

JAMESTOWN TOWN COUNCIL MEETING

December 6, 2021

5:30 p.m.

II. ROLL CALL

A regular meeting of the Jamestown Town Council was held on December 6, 2021. Town Council Members present were as follows: President Beye, Councilor Brine, Councilor M. White and Councilor R. White. Vice President Meagher absent.

Also in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero, Police Chief Edward Mello, Finance Director Christina Collins, Public Works Director Michael Gray, Town Planner Lisa Bryer, Building and Zoning Official William Moore, Interim Senior Services Director Molly Conlon, Town Clerk Roberta Fagan, Jamestown Schools Superintendent Kenneth Duva, Director of Technology Samira Hakki, Lawn School Principal Nate Edmunds, Director of Student Services Erica Dickson, Director of Finance Jane Littlefield, Jamestown School Committee members Drew Allsopp, Agnes Filkins, Kristine Lapierre, Sally Schott

III. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President Beye called the meeting of the Jamestown Town Council to order at 5:30 in Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and led the Pledge of Allegiance

Vice Chair Sally Schott called the Joint Town Council and School Committee work session to order at 5:31, all members present with the exception of Keith Roberts.

IV. JOINT TOWN COUNCIL AND SCHOOL COMMITTEE WORK SESSION

- A) Review, discussion and/or potential action and/or vote of budget issues for the remainder of the current fiscal year (July 1, 2021 to June 30, 2022) and pre-budget review and discussion of issues for the next fiscal year (July 1, 2022 to June 30, 2023) pursuant to RIGL §16-2-21

Superintendent Kenneth Duva gave a presentation on the FY 2023 JSD Preliminary Budget, highlighting accomplishments and COVID challenges, budget process, COVID impacts to the current and anticipated budget, as well as budgetary factors and facts. Presentation documents attached.

President Beye commends Jamestown School administration and School Committee on their service for the benefit of the Jamestown community.

A motion was made at 6:15 p.m. by Vice Chair Sally Schott to adjourn the joint Town Council and School Committee work session, with a second Agnes Filkins. Vote: Drew Allsopp, aye; Agnes Filkins, aye; Kristine Lapierre, aye; Sally Schott, aye.

V. 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
- B) Non-scheduled request to address

Karen Butens, Columbia Lane addresses the Town Council, asks for update on cell-phone coverage committee.

A motion was made by Councilor R. White to delay agenda item VI. Acknowledgements, Announcements, Presentations, Resolutions And Proclamations with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

VI. 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) Licenses and Permits
 - 1) Review, Discussion and/or Action and/or Vote to **Approve a NEW Holiday Application** that has been received by the Town Council upon resolution of debts, taxes, State approval and appropriate signatures as well as, when applicable, proof of insurance for the year December 1, 2021- November 30, 2022
 - a) Milos Beauty Corporation, dba: Milos Nails & Spa, 23 Narragansett Avenue

A motion was made by Councilor R. White to approve the new Holiday license application for Milos Beauty Corporation, dba: Milos Nails & Spa with second by Councilor Brine. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

VII. 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)

Town Administrator Hainsworth reported on the following:

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Cellular/Wireless Service update

Chief Mello and Town Administrator Hainsworth have requested meetings with the 3 cellular service companies. Verizon has provided updated information on the small sight cell project.

2 of the 10 small sight cells have been installed as of November 1st on telephone poles located at North Main Road/Sloop Street, and East Shore Road/Seaview Avenue. The small sight cells are intended to enhance coverage in well place areas.

2) Friends of Jamestown Right of Way+Roads “Adopt A Right of Way program” (agenda item)

3) Interim Director for Senior Services

Town Administrator Hainsworth announced the appointment of Molly Conlon as the Interim Director of Senior Services. A review will take place in 60 days, with the intention of a full appointment at that time. President Beye thanked Ms. Conlon for her service at the Parks and Recreation Department, and wished her great success in her new position.

4) Request Towns Consent on Leasehold Mortgage at Dutch Harbor Marina.

The Town has a Seasonal lease with Dutch Harbor Marina permitting the use of the parking lot for winter boat storage. Solicitor Ruggiero is in the process of reviewing the request and will advise before the Town consents to the Leasehold Mortgage.

5) LED Street Light replacement project

The installation of LED street lights has started. Once the installation project has been completed (one-to-one swap), the State of Rhode Island, Department of Transportation will take over the expense and maintenance of the lights, which will provide cost effective/energy efficient relief to the Town.

6) American Rescue Plan Act (APRA) Funding

Members of the Town staff are collaborating on the use of the APRA funds and will present a plan to the Town Council at a future meeting.

7) Covid 19 update

Town Administrator Hainsworth reported that 32 new COVID 19 cases have been recorded over the last 3 weeks.

II. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Review, Discussion and/or Action and/or Vote to approve request of Jamestown Rights of Ways on procedure “Adopt a Right of Way”

1) Friends of Jamestown ROW presentation

2) Review by Council with Staff on proposed “Adopt A Right of Way” Stewardship Program

3) CRMC “Adopt-An-Access” draft program MOU

4) CRMC Maintenance Certification Application

Carol Nelson Lee, Buoy Street, summarized the mission/vision of the Friends of Jamestown Adopt A Right of Way Stewardship Program. ROW can add to quality of life for residents and a sense of community. The ROW Stewardship Program would be another example of a State agency, grass roots group and the Town working together for the benefit of the community. The proposed volunteer program would monitor designated ROW on a monthly basis. The proposed program has been endorsed by the CRMC and the Jamestown

Conservation Commission. The Friends of Jamestown ROW are requesting the Town Council endorse the program by way of a Memorandum of Understanding (MOU). Ms. Nelson Lee referenced the Taylor Point restoration program as successful example of a public/private program. The proposed ROW program would aim to identify grant programs to supplement and support the vision and mission objectives.

Councilor R. White requested clarification on the role of CRMC, Town of Jamestown, Jamestown Conservation Commission and the designated 14 locations before endorsing the program.

Councilor R. White requested a clear definition of the Town's role/responsibility in the revised MOU.

Town Administrator Hainsworth stated the MOU would be for 14 specific locations.

Joyce Antonello, Columbia Avenue, member of Jamestown Conservation Commission explained the role of JCC, which is to monitor ROW; ensuring no encroachments; and notifying the Town of maintenance and/or offenses. CRMC recommends maintaining a 6ft path. Some ROW are not all access points to beaches/coasts; some are specified locations to view beach/coast.

Councilor M. White makes clarifying statements regarding this MOU, and the 14 designated ROWs.

Sav Rebecchi, Sail Street, addressed the Town Council and provided historical context of original 39 ROW designations. Mr. Rebecchi was a former President of the Jamestown Shores Association. Every 3rd street was to have access to the water, and that is why there are so many ROWs designated. Deeded rights were turned over to the Town to maintain. The Town then turned them over to the CRMC, under the agreement the Town would maintain and the CRMC would own them.

Councilor Brine asks if the Conservation Commission and the Town are in support of the program.

Mr. Egan, Champlin Way, asks how this program is different from the existing CRMC Adopt a Way program.

Mary Jo Diem, founding member of Friends of Jamestown ROW. The presentation was intended to compliment documents distributed to the Town Council.

The Town Council requests a revision of the MOU to clearly define the roles of the CRMC, the Town of Jamestown, the Jamestown Conservation Commission and the Friends of Jamestown ROW; and review by Solicitor Ruggiero before the Town agrees to the MOU.

No vote or action taken.

VIII. 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: Short Term Rental discussion regarding engaging a Short-Term Rental data collection, compliance monitoring and enforcement company to assist the Town
 - 1) Draft Short-Term Rental Ordinance

Town Planner Lisa Bryer provided highlights of the revised ordinance. The STR Committee would like to request funds to hire a host compliance company to monitor, identify and enforce the ordinance of registered units. The monitoring company would provide data analytics on compliance, rental activity, etc. to ensure an effective and enforceable STR ordinance. Additionally, the host compliance company would provide a 24/7 dedicated hotline for non-emergency issues.

Council R. White, had questions and concerns regarding the registration and inspections process. Would the Host Compliance company help develop rules, regulations and implementation of the ordinance?

Solicitor Ruggiero addressed the Town Council. Presently there is no ordinance to regulate Short-Term rentals. In developing the draft ordinance, the STR committee acknowledged that the Town does not have the experience and data to develop an all-encompassing ordinance. The draft ordinance if passed would then provide data that could be used to modify the ordinance in the future. The Town staff has requested permission to issue an RFP to identify a host compliance monitoring company and estimated cost to implement a Short-Term Rental compliance monitoring program.

The STR Committee intends to request a public hearing to be advertised for consideration for February 2022; and implementation and enforcement in time for the 2022 rental season. Solicitor Ruggiero provided a high-level overview: make units safe for homeowner, neighbors and occupants; monitor locations, preserve the rights of enjoyment of the community; and create an enforceable mechanism to register and monitor units.

Lengthy discussion ensued. Questions remain regarding the following: enforcement challenges; location restrictions; cap on the number of registered STRs; number of days in a year a rental unit is restricted to; parking requirements; and lack of clear definitions in rules and regulations of STRs.

David Clancy, North Road, addressed the Town Council and requested further consideration for home-owners that rely on supplemental rental income. Mr. Clancy suggested a test group rather than an overarching community ordinance.

A motion was made by Councilor Brine to approve authorizing the Town staff to develop an RFP for a Short-Term Rental compliance monitoring program with second by Councilor R. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

IX. 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) Setting of 2022 Town Council Meeting Date Calendar

A motion was made by Councilor R. White to approve the preliminary Town Council Meeting Date Calendar with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

X. 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:

Lengthy discussion ensued regarding the reappointment and appointment of applicants before the expiration of terms with the possibility of additional applications for vacancies. The Town Council also discussed the need to interview reappointments when appropriate.

Councilor Brine has not interviewed any of the re-applicants due to this being his first term. Councilor Brine has requested interviews when the number of applicants is greater than the number of vacancies.

Paul Sprague, Mast Street, asked for clarification on the number of vacancies and applicants for the Harbor Commission.

The Council agreed to continue the vote for reappointments and appointments of vacancies until January 2022.

- 1) Jamestown Fire Department Compensation Committee (One vacancy with a three-year term ending date of May 31, 2022); duly advertised
 - a) Letter of interest for appointment
 - i) Mary Ellen Coleman (previously interviewed)

A motion was made by Councilor R. White to approve the appointment of Mary Ellen Coleman to the Jamestown Fire Department Compensation Committee with second by Councilor Brine. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

- 2) Beavertail State Park Advisory Board (One vacancy with a three-year term ending date of December 31, 2024); duly advertised
 - a) Letter of interest for reappointment
 - i) Linda Warner
- 3) Jamestown Conservation Commission (Two vacancies with three-year term ending dates of December 31, 2024); duly advertised
 - a) Letter of resignation
 - i) Jessica Wurzbacher
 - b) Letter of interest for reappointment
 - i) Leo N. Orsi, Jr.
- 4) Jamestown Harbor Management Commission (Three vacancies with three-

year term ending dates of December 31, 2024); duly advertised

- a) Letters of interest for reappointment
 - i) Eric Lexow
 - ii) Wayne Banks
 - iii) Daniel Wurzbacher
 - b) Letters of interest for appointment
 - i) Thomas Farrell
 - i) Paul D. Sprague
 - ii) Stephen J. Corbett
- 5) Jamestown Housing Authority – (Two vacancies with One five-year term ending December 31, 2026[Full Member] and One unexpired five-year term ending date of December 31, 2023[Resident Commissioner]; and; duly advertised
- a) Letter of interest for **reappointment (Full Member)**
 - i) Valerie Molloy
 - b) Letter of interest for **appointment**
 - i) Susan Romano (previously interviewed)
 - ii) Robert Plain (previously interviewed)
 - c) Letter of interest for appointment (**Resident Commissioner**) *
 - i) Doreen Dell (**previously interviewed**)

Barbara Szepatowski, Riptide Avenue, addressed the Town Council and asked if the JHA Board endorsement for a Resident Commissioner had been received. Councilor R. White confirmed the email endorsement dated Saturday December 4, 2021 from JHA Chair Molloy had been received, but a vote on the vacancy will be continued to January 2022.

- 6) Jamestown Juvenile Hearing Board – Member (Two vacancies with three-year term ending dates of December 21, 2024); duly advertised
- a) Letter of resignation
 - i) Michael Lichtenstein
 - b) Letter of interest for reappointment
 - i) Barbara Szepatowski
 - c) Letter of interest for appointment – to move up to Full Member from Alternate Member
 - i) Nancy Ventrone
- 7) Jamestown Philomenian Library Board of Trustees (Two vacancies with three-year term ending dates of December 31, 2024); duly advertised
- a) Letter of resignation
 - i) Catherine Kaiser
 - b) Letter of interest for reappointment
 - i) Eugene Mihaly
 - c) Letter of interest for appointment

- i) Joseph Cannon (previously interviewed)
 - ii) Mackenzie Richards (previously interviewed)
- 8) Jamestown Planning Commission (Three vacancies with a four-year term ending date of December 31, 2025); duly advertised
 - a) Letter of resignation
 - i) Michael F. Smith (Term limit- 3 terms)
 - b) Letter of interest for reappointment
 - i) Bernd E. Pfeiffer
 - ii) Michael Cochran
- 9) Jamestown Tree Preservation and Protection Committee (Three vacancies with three-year term ending dates of December 31, 2024); duly advertised
 - a) Letter of resignation (full term)
 - i) Thomas Farrell
 - ii) Susan Shim Gorelick
 - b) Letter of interest for reappointment
 - i) Walter Bopp
 - c) Letter of interest for appointment
 - i) John Austin Murphy
 - ii) James Simmons
- 10) Jamestown Zoning Board of Review – Member (Two vacancies with a five-year term ending date of December 31, 2026); duly advertised
 - a) Letter of interest for reappointment
 - i) Dean J. Wagner
 - ii) Terence Livingston
- 11) Jamestown Zoning Board of Review – Alternate Member (Three vacancies with one-year term ending dates of December 31, 2022); duly advertised
 - a) Letter of interest to remain as Alternate Member
 - i) Judy Bell – 1st Alternate
 - b) Letter of interest for reappointment
 - i) John Shekarchi
 - ii) Alex Finkelman
 - c) Letter of interest for appointment
 - i) Richard Toselli

President Beye requested interviews for the following applicants:

Leo N. Orsi, Jr.	Conservation Commission	Re-appointment
Eric Lexow	Harbor Commission	Re-appointment
Wayne Banks	Harbor Commission	Re-appointment
Daniel Wurzbacher	Harbor Commission	Re-appointment
Thomas Farrell	Harbor Commission	New applicant
Stephen Corbett	Harbor Commission	New applicant
Valerie Molloy	Housing Authority	Re-appointment
Walter Bopp	Tree Preservation and Protection	Re-appointment

James Simmons
Richard Toselli

Tree Preservation and Protection
Zoning Board of Review

New applicant
New applicant

A motion was made by Councilor Brine to approve acceptance of the consent agenda with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

XI. 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) November 15, 2021 (Executive Session)
 - a) Amend minutes to reflect vote taken during Executive Session
 - 2) November 15, 2021 (Regular/Water and Sewer Meeting)
 - 3) November 18, 2021 (Special Session)
- B) Minutes of Boards/Commissions/Committees
- 1) Jamestown Philomenian Library Board of Trustees (January 12, 2021)
 - 2) Jamestown Philomenian Library Board of Trustees (February 9, 2021)
 - 3) Jamestown Philomenian Library Board of Trustees (March 9, 2021)
 - 4) Jamestown Philomenian Library Board of Trustees (April 13, 2021)
 - 5) Jamestown Philomenian Library Board of Trustees (May 11, 2021)
 - 6) Jamestown Philomenian Library Board of Trustees (June 8, 2021)
 - 7) Jamestown Philomenian Library Board of Trustees (July 13, 2021)
 - 8) Jamestown Philomenian Library Board of Trustees (August 10, 2021)
 - 9) Jamestown Philomenian Library Board of Trustees (September 14, 2021)
 - 10) Jamestown Philomenian Library Board of Trustees (October 12, 2021)
 - 11) Jamestown Philomenian Library Board of Trustees (November 16, 2021)
 - 12) Jamestown Harbor Commission (April 14, 2021)
 - 13) Jamestown Harbor Commission (June 9, 2021)
 - 14) Jamestown Harbor Commission (July 14, 2021)
 - 15) Jamestown Housing Authority Board of Commissioners (October 4, 2021)
 - 16) Jamestown Housing Authority Board of Commissioners (October 13, 2021)
 - 17) Jamestown Housing Authority Board of Commissioners (October 20, 2021)
 - 18) Jamestown Housing Authority Board of Commissioners (October 21, 2021)
 - 19) Jamestown Housing Authority Board of Commissioners (October 29, 2021)
 - 20) Jamestown Tree Preservation and Protection Committee (October 20, 2021)
 - 21) Jamestown Zoning Board of Review (October 26, 2021)

C) Tax Assessor's Abatements and Addenda of Taxes

ABATEMENTS TO 2021 TAX ROLL		
19-0763-56	UPDATED PROPERTY INFORMATION	\$513.36
ADDENDA TO 2021 TAX ROLL		
07-0034-20	PRO-RATION C/O DATE 06/20/2021	\$1527.08
23-0891-20	PRO-RATION C/O DATE 08/05/2021	\$791.37
04-0955-00	PRO-RATION C/O DATE 11/02/2021	\$665.55
23-1552-99	PRO-RATION C/O DATE 10/18/2021	\$787.15

13-1204-00	PRO-RATION C/O DATE 07/27/2021	\$1803.05
12-0599-75	PRO-RATION C/O DATE 11/02/2021	\$1115.93
03-1154-11	PRO-RATION C/O DATE 07/14/2021	\$1349.50
02-0678-00	PRO-RATION C/O DATE 09/16/2021	\$837.01
14-0035-15	PRO-RATION C/O DATE 11/22/2021	\$318.26
01-0001-39	PRO-RATION C/O DATE 07/26/2021	\$1732.71
06-0159-95	PRO-RATION C/O DATE 08/30/2021	\$1244.22
02-0904-00	PRO-RATION C/O DATE 09/09/2021	\$1253.80
TOTAL ABATEMENTS TO 2021 TAX ROLL		\$513.36
TOTAL ADDENDA TO 2021 TAX ROLL		\$13,425.63
GRAND TOTAL		\$12,912.27

- D) Letter to Jamestown Housing Authority Executive Director Sullivan and Commission Chair Molloy from President Beye requesting list of nominees for the JHA Resident Commissioner vacancy.

XII. 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: Jessica and Bill Cushman
Dated: November 10, 2021
Re: Proposed pickleball courts at Fort Getty
 - 2) Copy of Letter to: Town Council
From: Chris Cannon
Dated: November 12, 2021
Re: Cell phone service in the northern part of Jamestown
 - 3) Copy of email to: Town Council
From: Mary Lou Sanborn
Dated: November 14, 2021
Re: Dog Leash Public Forum
 - 4) Copy of Letter to: STR subcommittee (Host Compliance Committee)
From: Connie Slick
Dated: December 1, 2021
Re: Short-Term Rental Ordinance
 - 5) Copy of Letter to: Town Council
From: North Smithfield School Committee
Dated: November 16, 2021
Re: Resolution to support the extension of S16-7-40 Increased School Housing Ratio

The Town Council acknowledged receiving Communications.

XIII. ADJOURNMENT

A motion was made by Councilor R. White to adjourn at 7:55 p.m. with second by Councilor M. White. Vote: President Beye, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

Attest:


Roberta J. Fagan, Town Clerk