

**TOWN COUNCIL MEETING**

April 15, 2019

**I. ROLL CALL**

Town Council Members present:

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

Also in attendance:

Andrew E. Nota, Town Administrator  
Peter D. Ruggiero Esq., Town Solicitor  
Edward A. Mello, Police Chief  
Michael Gray PE, Public Works Director  
Christina D. Collins, Finance Director  
Andrew Wade, Recreation Director  
Denise Jennings, Water and Sewer Clerk

Absent:

Cheryl Fernstrom, Town Clerk

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

Town Council President White called the regular meeting of the Jamestown Town Council to order at 6:33 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**

The Town Council convened as the Board of Water and Sewer Commissioners at 6:34 p.m. and adjourned from sitting as the Board of Water and Sewer Commissioners at 6:44 p.m. See Board of Water and Sewer Commissioners Meeting Minutes.

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

- A) Proclamation
    - 1) No. 2019-06: Teacher Appreciation Week, May 6 – May 10
- President White read the Proclamation.

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

**V. PUBLIC HEARINGS, LICENSES AND PERMITS**

- A) Town Council Sitting as the Alcoholic Licensing Board
- 1) Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956 and as amended the following license application has been received under said Act for September 21, 2019;

**CLASS F (NON-PROFIT)**

Saint Mark Church  
60 Narragansett Avenue  
Jamestown, RI 02835

**A motion was made by Vice President Meagher with second by Councilor Piva to convene as the Alcoholic Beverage Licensing Board and open the Public Hearing at 6:46 p.m. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- a) Approval of the CLASS F (NON-PROFIT) LIQUOR LICENSE; review and discussion and/or potential action and/or vote

**A motion was made by Vice President Meagher with second by Councilor Piva to approve the Class F Liquor License for a one time use permit. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- b) Request for waiver of the Class F (Non-Profit) Liquor License Fee (\$15.00); review, discussion and/or potential action and/or vote

**A motion was made by Vice President Meagher with second by Councilor Piva to waive the fee, as requested by the applicant. 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 6:49 p.m. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- B) Licenses and Permits
  - 1) One Day Event/Entertainment License Application
    - a) Applicant: Saint Mark Church
    - Event: Saint Mark Summer Festival
    - Date: September 21, 2019
    - Location: 60 Narragansett Avenue

**A motion was made by Vice President Meagher with second by Councilor Beye to approve the On Day Event License. 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. None.

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

- A) Town Administrator's Report: Andrew E. Nota

Town Administrator Nota reported on the following:

- 1) 2020 Census

Included for Council's review are census material and a sample of the actual census form. This 2020 Census will be the first census where one will have the ability to process online. An applicant will be able to call in and will also be able to file by mail. This census is very important, as it impacts congressional seats and federal funding.

- 2) Town Clerk's Position – Advertisement

The position of Town Clerk has been officially advertised in a number of areas in RI only.

- 3) RTG Load Evaluation Report – Steel Pile Pier

The Public Works Director met with William Munger of Conanicut Marine Services to discuss a change in the crane type and size used by CMS. Councilor Piva asked for clarification regarding the liability on a larger crane.

The Public Works Director reported that RTG Group, who has been the Towns consultant for a number of years, was asked to perform an engineering assessment of the Steel Pier and this new crane will allow one to have the ability to pick from a better location. The Public Works Director stated that he had met with Mr. Munger today and that he is onboard with keeping the pier safe. The Public Works Director commended Conanicut Marine Service with the restoration the where the tank was installed and the area surrounding the Veteran's Memorial.

4) Project Updates – East Ferry, Bike Path, North Road

There are several ongoing projects that will be coming to a close this summer.

**East Ferry:** The Public Works Department will be working with Cardi Corporation to complete paving, stripping and installation of curb stops. Town staff will also be working on landscaping and we hope to have all completed by Memorial Day.

**Bike/Shared Pedestrian Path:** The Public Works Department has completed a significant amount of work at the reservoir site. Supplies for the bridge abutment have been ordered.

The Public Works Director reported that staff will resume working on the North Road drainage project which they began last fall and will continue to work on the Bike/Shared Pedestrian Path, with hopes to be completed this summer.

5) RI League of Cities and Towns Legislative Update

**Firefighter overtime bills (H5662 ad H5663):** Met with Representative Deb Ruggiero and Senator Dawn Euer to discuss this matter.

Briefly outlined the bills that are coming up for review in the near future.

## VIII. UNFINISHED BUSINESS

A) Upcoming Meetings and Sessions – dates and times

- 1) Town Council Meeting Schedule: May 6<sup>th</sup>, May 20<sup>th</sup> and June 17<sup>th</sup> at 6:30 p.m.; Special Meeting with Adoption of FY 2019-2020 Town Budget: April 22<sup>nd</sup> at 5:30 p.m.; Statistical Revaluation Public Information Session: April 22<sup>nd</sup> at 6:00 p.m.; Financial Town Meeting: June 3<sup>rd</sup> at 7:00 p.m.; review, discussion and/or potential action and/or vote

Council President White briefly outlined the upcoming meetings.

**Statistical Revaluation Public Information Session: April 22<sup>nd</sup> at 6:00 p.m-**

Administrator Nota reported that the Tax Assessor, Christine Brochu will be present, along with Steve Ferrara from Vision and that he hopes following this presentation that the Town will have a better understanding on how this process works. The Town Administrator further reported that the Town has carried a ten million dollar reserve in this process and that the proposed budget will not change, although there may be a rate change at the Financial Town Meeting on June 3<sup>rd</sup>.

- B) Five-Year Lease Agreement, with option for a five-year renewal, for operation and management of the Jamestown Golf Course; Town Council

ratification of the Agreement; and authorization for signing by the Town Administrator; review, discussion and/or potential action and/or vote, continued from April 1, 2019

Town Administrator Nota reported that he had spoken to Attorney Infantolino from Morneau and Murphy and he stated that he will have a document for the Town to review for the Town Council meeting on May 6<sup>th</sup>.

**A motion was made by Vice President Meagher with second by Councilor Piva to continue discussion on this matter to the Town Council meeting on May 6<sup>th</sup>. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

## IX. NEW BUSINESS

- A) Connect Greater Newport Economic Development Initiative, as led by the Newport County Chamber of Commerce, Update Report by Consultant Ashley Medeiros, and Town Council consideration of their request for funding in the amount of \$5,000; review, discussion and/or potential action and/or vote

Ashley Medeiros, Business Consultant for Connect Greater Newport gave a brief presentation on the Regional Economic Development initiative, Connect Greater Newport and stated that this is being led by the Newport County Chamber of Commerce.

- B) Appointment to the Jamestown Board of Canvassers (One Member with a six-year term expiring March 2025), pursuant to RIGL § 17-8-1 and RIGL §17-8-2; Democratic or Republican appointment; review, discussion and/or potential action and/or vote
- 1) Letter of recommendation from Democratic Town Committee Co-Chair Anne Maxwell-Livingston and Co-Chair Melody Drnach
    - a) Board of Canvassers Member
      - i) Kenneth Newman
      - ii) Kitty Wineberg
      - iii) George Newman
      - iv) Marcia Lindsay
      - v) Dennis Webster
  - 2) Letter of recommendation from Republican Town Committee Chair Blake Dickinson
    - a) Board of Canvassers Member
      - i) Tyler Fandetti
      - ii) Linda Jamison
      - iii) Nancy Semco
  - 3) Letter of recommendation from Board of Canvassers Chair Carol

Nelson-Lee

- C) Democratic Appointment to the Jamestown Board of Canvassers (One Alternate Member with a six-year term expiring March 2025), pursuant to RIGL § 17-8-1 and RIGL §17-8-2; review, discussion and/or potential action and/or vote
  - 1) Letter of recommendation from Democratic Town Committee Co-Chair Anne Maxwell-Livingston and Co-Chair Melody Drnach
    - i) Katherine Wineberg
    - ii) Kenneth Newman
    - iii) Marcia Lindsay
    - iv) George Newman
    - v) Dennis Webster
  - 2) Letter of recommendation from Board of Canvassers Chair Carol Nelson-Lee

Council President White stated that as president, he is authorized to nominate for appointments to the Jamestown Board of Canvassers.

**A motion was made by Council President White with second by Councilor Meagher to nominate Katherine Wineberg for reappointment as alternate member and Kenneth Newman for reappointment as full member to the Jamestown Board of Canvassers.**

Councilors White, Meagher and Beye stated that they supported the nomination by President White. Councilor Piva expressed his concerns and stated that appointment should be put off until a decision is made on the complaint currently at the State. Brief discussion ensued regarding the complaint and the Town Charter.

**Motion so voted. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Nay.**

## **X. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS**

- A) Ordinances
  - 1) Proposed Amendments to the Jamestown Code of Ordinances Chapter 70 Traffic and Vehicles, Article II. Administration and Enforcement, Sec. 70-25 Notice of Violation; Admission of Truth and Payment of Fines at Police Station; Amounts; Article III. Specific Street Regulations, Sec. 70-52 Stop Intersections; Article IV. Stopping, Standing and Parking, Sec. 70-81 Parking Area, Lots 172 and 173 (former ambulance barn); Sec. 70-82 Two-hour Parking Limit Located upon Lot 573 Plat 8; Sec. 70-83 Standing or

Parking on Steel Pier and Bulkhead; Sec. 70-86 Standing or Parking on East Ferry Wharf; and Sec. 70-87 Prohibited or Restricted Parking on Specified Streets; review, discussion and/or potential action and/or vote to proceed to advertise in the *Jamestown Press* April 25, 2019 edition for public hearing on May 6, 2019

Town Administrator Nota reported on the revised ordinance prepared by Chief Mello as continued from the April 1<sup>st</sup> meeting. Police Chief Mello

**A motion was made by Vice President Meagher with second by Councilor White to proceed to advertise the proposed amendments to the Code of Ordinances for public hearing on May 6, 2019. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- B) Appointments, Vacancies, and Expiring Terms; review, discussion and/or potential action and/or vote on each listed appointment, vacancy and/or expiring term
  - 1) Jamestown Conservation Commission (One vacancy with an unexpired three-year term ending date of December 31, 2020);
    - 1. Letter of resignation
      - i) Ken Schadegg

A letter of thanks should be sent to Ken Schadegg.

**A motion was made by Vice President Meagher with second by Councilor Piva to accept the resignation of Ken Schadegg from the Jamestown Conservation Commission. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- 2) Jamestown Fire Department Compensation Committee (One Citizen-at-Large vacancy with a three-year term ending date of May 31, 2021); duly advertised; no applicants
- 3) Jamestown Juvenile Hearing Board (One Alternate Member vacancy with a two-year term ending date of December 31, 2020); duly advertised; interviews conducted
  - a) Letters of interest
    - i) Joseph Cannon
    - ii) Bruce J. Whitehouse

**A motion was made by Councilor Piva with second by Council Vice President Meagher to appoint Joseph Cannon to the Juvenile Hearing Board. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

## XI. 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 of the following:

- A) Adoption of Town Council Minutes
  - 1) March 29, 2019 (special meeting)
  - 2) April 1, 2019 (regular meeting)
  - 3) April 1, 2019 (executive session)
  - 4) April 2, 2019 (operating budget work session #2)
- B) Minutes of Town Boards/Commissions/Committees
  - 1) Jamestown Housing Authority (01-10-2018)
  - 2) Jamestown Housing Authority (02-14-2018)
  - 3) Jamestown Housing Authority (03-07-2018)
  - 4) Jamestown Housing Authority (05-15-2018)
  - 5) Jamestown Housing Authority (06-13-2018)
  - 6) Jamestown Housing Authority (07-11-2018)
  - 7) Jamestown Housing Authority (09-18-2018)
  - 8) Jamestown Housing Authority (10-10-2018)
  - 9) Jamestown Housing Authority (11-19-2018)
  - 10) Jamestown Housing Authority (12-19-2018)
  - 11) Jamestown Library Board of Trustees (12-11-2018)
  - 12) Jamestown Library Board of Trustees (12-18-2018)
  - 13) Jamestown Library Board of Trustees (01-08-2019)
  - 14) Jamestown Library Board of Trustees (02-12-2019)
  - 15) Jamestown Library Board of Trustees (03-12-2019)
  - 16) Jamestown Tree Preservation and Protection (12-04-2018)
- C) Board/Commission/Committee Attendance Records
  - 1) Jamestown Conservation Commission
  - 2) Jamestown Harbor Commission
  - 3) Jamestown Housing Authority
  - 4) Jamestown Traffic Committee
- D) Finance Director's Report: Comparison of Budget to Actuals as of March 31, 2019

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

**A motion was made by Vice President Meagher with second by Councilor Piva to receive the Communications, Petitions, and Proclamations and Resolutions from**



**other RI Cities and Towns. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

The Communications and Proclamations and Resolutions received consists of the following:

- A) Communications
  - 1) Statewide Planning April 2019 Newsletter
  - 2) Letter of Newport County YMCA announcing Annual Golf Tournament Fundraiser for YMCA Adaptive Physical Activity and Special Olympics Team, June 10<sup>th</sup>, Montaup Country Club, Portsmouth
  - 3) Request of Newport Mental Health for Town Council adoption of a Proclamation for May 2019 as Mental Health Month in Jamestown
- B) Proclamations and Resolutions from other Rhode Island Cities and Towns
  - 1) Resolution of the Smithfield School Committee requesting the RI General Assembly Support House Bill 5033 and Senate Bill 0112
  - 2) Resolution of the Smithfield School Committee requesting the RI General Assembly support legislative proposals that ban bringing firearms onto school grounds except by Peace Officers as defined in § 12-7-21
  - 3) Resolution of the Smithfield School Committee requesting the RI General Assembly pass House Bill 5252 and Senate Bill 0042 calling for a referendum amending Article XII before the voters at the November 3, 2020 general election
  - 4) Resolution of the Smithfield School Committee requesting the RI General Assembly oppose House Bill 5437 and any legislative proposals that would mandate expired teacher contracts continue at the existing terms and conditions
  - 5) Resolution of the Smithfield School Committee requesting the RI General Assembly oppose House Bill 5260 calling for binding arbitration for teacher and school employee contracts Resolution of the Charlestown Town Council in Support of additional State Funding for Education
  - 6) Resolution of the Foster Town Council in Support of Additional Funding for Education
  - 7) Resolution of the Pawtucket School Committee requesting the RI General Assembly support House Bill 5252 and Senate Bill 0042 calling for a referendum amending Article XII. at the November 3, 2020 General Election
  - 8) Resolution of the Westerly Town Council in support of House Bill 5383 and Senate Bill 0139 Sub A “Comprehensive Discharge

Planning”

### **XIII. AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS**

**A motion was made by Vice President Meagher with second by Councilor Piva to accept the agenda items, as presented. President White, Aye; Vice President Meagher, Aye; Councilor Beye, Aye; Councilor White, Aye; Councilor Piva, Aye.**

- A) Paper streets in Jamestown and water access
- B) Review and Discussion of Conservation Easement on Shores Lots (May 6)
- C) Proposed Water Resources Protection Committee discussion (May)
- D) Open Meetings Act Ruling: Spodnik v. West Warwick Town Council
- E) Town Council Goals and Objectives for the 2018-2020 Council Term (May/June)
- F) Taxation items: RIGL § 44-3-12 Visually Impaired Persons – Exemption and RIGL § 44-3-5 Golf Star Parents’ Exemption (May)

No items were added to the upcoming agendas. Solicitor Ruggiero noted that the Town will need to tighten up on agenda content and will need to add more detail, regarding open meetings.

### **XIV. EXECUTIVE SESSION**

None.

### **XV. ADJOURNMENT**

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

The regular meeting was adjourned at 8:03 p.m.

Attest:

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Denise Jennings, Water and Sewer Clerk

Copies to:     Town Council  
                  Town Administrator  
                  Town Solicitor  
                  Finance Director