interest for reappointment (per Charter Section 1002 Subsection (3))
 - i) Richard A. Boren

President White noted Alternate Member Lisa Hough resigned today and is not seeking reappointment. Mr. Boren is seeking reappointment per Town Charter Section 1002 Subsection (3).

A motion was made by Vice President Meagher with second by Councilor White to reappoint Richard Boren to the Zoning Board of Review, as he is very skilled, there are three letters of recommendation from his fellow Zoning Board members, and as Mr. Boren has qualifications that recommend him to be reappointed to exceed the term limit.

Discussion. Vice President Meagher noted Mr. Boren should be reappointed with the loss of members Hough and Logan and with only one Alternate. President White noted it is important to have a sufficient number of members. Councilor White noted he is aware of Mr. Boren's professional qualifications, his associates reached out to him to retain him, and this would be the situation the Charter provision calls for.

Back to the vote on the motion. **President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

VIII. UNFINISHED BUSINESS, continued

- A) Appointment of Probate Judge; review, discussion and/or potential action and/or vote
 - 1) Letters of interest and resumes
 - a) Peter M. Cosel
 - b) Richard P. D'Addario
 - c) Stephen M. Miller
 - d) James P. Howe
 - e) Anthony F. Amalfetano
 - f) Gregory F. Fater
 - g) Mark E. Liberati
 - h) Jeffrey M. Liptrot
 - i) Richard A. Boren (removed his name)
 - j) Stephen P. Levesque
 - k) Matthew M. Mannix
 - l) Christine W. Ariel

Council members noted we are blessed to have such talented applicants with varied experiences as probate judges and attorneys; it is appropriate to interview a short list of candidates following the same format used for determining members for the Ad Hoc Town Council Meeting

Committee for Public Art; and it would be appropriate to interview three or four candidates with Probate experience, with preference to Jamestown residents.

Council voted by a showing of hands as follows:

Peter M. Cosel	2
Richard P. D’Addario	2
Stephen M. Miller	0
James P. Howe	1
Anthony F. Amalfetano	2
Gregory F. Fater	4
Mark E. Liberati	3
Jeffrey M. Liptrot	0
Stephen P. Levesque	2
Matthew M. Mannix	0
Christine W. Ariel	3

Top vote getters: Gregory Fater (4), Mark Liberati (3) and Christine Ariel (3).

A motion was made by Vice President Meagher with second by Councilor Beye to interview Christine Ariel, Gregory Fater and Mark Liberati for the position of Probate Judge. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

Interviews will be scheduled for February 22nd prior to the regular meeting.

- B) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Meeting Schedule – January 22nd, February 4th, and February 19th at 6:30 p.m.; review, discussion and/or potential action and/or vote
 - 2) Council Tour of Town Facilities, Interview sessions for Probate Judge and Board/Commission/Committee vacancies; review, discussion and/or potential action and/or vote

Town Administrator Nota outlined available dates for the tour, suggested two mornings on January 17th, 18th, 23rd and 25th based on availability of the Recreation Department vehicle. January 18th and January 25th are the dates chosen, beginning at 9:00 a.m. Mr. Nota suggested scheduling a Goal and Objectives work session prior to budget season.

X. NEW BUSINESS

- A) Jamestown Tree Warden, pursuant to RIGL §2-14-2; annual appointment; review, discussion and/or potential action and/or vote
 - 1) Letter of interest for reappointment
 - a) Steve Saracino
 - 2) Letter of recommendation for reappointment
 - b) Jamestown Tree Preservation and Protection Committee

A motion was made by Councilor Piva with second by Vice President Meagher to reappoint Steve Saracino as the Tree Warden.

Discussion. Steve has done a fine job.

Back to the vote on the motion. **President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- B) Town Council Liaison Positions; review, discussion and/or potential action and/or vote
- 1) School Committee
 - 2) Library Board of Trustees
 - 3) Conservation Commission
 - 4) Harbor Commission
 - 5) Tree Preservation and Protection Committee
 - 6) Senior Services
 - 7) Chamber of Commerce/Business Community
 - 8) Gould Island Restoration Advisory Board
 - 9) Planning Commission/Affordable Housing Committee
 - 10) Zoning Board of Review

The list for liaisons was created as a guide. Lengthy discussion ensued of the need for liaisons to facilitate communication between Boards/Commissions/Committees and Council.

- Councilor Piva will serve as Affordable Housing Committee Liaison.
- Vice President Meagher will continue as Library Board Liaison.
- President White will continue as School Committee Liaison.
- Councilor Beye noted she serves on the Board of Fire Wardens and Senior Board, volunteers at the Lighthouse, and is going to join the Connect Greater Newport economic development group.
- Councilor White will serve as Harbor Commission Liaison.
- Vice President Meagher will serve as Conservation Commission Liaison.

- C) Parking at Mackerel Cove; review, discussion and/or potential action and/or vote

Parks & Recreation Director Andrew Wade gave an update on Mackerel Cove Beach parking issues. Increased use in recent summers resulted in citizen requests for a solution to the lack of parking spaces for Jamestown residents. The task is to create a policy to handle the challenges. There are 75 to 80 parking spots regulated and enforced by the Recreation Department May 15 to Oct 15 when the beach is open and staffed. The current cost is \$15 per year for residents and \$15 for a day pass for non-residents. Some people try to avoid the pass cost, and the Police Department assists with ticketing violators. Three options were proposed as follows:

- Rate Increase - \$30 for non-resident parking at Mackerel Cove; annual revenue is currently \$20,000

- Resident Only Parking/Non-Residents Prohibited - for 75 to 80 spaces during the season; the \$25 violation fee is less than the proposed daily rate
- Resident Only/Non-Resident Hybrid – Monday through Thursday and Non-holiday parking keep as \$15; reduce parking area for non-residents; parking spaces at Mackerel Cove to require Resident Parking Passes.

Discussion ensued of informing the public of new restrictions enacted, resulting traffic issues with drop-offs and pick-ups due to increased fees, and restrictions. Council asked if there are figures defining the ratio of residents to visitors, and Mr. Wade noted this information is difficult to track. Of the 1,600 day passes issued, \$9,000 of the \$20,000 annual revenue is for weekend parking. Discussion ensued of resident parking passes, number of passes issued per household, and parking pass use by guests. Discussion ensued of resident-only parking to noon or 1:00 p.m., use of sandwich board signs rather than permanent signs for weekend and holiday restrictions, and parking issues along Fort Getty Road. The Town only owns the road surface and Fort Getty Road property owners expressed concern that people make their own parking spaces on private property. Chief Mello noted ordinance revision is required for enforcement of resident-only and non-resident parking provisions. Discussion involved the potential to add 6 to 8 parking spots along the guardrail for residents-only, proper signage to help prevent unauthorized parking on private property, and an additional Community Service Officer in the next budget for regulation and enforcement. Town Administrator Nota commented a \$25 parking violation fee is not a deterrent for a day at the beach. Town Council comments included adding additional resident parking for Saturday, Sunday and holidays, portable signage, fair rates, and adjusting parking regulations as needed.

XI. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

- A) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote on each listed appointment and/or vacancy
- 1) Jamestown Affordable Housing Committee (Two vacancies with One vacancy with a three-year term ending date of May 31, 2021, One vacancy with an unexpired three-year term ending date of May 31, 2020 and One vacancy with an unexpired three-year term ending date of May 31, 2019); duly advertised
 - a) Letter of interest for appointment
 - i) Sydney Keen
 - 2) Jamestown Conservation Commission (Two vacancies with three-year term ending dates of December 31, 2021); duly advertised
 - a) Letter of resignation
 - i) Bill Reardon
 - b) Letter of interest for reappointment
 - i) Phil Larson
 - c) Letters of interest for appointment

Ms. Keen has applied for several vacancies and an interview should be scheduled.

- i) Jessica Wurzbacher
- ii) Sydney Keen
- iii) Susan Gorelick

A letter of thanks should be sent to Bill Reardon and the other applicants should be interviewed. Mr. Larson is well known by Council members.

A motion was made by Councilor Piva with second by Vice President Meagher to reappoint Phil Larson to the Jamestown Conservation Commission. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

- 3) Jamestown Fire Department Compensation Committee (One vacancy with a three-year term ending date of May 31, 2021); duly advertised
 - a) Letter of resignation
 - i) Jerome Scott
 - b) Letter of interest for appointment
 - ii) Sydney Keen
- 4) Jamestown Harbor Management Commission (Three vacancies with three-year term ending dates of December 31, 2021); duly advertised
 - a) Letters of interest for reappointment
 - i) Eric Lexow
 - ii) Wayne Banks
 - iii) Daniel Wurzbacher
 - b) Letters of interest for appointment
 - i) John Primiano
 - ii) Nicholas Radesca
 - iii) Stephen Murphy
- 5) Jamestown Juvenile Hearing Board (Two Alternate Member vacancies with two-year term ending dates of December 31, 2020); duly advertised
 - a) Letter of resignation
 - i) Cheryl Petrosinelli
 - b) Letter of interest for appointment
 - i) Sydney Keen
- 6) Jamestown Philomenian Library Board of Trustees (One vacancy with a three-year term ending date of December 31, 2021); duly advertised (no applicants)
 - a) Letters of resignation
 - i) Marianne Kirby
 - ii) Mary Lou Sanborn
- 7) Jamestown Planning Commission (One vacancy with a four-year term ending date of December 31, 2022); duly advertised
 - a) Letter of interest for reappointment

- i) Dana Prestigiacommo
 - b) Letters of interest for appointment
 - i) Richard Lynn
 - ii) Sydney Keen
 - iii) Eric Brine
- 8) Jamestown Tree Preservation and Protection Committee (Three vacancies with One unexpired three-year term ending date of December 31, 2019 and Two three-year term ending dates of December 31, 2021); duly advertised (no applicants)
 - a) Letter of resignation (unexpired term)
 - i) Richard Lynn
 - b) Letters of resignation (full terms)
 - i) Peter Kallman
 - ii) Mark Girard
- 10) Jamestown Zoning Board of Review – Alternate Member (Three vacancies with one-year term ending dates of December 31, 2019); duly advertised
 - a) Letter of interest to remain as Alternate Member
 - i) Judy Bell – 1st Alternate
 - b) Letter of interest for appointment
 - i) Erik Brine

A motion was made by Vice President Meagher with second by Councilor Piva to reappoint Judy Bell as Zoning Board 1st Alternate. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

Discussion ensued of scheduling interviews for Harbor and Planning, including current members and applicants, Conservation Commission, and scheduling an additional interview session on January 14th beginning at 3:00 p.m. Vice President Meagher noted she will attend the Library Trustees meeting on January 14th at 5:00 p.m.

XII. CONSENT AGENDA

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

The Consent Agenda approved consists for the following:

- A) Adoption of Town Council Minutes
 - 1) December 3, 2018 (regular meeting)
 - 2) December 13, 2018 (public hearing)
 - 3) December 17, 2018 (work session)
 - 4) December 17, 2018 (regular meeting)

- 5) December 17, 2018 (executive session)
- B) Minutes of Town Boards/Commissions/Committees
 - 1) Jamestown Library Board of Trustees Building Committee (11/8/2018)
 - 2) Jamestown Library Board of Trustees (11/13/2018)
 - 3) Jamestown Traffic Committee (11/15/2018)
 - 4) Jamestown Zoning Board of Review (11/27/2018)
- C) CRMC Notices
 - 1) January 2019 Calendar
 - 2) Notice of application for Assent by Anthony J. Abbiati and Alicia J. Collins to construct a residential boating facility at Plat 2 Lot 95 East Passage of Narragansett Bay
 - 3) Notice of application for Assent by William C. and Virginia Prichett to construct a residential boating facility at Plat 2 Lot 82 East Passage of Narragansett Bay

XIII. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

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

The Communications, Petitions, and Resolutions and Proclamations from other RI cities and towns received consists of the following:

- A) Communications
 - 1) Letter of CRMC and Save the Bay re: ensuring Rights-of-Way are maintained and available for public use
 - 2) Letter of Constance P. Rainone requesting reduction of interest charged for late payment of taxes
 - 3) RI League of Cities & Towns brochure for 2019 Annual Convention on Thursday, January 24, 2018 from 8:30 a.m. to 4:00 p.m., The Crowne Plaza Hotel, 801 Greenwich Avenue, Warwick, RI

XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

- A) Town Council Rules and Procedures (January 22)
- B) Town Council Goals and Objectives (January 22)
- C) Veterans' Exemptions (January 22)
- D) Proposed Department of Seniors (January 22)
- E) Water Resources Protection Committee (January/February)
- F) Conanicut Island Sanctuary Trail improvements (February)
- G) Authorization to proceed to 100% design and bid document development for Golf Course Clubhouse project (January/February)
- H) Budget Work Sessions for FY 2019-2020 (March)
- I) Future Improvements to East Ferry boat ramp

- J) Paper streets in Jamestown and water access
- K) Fire Alarm Box Replacement Program (January 22)

Discussion involved the following:

- Rules and Procedures – January 22nd for review with potential revision/adoption.
- Goals and Objectives – a separate work session between now and February, to be coordinated with the Clerk.
- Veterans Exemptions – to be scheduled after the Ethics Commission makes a ruling. There is a hearing tomorrow morning at 9:00 a.m. and a decision may be made. This information is important for budgeting purposes and setting the tax rate.
- Department of Seniors – Mr. Nota will have a presentation at the next meeting.
- Water Resources Protection Committee – Mr. Nota recommends waiting until we have information from the URI group to better understand the scope of any future study that would be used in developing the charge for this committee.
- Conanicut Island Sanctuary Trail improvements – Chris Powell is working with an Eagle Scout and will come back to Council in March or April.
- Authorization to proceed to 100% design and bid document development for Golf Course Clubhouse project – Architect Bill Burgin will be at the next meeting for a presentation on the final design and bid documents in order to proceed to go out to bid in the spring, award the contract, and begin construction in late fall. The project will take a year to complete, with the current building operational during that time.
- Budget Work Session dates – on the February 4th agenda.
- East Ferry boat ramp – to be postponed for Harbor Commission review.
- Paper Streets in Jamestown – Mr. Nota highlighted two requests for road abandonment of Nautilus Street and Orient Avenue that will be on the next agenda for a vote to proceed to advertise for public hearing. Parts of the roads are approved and parts are undeveloped, and Town staff research will commence.
- Fire Department Alarm Box Replacement – on the next agenda. Many of the boxes are no longer needed and the project needs to go out to RFP. This would be a \$2,000 to \$3,000 investment for businesses, and a potential payment program is being developed by Finance Director Collins.

Charlotte Zarlengo asked if paper streets are owned by the Town or the neighborhoods. Mr. Nota will provide pertinent information for Ms. Zarlengo.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Councilor Piva with second by Vice President Meagher to adjourn. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.

The Jamestown Town Council adjourned the regular meeting at 8:04 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council
 Town Administrator
 Finance Director
 Town Solicitor