



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
**Rosamond A. Tefft Council Chambers**  
**93 Narragansett Avenue**  
**Monday, May 2, 2022**  
**6:30 P.M.**

**THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.**

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

*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. The Town Council hopes 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:*  
<https://jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2022-meetings-minutes>

**I. ROLL CALL**

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

**III. 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 prohibit 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 - none
- B) Non-scheduled request to address

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

- A) None

## V. PUBLIC HEARINGS, LICENSES, AND PERMITS

*The Town Council will review each license application and vote on it individually. All approvals for licenses and permits are subject to the resolution of debts, taxes, and appropriate signatures as well as, when applicable, proof of insurance. Review, Discuss and/or Take Action and/or Vote on the following items:*

### A) Public Hearings

- 1) Proposed amendment to the Code of Ordinances regarding Chapter 6 - Amusements and Entertainment. These Amendments are proposed to update and modernize the existing Amusements and Entertainment Ordinance (duly advertised in the *Jamestown Press* on **April 21<sup>st</sup>**); Review, Discussion, and/or Action and/or Vote:
  - a) Amended Amusements and Entertainment Ordinance

### B) Town Council Sitting as the Alcoholic Beverage Licensing Board.

- 1) 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 – Victualer Liquor License:**

#### CLASS BV – VICTUALER

Jamestown Marina Beverage Operations LLC  
 dba: One Ferry Wharf  
 3 East Ferry Wharf  
 Jamestown, RI 02835

- a) Request for the Town Council to Review, Discussion, and/or Action and/or Vote of approval to proceed to advertise for a Public Hearing on a date to be determined, by the Town Council.

### The Town Council adjourns from sitting as the Alcoholic Beverage Licensing Board.

### C) Licenses and Permits

- 1) Review, Discussion, and/or Action, and/or Vote to Approve the **New Application** that has been received by the Town Council for **Victualing & Holiday** License upon resolution of debts, taxes, State approval, and appropriate signatures as well as, when applicable, proof of insurance for the year May 2, 2022 - November 30, 2022:
  - a) Applicant: Jamestown Marina Beverage Operations LLC,  
 dba One Ferry Wharf  
 Location: 3 East Ferry Wharf  
 Hours: Sunday thru Thursday, 7:00 a.m. – 11:00 p.m.  
 Friday and Saturday, 7:00 a.m. – 1:00 a.m.

- 2) **Entertainment License Application (NEW):** All Entertainment license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:
- a) Applicant: Jamestown Marina Beverage Operations LLC,  
dba One Ferry Wharf  
Location: 3 East Ferry Wharf, inside and outside on the deck  
Hours: Wednesday thru Sunday, 12 p.m. thru 12 a.m.  
Type: Acoustic 3-piece (max) band
- 3) **One Day Event/Entertainment License:** All One-Day Entertainment license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:
- a) Applicant: Jamestown Ukrainian Relief Project  
Event: Evening of Song  
Date: Sunday, May 15, 2022, 7:00 p.m. – 8:30 p.m.  
Location: St. Matthews Episcopal Church
- b) Applicant: Jamestown Ukrainian Relief Project  
Event: Let's Get Together Coffee House for Ukraine Relief  
Date: Friday, May 20, 2022, 7:00 p.m. – 10:00 p.m.  
Location: Central Baptist Church
- c) Applicant: Quononoquott Garden Club  
Event: QGC Plant Sale  
Date: Saturday, May 21, 2022, 7:00 p.m. – 10:00 p.m.  
Location: Ft. Getty Pavilion
- i) Letter to the Town Council from QGC Co-Chairs Nancy Sall and Martha Mulvey requesting a waiver of the Ft. Getty Pavilion fee
- ii) Memorandum from Parks & Recreation Director DeFalco in support of the request

## VI. COUNCIL, ADMINISTRATOR, TOWN DEPARTMENTS, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS

- A) Town Administrator's Report: Jamie A. Hainsworth
- 1) Jamestown Library Renovation Project update and temporary operations
  - 2) Request for Anti-Idling signs
  - 3) Revaluation of Property
  - 4) Independence Day Celebration, Fireworks planned for July 3<sup>rd</sup>
  - 5) Covid 19/Testing update

**VII. UNFINISHED BUSINESS**

- A) Review, Discussion, and/or Take Action and/or Vote: At the request of Vice President Meagher consideration of concern brought forth during the April 18<sup>th</sup> Town Council Open Forum by Charlotte Zarlengo regarding a report presented by Michael Junge, Jamestown Harbor Commission member, at the April 13<sup>th</sup> Harbor Commission Meeting, which focused on mooring allocation and density research.
  - 1) Jamestown Harbor Commission/Micheal Junge report dated April 10, 2022
  
- B) Upcoming Meetings and Sessions – dates and times; Review, Discussion, and/or Take Action and/or Vote:
  - 1) At the request of Councilor R. White set the Town Council Summer Meeting Schedule to one (1) meeting in July on July 5<sup>th</sup> and one (1) meeting in August on August 22<sup>nd</sup>, and/or on another agreed-upon date(s)

**VIII. NEW BUSINESS**

- A) None

**IX. ORDINANCES, APPOINTMENTS, VACANCIES, AND EXPIRING TERMS**

- A) Ordinances; Review, Discussion, and/or Take Action and/or Vote to: **Order to Advertise** in the Jamestown Press; Notice of a Public Hearing for Proposed Amendments to the Code of Ordinances, Chapter 42, **Parks and Recreation**, Article II Regulations -In General; Sections 42-22; 42-51. These Amendments are to the terms and conditions set forth in Exhibit A and may be made based on comments received during the public hearing on November 15, 2021.
  - 1) Public Hearing Notice, Town of Jamestown and Exhibit A
  
- B) Appointments, Vacancies, and Expiring Terms; Review, Discussion, and/or Take Action and/or Vote:
  - 1) Jamestown Affordable Housing Committee (Two [2] vacancies with a three-year term ending date of May 31, 2025)
    - a) Letter of interest for reappointment
      - i) Fred F. Pease
      - ii) Joseph Cannon, Jr.
    - b) Letter of interest for appointment
      - i) Wayne D. Moore
  
  - 2) Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with a three-year term ending date of May 31, 2025)
    - a) Letter of interest for reappointment
      - i) Mary Ellen Coleman
    - b) Letter of interest for appointment
      - i) Wayne D. Moore

- 3) Jamestown Tax Assessment Board of Review (One [1] vacancy with a three-year term ending May 31, 2025)
  - a) Letter of interest for reappointment
    - i) Stuart L. Rice

**X. CONSENT AGENDA**

*An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to the 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) April 18, 2022 (Regular Meeting)
  - 2) April 25, 2022 (Special Meeting)
  
- B) Minutes of Boards/Commissions/Committees
  - 1) Jamestown Harbor Commission (October 13, 2021)
  - 2) Jamestown Harbor Commission (December 8, 2021)
  - 3) Jamestown Harbor Commission (February 9, 2022)
  - 4) Jamestown Harbor Commission (March 9, 2022)
  - 5) Jamestown Harbor Commission (April 13, 2022)
  - 6) Jamestown Tree Preservation and Protection Committee (February 17, 2022)
  - 7) Jamestown Tree Preservation and Protection Committee (attendance log)
  - 8) Tree Warden Report (February 17, 2022)
  - 9) Jamestown Zoning Board of Review (March 22, 2022)
  
- C) Tax Assessor’s Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO 2021 TAX ROLL		
04-0397-19M	SOLDIER & SAILOR EXEMPTION	\$26.03
REAL ESTATE ABATEMENT TO 2021 TAX ROLL		
016-0144-08	TAX ASSESS. BOARD OF REVIEW	\$1748.74
<b>TOTAL MOTOR AND REAL ESTATE ABATEMENTS TO 2021 TAX ROLL</b>		<b>\$1774.77</b>

**XI. 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
  - 1) Letter to Dr. Kenneth Duva, Superintendent of Schools  
 From: Karen Montoya, Clerk to the Board of Canvassers  
 Date: April 18, 2022  
 Re: list of people from the school department attending the Jamestown Town Financial Meeting.

- 2) Letter to Town Clerk Roberta Fagan  
From: Karen Montoya, Clerk to the Board of Canvassers  
Date: March 21, 2022  
Re: list of people from the Jamestown Administration attending the  
Jamestown Town Financial Meeting.
  - 3) Copy of Letter from Rhode Island Department of Environmental  
Management  
Date: April 13, 2022  
Re: 2022 Recreation Grant round – Jamestown application
- B) Petitions, Proclamations, and Resolutions
- 1) Town of Barrington, RI Ordinance 2022-10, Renewal of Declaration of  
Emergency
  - 2) Resolution of the Burrillville Town Council in Opposition to Rhode Island  
Gun Control Legislation
  - 3) Resolution of the Town of Charlestown, RI in support of House Bill H 8055  
an Act Relating to Waters and Navigation Coastal Resources Management  
Council
  - 4) Resolution of the Town of Tiverton, in opposition to Senate Bill S-2244 and  
House Bill H-7198 Municipal Employees' Arbitration

## **XII. 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](http://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 rfagan@jamestownri.net not less than three (3) business days before the meeting.

*Posted on the RI Secretary of State's website on April 28, 2022.*

April 13, 2022

RECEIVED:  
APR 22, 2022 12:01 PM  
Roberta J. Fagan  
TOWN OF JAMESTOWN Town Clerk

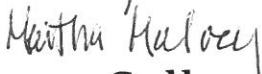
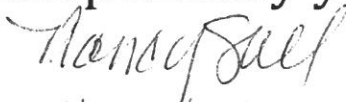
To the Town Council,

The Quononoquott Garden Club is holding it's Annual plant sale on May21, 2022, from 9AM-12 noon. It will take place at the Rembijas Pavilion.

The proceeds of the sale will go towards the beautification of Jamestown.

The purpose of this letter is asking the town to waive the event fee, as in the past.

Respectfully yours,



Nancy Sall and Martha Mulvey

Co-Chairs

610-291-2776

**Jamestown Parks and Recreation**

# Memo

**To:** Town Council

**From:** Ray DeFalco, Park and Recreation Director

**cc:** Roberta Fagan, Town Clerk

**Date:** 4/26/2022

**Re:** Garden Club Event - Fee Waiver

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The Garden Club plant sale is an annual event that takes place at the Fort Getty Pavilion. I support this event and the group running it. The Garden Club group has been very respectful and communicative with the department with past event. I support the waiver of fees for this event.



## Town of Jamestown

Town Administrator

93 Narragansett Avenue

Jamestown, Rhode Island 02835-1199

401-423-9805

Email: [jhainsworth@jamestownri.net](mailto:jhainsworth@jamestownri.net)



Jamie A. Hainsworth  
Town Administrator

**MEMORANDUM TO: Honorable Town Council**  
**FROM: Town Administrator, Jamie A. Hainsworth**  
**DATE: April 27, 2022**  
**SUBJECT: Report for Town Council Meeting May 2, 2022**

**Jamestown Library Renovation Project update and Temporary operations:** Library Chairman, Gene Mihaly and Library Director Lisa Sheley informed me this week the State Office of Library Information Services (OLIS) has approved the project and forwarded the application to the Office of Management and Budget (OMB). OMB will conduct their review of the project and determine the States portion of reimbursement and give the final approval to advertise for bidding.

During construction it will be necessary for the library to use an alternate site for their operation. We have been discussing several options with Lisa and Gene. I am asking the Council to consider allowing the library to use the Council Chambers during construction and all meetings normally held in Chambers to would be held on the second floor of the Jamestown Golf Clubhouse.

**Request for Anti Idling Signs:** In October of 2021 the Council passed 2021-08 and “Anti-Vehicle Idling” resolution to reduce emissions from gasoline and diesel-powered vehicles. I have been contacted by a resident that supported this resolution requesting signs be erected in parking areas and other public areas designating “idle free zones”. The resolution did not specifically address signage being posted. I welcome your input on this matter.

**Revaluation of Property:** The new valuations were mailed in the week of April 25<sup>th</sup> to property owners and have been posted on the Town Web site. Hearings for those owners with questions will be with the Northeast Revaluations representatives, scheduled to begin on May 5<sup>th</sup> and are expected to continue to the end of the month. The Tax Assessor held an informational meeting at the Town Hall on April 26<sup>th</sup>, where a representative from Northeast Revaluations explained the process of valuing property based on the market and like comparison sales.

**Independence Day Celebration, Fireworks planned for July 3<sup>rd</sup>, on schedule:** Holiday Fireworks celebration is scheduled for the evening of Sunday July 3<sup>rd</sup>. Other events at East Ferry prior to the fireworks includes a band in the late afternoon, followed by the Jamestown Community Band.

**Covid 19 Testing update:** Since March 17<sup>th</sup> to April 25<sup>th</sup> there have been forty-four (44) new positive covid-19 cases reported by the Department of Health (DOH) in Jamestown. This is an encouraging rate however the DOH cautions they have seen a recent increase in cases and these are only cases reported to the DOH through the PCR testing.



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 CO<sub>2</sub>, 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.

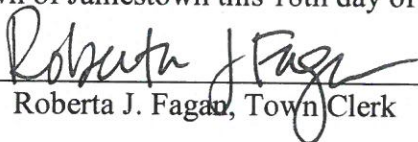
**NOW THEREFORE BE IT RESOLVED** that the Town of Jamestown, Rhode Island supports the adoption of a strong anti-idling policy by:

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 18th day of October, 2021

  
\_\_\_\_\_  
Roberta J. Fagan, Town Clerk



April 10, 2022

From: Michael Junge  
To: Jamestown Harbor Commission

Subj: Mooring allocation and density research

Jamestown Comprehensive Harbor Management Plan (CHMP) lists 23 mooring fields comprising 1077 individual moorings (note: there were 1072 moorings in 1991). Of those, 388 are commercially operated, 314 are 1(a) riparian (127 of which are guest moorings), and 382 are general public moorings. 9.34% of the general public moorings are held by non-residents. (above are 2012 numbers from the current CHMP) Combined field coverage is just over 400 acres.

By comparison, Portsmouth operates 1074 moorings across ~1000 acres. North Kingstown operates 751 moorings across 455 acres. Bristol operates 874 moorings across ~500 acres. Portsmouth mooring density is the lowest at a little over 1 mooring per acre while Jamestown is the highest at 2.24 moorings per acre. North Kingstown and Bristol fall in the middle with 1.65 and 1.75 moorings per acre respectively. Newport does not list mooring numbers in their CHMP but does operate 235 acres of mooring fields.

Those numbers are across aggregated mooring fields and are not indicative of individual fields. Portsmouth Mooring Field G has a little over 2 moorings per acre while fields BBC1 and BBC2 are just under 3 moorings per acre. North Kingstown has 6 moorings over 2 per acre, two of which have 4 moorings per acre. Comparably, Jamestown has 10 moorings with more than 2 moorings per acre, three of which (Hull, Spirketing, and Deck) have 5 moorings per acre. These three mooring fields are 1 acre or smaller so are not indicative of other mooring areas, but do show what is possible for density. By comparison, East Ferry has just over 2 moorings per acre with West Ferry just under 3 per acre.

None of the five CHMPs reviewed clearly articulated or identified parking, dingy storage, or bathroom facilities in relation to mooring areas. For the moorings off Conanicut Island, this is likely due to those municipalities having only one coastal area while Jamestown has at least two, and possibly up to five, depending on how the island is segregated. The Jamestown CHMP does identify parking as an issue, however the issue is also recognized as both seasonal and perennial.

Jamestown also operates 4 beach storage areas for kayaks, beach able sail or motorboats, or dinghies. East Ferry allows 38 boats, Fort Getty 43, Head's Beach 22, and Maple Ave 48. Dingy launching is also available at the West Ferry Dinghy Dock and via the East Ferry boat ramp – or via any accessible designated Right of Way (RoW). East and West Ferry parking is problematic in the summer. Head's Beach boating shares parking with beach users and Maple Ave offers only on-street parking.

**Options:**

- New mooring field at Eldred Ave RoW (under Jamestown Verrazano Bridge) Potential for 4 or more acres for mooring (12-20 moorings). Half an acre of parking and 140' of shoreline.
- Adjust size of West Ferry mooring by reducing West Ferry transient anchorage could gain 49 additional acres for moorings, with ~150 new moorings.
- Increase some, or all, mooring fields to ~4 moorings per acre for a total of 1600 moorings. Final totals are water depth dependent.
- Set all mooring fields to ~3 moorings per acre for a total of 1200 moorings. Final totals are water depth dependent.
- Mandate "conservation moorings" with resilient tackle. Allows for greater mooring density and supports seabed conservation. Massachusetts study indicated potential for 2x increase in moorings if all boats used resilient tackle.

## Roberta Fagan

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**From:** RANDALL WHITE <major510@cox.net>  
**Sent:** Friday, April 22, 2022 11:02 AM  
**To:** Roberta Fagan  
**Subject:** Re: Deadline for the May 2nd Town Council Meeting - Agenda items & Reports due on Wednesday, April 27th by noon.

Good morning Roberta-

I would like to request that the following be included on our May 2nd agenda:

Consideration of the Town Council meeting schedule for July and August 2022.

Could the Town Council meet once in July on July 5th and once in August on August 22nd ? Or is another schedule preferable?

Thanks,  
Randy

On April 22, 2022 at 10:02 AM Roberta Fagan <rfagan@jamestownri.net> wrote:

Good morning,  
Please forward your agenda items and reports for the May 2<sup>nd</sup> Town Council Meeting **no later than Wednesday, April 27<sup>th</sup> by noon.**

Thank you and have a great weekend.

Sincerely,

*Roberta*

Roberta J. Fagan - Town Clerk  
Town of Jamestown  
93 Narragansett Avenue  
Jamestown, RI 02835  
[rfagan@jamestownri.net](mailto:rfagan@jamestownri.net)  
401-423-9800



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**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 May, 2022 at the Jamestown Town Hall, 93 Narragansett Avenue on the following proposed amendment to the Code of Ordinances regarding **Chapter 42 – Parks and Recreation**. 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](http://www.Jamestownri.gov).

**Section 1.** The Town Council of the Town of Jamestown does hereby resolve that the Jamestown Code Of Ordinances, **Chapter 42 – Parks and Recreation**, as the same may have been heretofore amended, is hereby amended by changing the text of the Chapter, as follows:

NOTE: words set as ~~strikethrough~~ 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: \_\_\_\_\_

**EXHIBIT A**

1 ~~Sec. 42-22. - Pets in recreational facilities to be leashed.~~ Reserved.

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

4 ~~Sec. 42-51. - Animals prohibited.~~ Reserved.

5 ~~Except as otherwise provided in G.L. 1956, § 11-24-2.1, no dogs, horses or other animals shall be~~  
6 ~~allowed on any of the town beaches.~~

7

**TOWN COUNCIL MEETING MINUTES**  
**Monday, April 18, 2022**  
**6:30 P.M.**

**I. ROLL CALL**

A regular meeting of the Jamestown Town Council was held on April 18, 2022. Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Michael G. White, and Erik G. Brine and Randy White (arrived at 6:36 p.m.)

Also, in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero, Finance Director Christina Collins, Public Works Director Michael Gray, Town Planner Lisa Bryer, Water and Sewer Clerk Denise Jennings, Parks and Recreation Director Ray DeFalco and Town Clerk Roberta Fagan

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

Town Council President Beye called the meeting of the Jamestown Town Council to order at 6:32 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

A motion was made by Vice President Meagher with a second by Councilor M. White to convene as the Town Council Sitting as the Board of Water and Sewer. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye

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

- A) Approval of Minutes; Review, Discussion, and/or Take Action and/or Vote:  
 1) 03/21/2022 (regular meeting)

- B) Open Forum – Water & Sewer Matters

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- 1) Scheduled request to address - none
  - 2) Non-scheduled request to address
- C) Report of Town Officials:
- 1) Pumping Report
  - 2) Town Project Reports
    - a) Town Wells
    - b) Water Treatment Plant
    - c) Transfer Pumping/Reservoir
    - d) Distribution System
    - e) Wastewater Treatment Facility
- D) Letters and Communication
- 1) None
- E) Unfinished Business
- 1) None
- F) New Business
- 1) Review, Discussion, and/or Take Action and/or Vote: Authorize the Town of Jamestown to sign the Contractor/Vendor Agreement as a participating Contractor in the 2022-2023 Low-Income Home Water Assistance Program (“LIHWAP”)
    - a) Rhode Island Department of Human Services 2022-2023 LIHWAP Contractor/Vendor Agreement
  - 2) Finance Director’s Report: Comparison of the Water Budget to Actuals as of March 31, 2022
  - 3) Finance Director’s Report: Comparison of the Sewer Budget to Actuals as of March 31, 2022

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

A motion was made by Vice President Meagher with second by Councilor M. White to adjourn from sitting as the Board of Water and Sewer Commissioners. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye

**IV. 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 prohibit 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 - none
- B) Non-scheduled request to address

**Charlotte Zarlengo, Seaside Drive brought forth concerns regarding a report presented by Michael Junge, Jamestown Harbor Commission member, at the April 13<sup>th</sup> Harbor**

**Commission Meeting, which focused on mooring allocation and density research. Ms. Zarlengo requested the Town Council to investigate further.**

**Vice President Meagher made the request to put the topic on the next agenda.**

**Town Administrator Hainsworth made the Council aware of the upcoming reevaluation notices that will be mailed out on April 25<sup>th</sup>. A public meeting session will be held on April 26, 2022, at 6:00 p.m. and the notice will appear in the Jamestown Press on April 21, 2022. Tax hearings will start on May 5<sup>th</sup> and will be ongoing through May.**

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

- A) Review, Discussion, and/or Take Action and/or Vote regarding a Proclamation declaring May 2<sup>nd</sup> through May 6<sup>th</sup> Jamestown Teacher Appreciation Week

President Beye read the Proclamation.

**A motion was made by Vice President Meagher with second by Councilor M. White to approve declaring May 2<sup>nd</sup> through May 6<sup>th</sup> Jamestown Teacher Appreciation Week. Vote: President Beye, Aye; Vice President Meagher, 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. Review, Discuss and/or Take Action and/or Vote on the following items:*

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

- 1) Applicant: Jamestown Arts Center  
 Event: "To Which We Belong" Film Screening & Panel Discussion  
 Date: Thursday, April 29, 2022, 7:00 p.m. – 9:30 p.m.  
 Location: Jamestown Arts Center

**A motion was made by Vice President Meagher with second by Councilor M. White to approve the "To Which We Belong" Film Screening & Panel event license taking place on Thursday, April 29, 2022, 7:00 p.m. – 9:30 p.m. at the Jamestown Arts Center. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye**

- B) One Day Vendor/Peddler License: All Vendor/Peddler license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:

- 1) Applicant: The Perfect Empanada LLC  
 Event: Crossing Day  
 Date: Saturday, May 14, 2022, 11:00 a.m. – 3:00 p.m.  
 Location: East Ferry/Memorial Square

**A motion was made by Vice President Meagher with second by Councilor M. White to approve granting the One Day Vendor/Peddler License for The Perfect Empanada LLC.,**

**contingent on all necessary documentation being received before the event. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye**

- 2) Applicant: Broadway Dough Co.  
 Event: Crossing Day  
 Date: Saturday, May 14, 2022, 11:00 a.m. – 3:00 p.m.  
 Location: East Ferry/ Memorial Square

**A motion was made by Vice President Meagher with second by Councilor M. White to approve granting the One Day Vendor/Peddler License for Broadway Dough Co., contingent on all necessary documentation being received before the event. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye**

## **VII. UNFINISHED BUSINESS**

- A) Review, Discussion, and/or Take Action and/or Vote: Authorization of the revised Warrant and Resolutions for the June 6, 2022, Financial Town Meeting
- 1) Resolution Number 5: An Appropriation Not to Exceed \$400,000 to assist in The Purchase of Additional Permanent Protection of The Town's Reservoir Watershed and Center Island Greenway, Located at East Shore Road and Eldred Avenue, Plat 4 Lots 2, 133, 134, 135, 136, 141, And 142

**A motion was made by Vice President Meagher with second by Councilor M. White to approve the authorization of the revised Warrant and Resolutions for the June 6, 2022, Financial Town Meeting, Resolution Number 5. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye**

- B) Review, Discussion, and/or Take Action and/or Vote: Regulatory Options Regarding Short Term Rentals
- 1) Memorandum from Vice President Meagher

**Discussion ensued.**

**Vice President Meagher gave an update on the proposed Short-Term Rental (STR) ordinance. Multiple alternatives have been thoroughly vetted. The Planning Commission has recommended registration and inspection as a requirement. As a member of the STR subcommittee, Vice President Meagher would like more accountability for STR property owners which would also include licensure. Similar to other town license requirements, an applicant would have to advertise and appear before the Town Council for final approval.**

**Solicitor Ruggiero provided additional perspective. The Town of Jamestown currently does not have STR regulations. The STR subcommittee continues to grapple with the questions: 1) does the Town regulate STRs and/or 2) how do you regulate STRs. Other communities that regulate STRs require adherence to rules, registration, and inspection.**

**President Beye asked a clarifying question – would this require the Town to hire a company such as Host Compliance/Granicus?**

**Vice President Meagher and Town Planner Bryer confirmed that a host compliance company would be hired to provide oversight and compliance.**

Solicitor Ruggiero explained that the Town Council needs to decide which path to take: the license path or the zoning path. The license path allows for greater discretion by the Town Council.

Councilor R. White expressed concerns regarding funding and staffing issues if the Town were to implement an STR Ordinance. A zoning and licensing regulation would address all concerns but could be administratively cumbersome. Also, what was included in the previously approved \$21,000 contract with Host Compliance/Granicus? Why hasn't the contract been signed?

Town Planner Bryer explained that the \$21,000 would be an annual fee for all of the host compliance services. Host Compliance/Granicus requires ordinance guidelines to provide a complete list of services covered under the contract. Vice President Meagher and Town Planner Bryer explained that the contract has not been signed yet and hinges on an approved ordinance.

Vice President will check to see if the contract could be signed to begin a survey of current STR properties.

Councilor M. White commented that a survey of current STR properties will provide the necessary data to develop an appropriate and comprehensive STR ordinance for Jamestown.

A motion was made by Vice President Meagher with second by Councilor M. White to pursue formalizing an ordinance that includes registration, inspection, and licensure of short-term rentals; and to engage Host Compliance/Granicus to compile data on current Jamestown short-term rental properties; so as to inform the Council on the profile of each current Jamestown short-term rental property. **Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye**

- C) Review, Discussion, and/or Take Action and/or Vote: Jamestown Clubhouse Rental Policy
  - 1) Memorandum from Jamestown Parks and Recreation Director Ray DeFalco
  - 2) Rental Policies & Pricing Draft 3

**Discussion ensued.**

**Parks and Recreation Director Ray DeFalco briefly reviewed the revised Rental Policies & Pricing Draft 3 and expressed confidence that all the Council member's concerns have been addressed.**

**A motion was made by Vice President Meagher with second by Councilor R. White to approve the Jamestown Clubhouse Rental Policy. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye**

#### **VIII. NEW BUSINESS**

- A) Review, Discussion, and/or Take Action and/or Vote: Public Works Director Michael Gray's recommendation to deny the request:
  - 1) Conduit Location Installation request of The National Grid and Verizon New England, Inc. to install 70' (2) 3" UG conduit on side of the road from

Pole 15 to the property line of 63 Conanicus Avenue; with a recommendation to deny the request by Public Works Director Michael C. Gray

- 2) Joint Pole Petition of The National Grid and Verizon New England, Inc. to install Poles 1 & 2 to reroute 3 phase lines up Longfellow Road and down Holmes Court; with a recommendation to deny the request by Public Works Director Michael C. Gray

**Discussion ensued.**

**Public Works Director Gray explained that the Town does not have jurisdiction over the private roads included in the request. He has been in contact with the parties and will report back to the Council at a future meeting.**

**The Town Council tabled the request at the request of Public Works Director Gray.**

## **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 the 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) March 30, 2022 (Special Budget Work Session)
  - 2) April 4, 2022 (Regular Meeting)
  
- B) Minutes of Boards/Commissions/Committees
  - 1) Jamestown Zoning Board of Review (March 22, 2022)
  - 2) Board of Canvassers (February 28, 2022)
  - 3) Board of Canvassers (March 28, 2022)
  - 4) Planning Commission (January 19, 2022)
  - 5) Planning Commission (March 2, 2022)
  - 6) Planning Commission (March 16, 2022)
  - 7) Technical Review Committee (February 9, 2022)
  - 8) Technical Review Committee (February 22, 2022)
  - 9) Affordable Housing Committee Minutes (January 21, 2022)
  - 10) Affordable Housing Committee/Real Estate Transfer Tax Subcommittee (February 7, 2022)
  - 11) Affordable Housing Committee (February 14, 2022)
  - 12) Affordable Housing Committee (February 16, 2022)
  - 13) Affordable Housing Committee (March 15, 2022)
  
- C) Jamestown Planning Commission Abutter Notice for Public Hearing of Wednesday, April 20, 2022, at 7:00 p.m.: To hold a subdivision master plan informational meeting for property located at Plat 4 Lot 52, 91 Carr Lane, Jamestown, RI owner, Town of Jamestown, and applicant Church Community Housing Corporation
  
- D) Request from Fire Chief James R. Bryer, Jr. on behalf of the Jamestown Fire Department to the Jamestown Town Council to approve the award of (1) the bid for the delivery and acceptance of a new 2023 Ford E450 Lifeline (Rescue 1) Ambulance from Specialty Vehicles of Plainville, Massachusetts; and (2) the bid



for the delivery, installation, and acceptance of a new Stryker Power-Load Stretcher and System to Stryker Corporation of Partage, Michigan.

- 1) Specialty Vehicles bid proposal for One (1) New / Unused 2023 ford E450 custom-built Life Line “Superliner” Type III-AD, Class I Emergency Medical Vehicle, per the published bid specifications from the Town of Jamestown
  - 2) Stryker Medical Quote Number 10442821 for the Stryker MTS Power-Load, Power-PRO XT MTS Mid Equipment Products, and ProCare Power-LOAD Prevent Service Annual onsite preventative maintenance products
- E) Request from Dr. Kenneth Duva, Superintendent of Schools on behalf of the Jamestown School Committee to the Jamestown Town Council to approve the award of a contract for the construction of the Melrose and Lawn Schools Solar Project to Newport Renewables, LLC
- F) Finance Director’s Report: Comparison Budget to Actuals as of March 31, 2022

**A motion was made by Vice President Meagher with second by Councilor M. White to accept the Consent Agenda. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and 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) Petitions, Proclamations, and Resolutions
- 1) Resolution of the Burrillville Town Council in Opposition to S-2244 and H-7198 Municipal Employees’ Arbitration
  - 2) Resolution of the Town of Council of the Town of Coventry, Condemning the Russian Invasion of Ukraine
  - 3) Resolution of the Town of Council of the Town of Coventry, in Support of Senate Bill S-2341 and House Bill H-7834 requiring the maintenance of sidewalks along state highways to be the responsibility of the state
  - 4) Resolution of the Town Council of the Town of Coventry, request to approve and enact Senate Bill S-2295, An Act Relating to Waters and Navigation- Inspection of Dams and Reservoirs
  - 5) Opposition letter from the Hopkinton Town Council to House Bill H6676 Relating to Taxation – Levy, and Assessment of Local Taxes

**The Town Council acknowledged the Communications received.**

**A motion was made by Vice President Meagher to move into Executive Session with a second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.**

**XI. 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 motion was made by Vice President Meagher with second by Councilor M. White to move agenda item C) up to be considered first. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.**

- 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 (Review of Judges Ruling), Paul and Janice Balzer v. Jamestown C.A. No. 1:19-cv-00109-WES-PAS
- 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 in regards to police retiree benefits.
- C) Review, Discussion, and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Collective Bargaining (union contract negotiations NAGE 69)

**XII. ADJOURNMENT OF EXECUTIVE SESSION**

**A motion was made by Vice President Meagher to seal the minutes and adjourn from Executive Session with a second by Councilor M. White. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.**

**The Town Council reconvenes the regular meeting.**

**It was announced that no votes were taken.**

**XIII. ADJOURNMENT**

**A motion was made by Councilor M. White with second by Vice President Meagher to adjourn at 7:59 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.**

Attest:

Roberta J. Fagan, Town Clerk



**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Minutes of the October 13, 2021 Meeting of the Jamestown Harbor Commission  
*Approved:*

A meeting of the Jamestown Harbor Commission was held Wednesday, October 13, 2021  
At the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown RI 02835.

**I. CALL TO ORDER AND ROLL CALL**

Vice-Chairman Banks called the meeting to order at 5:00 PM with roll call:

Present:

Wayne Banks, Chairman  
Michael Junge, Vice-Chairman  
Steven Bois, Commissioner  
Jessica McCarthy, Commissioner  
Richard Raynes, Commissioner

Absent:

Eric Lexow, Commissioner  
Dan Wurzbacher, Commissioner

Also in attendance:

Chief Edward Mello, Executive Director  
Randy White, Town Council Liaison  
George Souza, Conservation Commission Liaison  
Kim Devlin, Harbor Clerk

**II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote**

**A. Wednesday, September 8, 2021**

Vice-Chairman Banks moved to approve the minutes of the September 8, 2021 Jamestown Harbor Commission meeting; Vice-Chairman Junge seconded. So voted; 4 ayes, 0 nays.

**III. OPEN FORUM**

**A. Scheduled Requests to Address**

There were no scheduled requests to address.

**B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote**

Charlotte Zarlengo, Seaside Drive, requested to be allowed to speak if there was going to be any discussion on the moorings at Head's Beach.

**IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported that the Harbormaster is done for the season, the boats are both out of the water and being winterized with the assistance of former Harbormaster Campbell. An overhaul of the Freedom hull was done recently to address issues of corrosion. The pumpouts will be winterized in the next few weeks.

Executive Director Chief Mello reported that the Town Administrator, Jaime Hainsworth, has been asked by the Governor to sit on a committee for the reorganization of CRMC. If any member of the Jamestown Harbor Commission has any concerns they would like to have addressed they can do so at the next meeting.

Executive Director Chief Mello informed the Jamestown Harbor Commission that the mooring inspectors are in the process of submitting their applications to be a Qualified Mooring Inspector for the Town. The permits expire at the end of the calendar year and that the Qualified Mooring Inspector list will be on the December agenda for Jamestown Harbor Commission approval.

Chairman Banks asked if the Jamestown Harbor Commission will be provided the number of moorings each inspector manages.

Executive Director Chief Mello stated that, yes, we will provide that information for the Jamestown Harbor Commission. We are being diligent about the renewal process, as it is very time consuming for staff when inspectors do not adhere to the regulations they agreed to when submitting their application.

#### **V. HARBORMASTER REPORT**

The Harbormaster is off duty until the spring.

#### **VI. MARINE DEVELOPMENT FUND BUDGET**

##### **A. 2020/2021**

##### **MDF YTD Budget- Review, discussion and/or potential action and/or vote**

The budget was not available for review.

#### **VII. SUB-COMMITTEE REPORTS**

##### **A. Budget - Review, discussion and/or potential action and/or vote**

Commissioner Lexow was not in attendance. Commissioner Raynes volunteered to assist with the budget process.

(Commissioner McCarthy arrives 5:07).

Executive Director Chief Mello stated that we met with Commissioner Lexow to review the budget that will be presented later in the meeting.

##### **B. Facilities - Review, discussion and/or potential action and/or vote**

Vice-Chairman Banks had nothing to report.

##### **C. Mooring Implementation - Review, discussion and/or potential action and/or vote**

Vice-Chairman Banks had nothing to report, except that he did not meet with staff regarding the number of moorings at each mooring area, as discussed at the last meeting. We will meet before the November Jamestown Harbor Commission meeting.

##### **D. Traffic Committee - Review, discussion and/or potential action and/or vote**

Commissioner Junge had nothing to report.

##### **E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote**

Commissioner Bois reported that the committee met and that ACOE is now working on Gould Island to dismantle structures. There is a legislative meeting coming up where the committee is hoping to secure funding to expedite the restoration process.

#### **VIII. LIAISON REPORTS**

##### **A. Conservation Commission Liaison - Review, discussion and/or potential action and/or vote**

Conservation Commission Liaison Souza had nothing to report.

##### **B. Town Council Liaison Report - Review, discussion and/or potential action and/or vote**

Town Council Liaison White had nothing to report and asked the Jamestown Harbor Commission if there was anything that they would like him to bring back to the Town Council. The Jamestown Harbor Commission had nothing for Town Council Liaison White to report to the Town Council.

#### **IX. OLD BUSINESS**

##### **A. East Ferry Signage - Review, discussion and/or potential action and/or vote**

Chairman Banks reported that the Jamestown Harbor Commission discussed the signage at East Ferry during the site visit two months ago. The draft letter presented at the last meeting didn't accurately represent the concerns of the Jamestown Harbor Commission. The issue was not that the ferry sign was there but that there were no signs stating that it was also public touch and go space, as well.

Chairman Banks moved to have signs produced and placed at each touch and go dock; Commissioner Bois seconded. So voted; 5 ayes, 0 nays.

#### **X. CORRESPONDENCE**

##### **A. Appeal – Suzanne Aubo; 10/7/2021 - Review, discussion and/or potential action and/or vote**

Chairman Banks moved to accept the appeal documents; Vice-Chairman Junge seconded. So voted; 5 ayes, 0 nays.

#### **XI. NEW BUSINESS**

##### **A. Appeal – Suzanne Aubo; Re: Forfeiture of Mooring - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that this appeal is related to the mooring inspection requirement, that moorings must be inspected by an authorized inspector every three years. The inspector must update the permit holder's account in Online

Mooring by June 15<sup>th</sup>. Ms. Abois was notified on June 17<sup>th</sup> and July 2<sup>nd</sup> via email that the mooring inspection was past due. On Sept 2<sup>nd</sup> an email was sent asking for a response and a check of the mooring determined that it had not been used. On September 13<sup>th</sup> a certified letter notifying Ms. Abois that the permit would be forfeited on October 1st was mailed and the return receipt was signed for on September 15<sup>th</sup>. The mooring permit was cancelled on October 1<sup>st</sup>.

Chairman Banks asked if the mooring permit has been reassigned.

Executive Director Chief Mello stated that the permit has not yet been assigned to another permit holder.

James Simmons, husband of the permit holder and proxy for the meeting, stated that the situation stagnated and went on for too long, but they thought the mooring was due for an inspection next year. They also had a hard time finding someone to inspect the mooring.

Executive Director Chief Mello summarized the renewal and inspection process and stated that we are dealing with some inspectors who are not doing what they are supposed to do.

Commissioner McCarthy asked Mr. Simmons how long they have had the mooring permit.

Mr. Simmons stated they have had the permit for at least three inspection cycles.

Commissioner Raynes moved to approve the appeal; Commissioner McCarthy seconded. So voted; 4 ayes, 1 nay (Bois).

**B. 2022/2023 Marine Development Fund Budget – Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that he isn't sure if Commissioner Raynes wants to review the budget first, but that we need to have this approved to send out the renewals in December.

Executive Director Chief Mello stated that the rates are tied to the budget so the Jamestown Harbor Commission should vote on both.

**C. 2022 Harbor Permit Rates- Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that the rates the proposed rates are the same as last year and in keeping with the plan for the outhaul rate increase that we put into place a few years ago.

Vice-Chairman Junge asked about the Maintenance of Docks and Harbor line item and why we are allotting \$50,000.

Executive Director Chief Mello stated that we are ultra-cautious about storms and potential damage to the Harbor infrastructure, as it is expensive when something goes wrong. For example, a gangway can cost \$10,000 to replace.

Chairman Banks moved to approve the rates for the 2022 season; Vice-Chairman Junge seconded. So voted; 5 ayes, 0 nays.

Chairman Banks moved to approve the 2022/2023 Marine Development Fund budget; Vice-Chairman Junge seconded. So voted; 5 ayes, 0 nays.

**D. Harbor Cameras - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported that about 10 years ago the Town installed a number of cameras to monitor East Ferry. They are recorded and semi-monitored through dispatch at the Police Department. An individual has requested that we install the same type of camera monitoring system at West Ferry. They are high end and require a fiber connection, and they are not inexpensive. The camera at East Ferry costs approximately \$7,000. We will have to assess West Ferry to see if it is feasible to have the same type of camera installed.

Executive Director Chief Mello requested that the Jamestown Harbor Commission visit West Ferry and look at the streetlights and parking lot. If it's possible it may be worth considering running the cables underground and adding power and water to the touch and go dock. If we are going to invest in that it would be the time to do it.

Executive Director Chief Mello stated that another thing to consider is that the only permits the Town charges for at West Ferry are the dinghy dock and the outhauls, so there is limited revenue coming in from that area.

Chairman Banks requested the members of the Jamestown Harbor Commission all take a look at the area and assess the feasibility of installing cameras at West Ferry.

Commissioner Bois moved to ask the Jamestown Harbor Commission members to investigate the area and to add this item to the agenda for the next meeting. Chairman Banks seconded. So voted; 5 ayes, 0 nays.

**XII. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote**

Charlotte Zarlengo stated that the moorings at Head's Beach are inconsistent and requested that no more moorings be allowed in the area and that no moorings be replaced.

**XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote**

Chairman Banks moved to adjourn at 5:50 PM; Vice-Chairman Junge seconded. So voted; 5 ayes, 0 nays.

Respectfully submitted,



Kim Devlin  
Jamestown Harbor Clerk



**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Minutes of the December 8, 2021 Meeting of the Jamestown Harbor Commission  
*Approved:*

A meeting of the Jamestown Harbor Commission was held Wednesday, December 8, 2021  
At the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown RI 02835.

**I. CALL TO ORDER AND ROLL CALL**

Vice-Chairman Junge called the meeting to order at 5:00 PM with roll call:

Present:

- Michael Junge, Vice-Chairman
- Steven Bois, Commissioner
- Jessica McCarthy, Commissioner
- Richard Raynes, Commissioner
- Eric Lexow, Commissioner
- Dan Wurzbacher, Commissioner

Absent:

- Wayne Banks, Chairman

Also in attendance:

- Chief Edward Mello, Executive Director
- Glenn Skalubinski, Harbormaster
- Randy White, Town Council Liaison
- George Souza, Conservation Commission Liaison
- Kim Devlin, Harbor Clerk

**II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote**

**A. Wednesday, October 13, 2021**

Commissioner Bois moved to approve the minutes of the October 13, 2021 Jamestown Harbor Commission meeting; Commissioner Lexow seconded. So voted; 6 ayes, 0 nays.

**III. OPEN FORUM**

**A. Scheduled Requests to Address**

There were no Scheduled Requests to Address.

**B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote**

There were no Non-Scheduled Requests to Address.

**IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported on the storm damage around the island. The Harbormasters were able to get the boats out of the water and there was not any damage to the vessels. There was some damage to Town infrastructure. At West Ferry a vessel broke free from the Ft. Getty dock and went into the fender pilings causing damage. The vessel was then tied up to the Harbormaster vessel spot where it caused more damage to a piling, float and a gangway. On the East Ferry side, a number of vessels broke free from Conanicut Marine and Clark's Boat Yard and caused a significant amount of damage to private docks along Walcott and Racquet Road.

Executive Director Chief Mello stated that the Town is working with the insurance company to file a claim to have the Town property repaired by the vessel owner's insurance.

**V. HARBORMASTER REPORT**

Harbormaster Skalubinski stated that it has been time consuming to get these providers to get into compliance and their reports updated in Online Mooring.

Executive Director Chief Mello stated that we will continue this discussion under New Business.

**VI. MARINE DEVELOPMENT FUND BUDGET**

**A. 2020/2021****MDF YTD Budget- Review, discussion and/or potential action and/or vote**

The budget was not available for review.

**VII. SUB-COMMITTEE REPORTS****A. Budget - Review, discussion and/or potential action and/or vote**

Commissioner Raynes asked to meet with Executive Director Chief Mello regarding the budget.

Executive Director Chief Mello stated that, while he is happy to meet, the 2022-2023 budget has already been approved and it is a bit early to begin talks for the following fiscal year.

**B. Facilities - Review, discussion and/or potential action and/or vote**

Commissioner Wurzbacher had nothing to report.

**C. Mooring Implementation - Review, discussion and/or potential action and/or vote**

Vice-Chairman Banks was not in attendance.

Executive Director Chief Mello stated that Harbor Staff met with Chairman Banks and he will provide a report at the next Jamestown Harbor Commission meeting.

**D. Traffic Committee - Review, discussion and/or potential action and/or vote**

Commissioner Junge had nothing to report.

**E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote**

Commissioner Bois had nothing new to report.

**VIII. LIAISON REPORTS****A. Conservation Commission Liaison - Review, discussion and/or potential action and/or vote**

Conservation Commission Liaison Souza had nothing to report.

**B. Town Council Liaison Report - Review, discussion and/or potential action and/or vote**

Town Council Liaison White reported that the Town Council will be interviewing all candidates for the Jamestown Harbor Commission, including the members who have already been appointed to the Jamestown Harbor Commission. The Town Council wants to interview all 6 applicants as a way for the members of the Town Council to meet the commissioners appointed before this council was elected.

**IX. OLD BUSINESS****A. Harbor Cameras - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported that an individual holding a permit for a West Ferry Outhaul expressed some concerns about activity happening to his vessel on the outhaul. We have cameras at East Ferry and they are very helpful in monitoring storm damage, if a vessel breaks free, fishing activity, etc. There is a lot of activity at West Ferry and we have investments there in the form of floating docks, the pumpout and the Harbormaster vessel. A camera at that location would be beneficial. The cost would be approximately \$7500 to \$10,000.

The Town is in the process of replacing all of the streetlights with LED lights so we could wait until that time and see if the camera can be installed on one of the new light poles. Executive Director Chief Mello stated that another thing to consider is burying the electrical wires and replacing the old street poles with something more decorative.

Executive Director Chief Mello stated that the West Ferry bulkhead needs to be replaced on the south side that ties into the gangway for the Harbormaster vessel's floating dock. We have invested a lot of money into the outhauls at West Ferry and it may be worth considering pricing out the lights. The whole project at West Ferry is estimated at \$40,000-\$50,000.

Executive Director Chief Mello reported that the old ferry landing at East Ferry is being proposed as a project to convert it into a sitting area.

Commissioner Wurzbacher asked Executive Director Chief Mello how many vendors would be involved?

Executive Director Chief Mello stated that one would do the bulk of the work but that two others will be brought in to do smaller jobs, like electrical work.

Executive Director Chief Mello suggested that the Jamestown Harbor Commission visit West Ferry to see the current set up and visualize what it would look like with the wires buried and more decorative lighting.

**X. CORRESPONDENCE**



**A. Appeal – Sharon McNeil; 10/15/2021 - Review, discussion and/or potential action and/or vote**

**XI. NEW BUSINESS**

**A. Appeal – Sharon McNeil; Re: Forfeiture of Mooring - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello summarized the appeal, stating that the mooring in question is located at Park Dock and was installed 4 years ago.

Ms. McNeil stated that at some point a mooring was dropped on top of hers and it disappeared. They have been unable to locate the mooring to have it commissioned.

Commissioner Bois moved to approve the appeal; with the contingencies that the mooring is mapped out and the dates to have the mooring set by are met.

Vice-Chairman Junge added that the mooring must be set by April 1 and the boat registered to the mooring has a current registration by the same date.

Commissioner McCarthy seconded. So voted; 6 ayes, 0 nay.

**B. Qualified Mooring Inspector Renewals – Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that the Qualified Mooring Inspector list recommendation to the Jamestown Harbor Commission is a responsibility that we all share. When the Harbor Staff recommends the list to the Jamestown Harbor Commission we take into consideration the quality of service, record management and upkeep of the moorings. The Harbor Staff has struggled with a handful of inspectors that do not follow the Town regulations. When we endorse the list of inspectors, we have a certain responsibility to permit holders to provide a list of qualified service providers who will comply with the Harbor Ordinance and regulations set forth in the application that the inspectors submit to the Harbor Department to be included on the list.

Executive Director Chief Mello stated that we have provided the Jamestown Harbor Commission with a list of compliance rates for updating inspections for the 2021 Qualified Mooring Installers. The compliance rate calculations include 2 different dates. The due date for inspection reports to be entered is June 15th. The August 24<sup>th</sup> date is when we start sending certified letters to permit holders that are not in compliance with having a current mooring inspection, notifying them that they are in jeopardy of forfeiting their mooring permit on October 1<sup>st</sup> due to not having their mooring inspected. Both the permit holders and the inspectors can see via Online Mooring when inspections are due.

Executive Director Chief Mello stated that the challenge we have is that we can revoke a permit from the permit holder but there is no recourse for inspectors who are not following the regulations that they agree to by submitting the application. The regulations are outlined in the application and in the approval letter that is sent to the mooring inspector when their application is approved and the Jamestown Harbor Commission votes to include them on the Qualified Mooring Inspector list.

Executive Director Chief Mello stated that the only way to address the behavior of inspectors is by not including them on the list. There are 4 companies that did not submit an application or submitted an incomplete application. The Harbor Staff is not recommending those 4 companies or individuals to be included on the list. If there is a consensus from the Jamestown Harbor Commission that you agree with the recommendation then we will notify those 4 entities that they have been removed from the list so they will have a chance to be heard at the next Jamestown Harbor Commission meeting.

A discussion ensued.

Sam Paterson, 23 Fox Run, addressed the Jamestown Harbor Commission stating that he is a mooring inspector and sent in an application and does not understand why he is not included on the recommended mooring inspector list.

Executive Director Chief Mello stated that the compliance rate for Mr. Paterson is 25% and also that he did not submit his insurance with the application.

Mr. Paterson stated that he had issues using the Online Mooring system.

A discussion ensued.

Commissioner Bois moved to approve the Mooring Inspectors highlighted in green (Aquidneck Mooring, Clark's Boat Yard, Conanicut Marine, J Sea Divers, Jamestown Boat Yard, Monarch Marine, Pleasant Street Wharf, and Rhode Island Mooring Services) to be on the 2022 Qualified Mooring Inspector list; Commissioner McCarthy seconded. So voted; 6 ayes, 0 nays.

Commissioner Bois moved to allow the 4 inspectors not recommended the chance to be heard at the January meeting to tell

why they should remain on the list; Commissioner Raynes seconded. So voted; 5 ayes, 1 nay (Junge).

Executive Director Chief Mello stated that the only recourse is for them to appeal is to the Town Council.

**XII. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote**

Town Council Liaison White asked if he could have access to the compliance rate calculations for the inspectors.

**XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote**

Chairman Banks moved to adjourn at 5:50 PM; Vice-Chairman Junge seconded. So voted; 5 ayes, 0 nays.

Respectfully submitted,



Kim Devlin  
Jamestown Harbor Clerk



**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Minutes of the January 12, 2022 Meeting of the Jamestown Harbor Commission  
*Approved: 2/9/2022*

**Join Zoom Meeting**  
**<https://us06web.zoom.us/j/89006376273>**  
**Meeting ID: 890 0637 6273**  
**One tap mobile**  
**+13017158592,,89006376273# US (Washington DC)**  
**+13126266799,,89006376273# US (Chicago)**

**I. CALL TO ORDER AND ROLL CALL**

Vice-Chairman Junge called the meeting to order at 5:02 PM with roll call:

Present:

- Wayne Banks, Chairman
- Michael Junge, Vice-Chairman
- Steven Bois, Commissioner
- Jessica McCarthy, Commissioner
- Richard Raynes, Commissioner
- Eric Lexow, Commissioner
- Dan Wurzbacher, Commissioner

Also in attendance:

- Chief Edward Mello, Executive Director
- Glenn Skalubinski, Harbormaster
- Randy White, Town Council Liaison
- George Souza, Conservation Commission Liaison
- Kim Devlin, Harbor Clerk

**II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote**

**A. Wednesday, December 8, 2021**

Chairman Banks asked for a summary of the Old Ferry landing project.

Executive Director Chief Mello explained that the Town is looking into using Capital funds and grant money to refinish the surface and turn it into a sitting/observation area.

Chairman Banks moved to approve the minutes of the December 8, 2021 Jamestown Harbor Commission meeting; Commissioner Raynes seconded. So voted; 6 ayes, 0 nays.

(Commissioner Wurzbacher arrived 5:07PM.)

**III. OPEN FORUM**

**A. Scheduled Requests to Address**

There were no Scheduled Requests to Address.

**B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote**

There were no Non-Scheduled Requests to Address.

**IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote**

**A. Qualified Mooring Inspector Application Process**

Executive Director Chief Mello requested that the Jamestown Harbor Commission refer to the Qualified Mooring Inspector application and approval letter included in the meeting packets. The application includes the responsibilities of the inspector and the agreement they are signing off on to be included on the inspector list. When the application is submitted by an inspector it is expected that they understand their responsibilities as outlined in the application. The responsibilities are also reiterated in the approval letter that is sent to the inspector when the Jamestown Harbor Commission approves the list. Executive Director Chief Mello stated that this information is relevant to the appeals that the Jamestown Harbor Commission will hear later in the meeting.

Executive Director Chief Mello also reported that the Town is working with the issuance company in relation to the repairs that are needed at West Ferry and Fort Getty due to storm damage. The Town is preparing documents to go out to bid on the repairs.

**VI. MARINE DEVELOPMENT FUND BUDGET**

**A. 2020/2021**

**MDF YTD Budget- Review, discussion and/or potential action and/or vote**

The budget was not available for review.

**VII. SUB-COMMITTEE REPORTS**

**A. Budget - Review, discussion and/or potential action and/or vote**

Commissioners Lexow and Raynes had nothing to report.

**B. Facilities - Review, discussion and/or potential action and/or vote**

Commissioner Wurzbacher had nothing to report.

**C. Mooring Implementation - Review, discussion and/or potential action and/or vote**

Vice-Chairman Banks reported that he had met with Chief and Kim to discuss the issue of adding moorings. Chairman Banks stated that we could legally add moorings with the approval of CRMC. Chairman Banks stated that there is room in the mooring fields for additional moorings; however, there are mitigating issues that we would have to navigate such as parking and dinghy space.

Commissioner Wurzbacher recused himself from the discussion.

Vice-Chairman Junge stated that Charlotte Zarlengo does not represent all of the residents of the shores.

Executive Director Chief Mello stated that if the Commission has an appetite to pursue this course of action that we should add it to a future agenda.

Vice-Chairman Junge moved to add the potential addition of moorings to the February agenda; Chairman Banks seconded. So voted; 5 ayes, 0 nays (Wurzbacher, McCarthy recused).

**D. Traffic Committee - Review, discussion and/or potential action and/or vote**

Commissioner Junge had nothing to report.

**E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote**

Commissioner Bois had nothing to report.

**VIII. LIAISON REPORTS**

**A. Conservation Commission Liaison - Review, discussion and/or potential action and/or vote**

Conservation Commission Liaison Souza had nothing to report.

**B. Town Council Liaison Report - Review, discussion and/or potential action and/or vote**

Town Council Liaison White had nothing to report.

**IX. OLD BUSINESS**

**A. Harbor Cameras - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported that the Town is still pricing out the replacement lights and addition of a camera and that this will not happen before the summer.

**X. CORRESPONDENCE**

**A. Appeal –Dutch Harbor Boat Yard; 1/4/2022; Re: Qualified Mooring Inspector (QMI) Application Submission and Request to be added to the QMI list - Review, discussion and/or potential action and/or vote**

**B. Appeal –Tri-State Dive Services; 1/3/2022; Re: Qualified Mooring Inspector (QMI) Application Submission and Request to be added to the QMI list - Review, discussion and/or potential action and/or vote**

**C. Email from Sam Paterson; 1/3/2022; Re: Not appealing the Jamestown Harbor Commission decision to remove him from the Qualified Mooring Inspector List**

Executive Director Chief Mello stated that it is noteworthy to mention that Sam Paterson is not appealing the Jamestown Harbor Commission's decision to exclude Sam Paterson from the Qualified Mooring Inspector list.

**XI. NEW BUSINESS**

**A. Appeal –Dutch Harbor Boat Yard; 1/4/2022; Re: Qualified Mooring Inspector (QMI) Application Submission and Request to be added to the QMI list - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that Dutch Harbor Boat Yard has been in the process of transitioning to new owners and that submitting the QMI application fell through the cracks. Executive Director Chief Mello stated that it is the recommendation of Harbor Staff to approve Dutch Harbor Boat Yard as a Mooring Inspector.

Chairman Banks moved to add Dutch Harbor Boat Yard to the Qualified Mooring Inspector List; Vice-Chairman Junge seconded. So voted; 7 ayes, 0 nays.

**B. Appeal –Tri-State Dive Services; 1/3/2022; Re: Qualified Mooring Inspector (QMI) Application Submission and Request to be added to the QMI list - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that it is recommendation of staff to not approve Tri-State Dive Services on the QMI list based on performance and compliance rates. We have documents from former clients and documents from staff as evidence as to why Harbor Staff is not recommending Tri-State for the QMI list. This is not a recommendation based on one mooring or one client, it is the continued non-compliance this company has shown over time.

Giovanni La Terra Bellina, on behalf of Nicholas Hentschell, owner of Tri-State Dive Services, stated that he cannot speak specifically to other moorings that he can only relate to the incident with Mr. Wiech and that mistakes were made.

Executive Director Chief Mello stated that Tri-State Dive Service’s application was not submitted in a timely fashion for the 2021 season and that this is not about a specific mooring, that this is about a course of conduct over time where applications and inspection reports are not submitted in a timely fashion. Executive Director Chief Mello stated that it is very clear in the application process that inspection reports be entered within 72 hours of work being done in the waters of Jamestown.

Commissioner Bois asked what Nick will do to prevent this from happening again.

Nick stated that he will check his client list.

Commissioner McCarthy asked if this has happened before.

Executive Director Chief Mello stated that yes, this is not a new issue from this company.

Nick Hentschell stated that he does not have 49 clients in Jamestown, as listed in Online Mooring, and he asked who the six clients are whose moorings were due for an inspection.

Executive Director Chief Mello stated that we will come back at the next meeting with more information.

Chairman Banks stated that we will add this item to the February agenda.

**XII. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote**

There was no continued Open Forum.

**XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote**

Chairman Banks moved to adjourn at 6:07 PM; Vice-Chairman Junge seconded. So voted; 5 ayes, 0 nays.

Respectfully submitted,



Kim Devlin  
Jamestown Harbor Clerk





**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Minutes of the February 9, 2022 Meeting of the Jamestown Harbor Commission  
*Approved: 3/9/2022*

**Join Zoom Meeting**

**1. <https://us06web.zoom.us/j/89006376273>**

**Meeting ID: 890 0637 6273**

**One tap mobile**

**+13017158592,,89006376273# US (Washington DC)**

**+13126266799,,89006376273# US (Chicago)**

**I. CALL TO ORDER AND ROLL CALL**

Chairman Banks called the meeting to order at 5:00 PM with roll call:

Present:

- Wayne Banks, Chairman
- Michael Junge, Vice-Chairman
- Steven Bois, Commissioner
- Jessica McCarthy, Commissioner
- Richard Raynes, Commissioner
- Eric Lexow, Commissioner
- Dan Wurzbacher, Commissioner

Also in attendance:

- Chief Edward Mello, Executive Director
- Randy White, Town Council Liaison
- George Souza, Conservation Commission Liaison
- Kim Devlin, Harbor Clerk

**II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote**

**A. Wednesday, January 12, 2022**

Chairman Banks moved to approve the January 12, 2022 minutes of the Jamestown Harbor Commission; Vice-Chairman Junge seconded. So voted; 7 ayes, 0 nays.

**III. OPEN FORUM**

**A. Scheduled Requests to Address**

There were no Scheduled Requests to Address.

**B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote**

There were no Non-Scheduled Requests to Address.

**IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported that we will come up with a draft for the signage at the touch and go docks and bring it back to the Jamestown Harbor Commission. The inner touch and go at East Ferry needs updated to reflect that the south side is public use. At West Ferry a section of the bulkhead is pulling away

near the touch and go docks that we will have to go out to bid to have repaired, possibly in conjunction with other upgrades that we had discussed, such as adding water and electricity and new lighting.

#### **A. Qualified Mooring Inspector Application Process**

Executive Director Chief Mello briefed the Jamestown Harbor Commission on the application process for Qualified Mooring Inspectors (QMI). The term of appointment to the QMI list is from January 1 through December 31. The staff recommends the list to the Jamestown Harbor Commission based on the applications received and the Jamestown Harbor Commission approves the list.

The 2022 QMI application is a form that the applicant needs to complete, it isn't just an insurance certificate submission. The application is clear about the rules and expectations and we view the companies on the list as subcontractors for the Town. The QMI's have a responsibility to the Town and their clients to provide the service that is outlined. It is our responsibility to make sure our records are complete, not to be a collection agency for their clients. There are some inspectors that are not performing the work they claim to have done and we are going to begin doing audits of the moorings that have been inspected to ensure that the work they claim to have done is being done.

Executive Director Chief Mello demonstrated the Online Mooring system, from the inspector point of view.

### **V. MARINE DEVELOPMENT FUND BUDGET**

#### **A. 2020/2021**

##### **MDF YTD Budget- Review, discussion and/or potential action and/or vote**

The budget was not available for review.

### **VI. SUB-COMMITTEE REPORTS**

#### **A. Budget - Review, discussion and/or potential action and/or vote**

Commissioners Lexow and Raynes had nothing to report.

#### **B. Facilities - Review, discussion and/or potential action and/or vote**

Commissioner Wurzbacher and Chairman Banks had nothing to report.

#### **C. Mooring Implementation - Review, discussion and/or potential action and/or vote**

Chairman Banks had nothing to report.

#### **D. Traffic Committee - Review, discussion and/or potential action and/or vote**

Commissioner Junge had nothing to report.

#### **E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote**

Commissioner Bois reported that they are trying to organize a presentation for the spring, and that there is no update on additional Federal funding.

### **VII. LIAISON REPORTS**

#### **A. Conservation Commission Liaison - Review, discussion and/or potential action and/or vote**

Conservation Commission Liaison Souza reported that he will be stepping down as the Conservation Commission liaison and that Leo Orsi will be stepping into the role. Conservation Commission Liaison Souza also reported that the local Right of Way group has asked that the Conservation Commission recommend to the Town Council that they sign a Memorandum of Understanding with the CRMC on the rights of ways in Jamestown.

#### **B. Town Council Liaison Report - Review, discussion and/or potential action and/or vote**

Town Council Liaison White had nothing to report.



## IX. CORRESPONDENCE

### A. Appeal –Tri-State Dive Services; 1/3/2022; Re: Qualified Mooring Inspector (QMI) Application Submission and Request to be added to the QMI list - Review, discussion and/or potential action and/or vote

#### B. Letter from Joseph Cannon; Re: JSA Beach Chair; 1/14/2022

Chairman Banks moved to accept Correspondence items A and B; Vice-Chairman Junge seconded. So voted; 7 ayes, 0 nays.

## VIII. OLD BUSINESS

### A. Appeal –Tri-State Dive Services; 1/3/2022; Re: Qualified Mooring Inspector (QMI) Application Submission and Request to be added to the QMI list - Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that we have provided a detailed list of correspondence from the last year that is relevant to the matter. Tri State’s application was not submitted by the deadline for the last two years and the company has exhibited a lack of detail to record keeping. There are also instances of them claiming a client was not theirs but have found that they edited that person’s Online Mooring account.

Giovanni La Terra Bellini, attorney for Tri State, stated that he would like to address the inconsistencies in the client lists.

Commissioner McCarthy stated that she is all for going through the inconsistencies, but even without them the information provided says that this person didn’t follow procedures.

Vice-Chairman Junge moved to end the discussion and vote; Commissioner Lexow seconded.

Commissioner Bois stated that he would like to allow the attorney to speak, as this seems to be a matter of not one mooring, but many issues and that procedure isn’t being followed.

Giovanni La Terra Bellini stated that the original communication was with one client but there were actually six issues with clients.

So voted; 3 ayes, 4 nays. Motion carries and the discussion is ended.

Executive Director Chief Mello stated that we have a conflict on our record versus the information that they have.

Vice-Chairman Junge stated that the motion passed and the discussion is over.

Chairman Banks moved to grant the appeal of Tri State, Vice-Chairman Junge seconded. So voted; Commissioner Raynes – aye, Commissioner Bois – nay, Chairman Banks – nay, Vice-Chairman Junge – nay, Commissioner McCarthy – nay, Commissioner Lexow - nay. Motion failed (1 aye, 6 nays); the appeal is denied.

## XI. NEW BUSINESS

### A. Mooring capacity at Head’s Beach and Park Dock - Review, discussion and/or potential action and/or vote

Executive Director Chief Mello stated that we have the authority to add moorings at both locations with CRMC approval. We could make that request as our Harbor Management Ordinance is up for review in 2023.

Chairman Banks asked the Jamestown Harbor Commission if they have an appetite to add moorings.

Vice-Chairman Junge stated that he would like to because there is room in the mooring fields. If we say the

mooring number at Head's Beach is sufficient then that becomes the standard.

Commissioner McCarthy and Commissioner Wurzbacher recused themselves from the discussion.

Chairman Banks moved to delay the vote until the next Harbor Management Ordinance review.

Commissioner Bois moved that all Town mooring fields be assessed for capacity and consideration of either increasing or decreasing mooring capacity.

A discussion ensued.

Chairman Banks asked Executive Director Chief Mello if we have the staff for that.

Executive Director Chief Mello stated that we do not, if what you are asking is for us to apply metrics.

Vice-Chairman Junge volunteered to put the data together.

Commissioner McCarthy suggested Vice-Chairman Junge to come up with the best practice metrics.

Chairman Banks stated that he does not have an issue with Vice-Chairman Junge doing the research.

Commissioner Bois moved that all mooring fields managed by the Town are surveyed; Commissioner Raynes seconded. So voted; 7 ayes, 0 nays.

**XII. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote**

Charlotte Zarlengo stated that she does not appreciate that at every meeting it seems as if there is one member of the Jamestown Harbor Commission that is determined to put more moorings at Head's Beach and that the Jamestown Harbor Commission does not respect the Jamestown Shores.

**XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote**

Chairman Banks moved to adjourn at 6:27 PM; Vice-Chairman Junge seconded. So voted; 7 ayes, 0 nays.

Respectfully submitted,



Kim Devlin  
Jamestown Harbor Clerk



**TOWN OF JAMESTOWN  
HARBOR COMMISSION**

Minutes of the March 9, 2022 Meeting of the Jamestown Harbor Commission  
*Approved: 4/13/2022*

A meeting of the Jamestown Harbor Commission (JHC) was held Wednesday, March 9, 2022 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, Rhode Island.

**I. CALL TO ORDER AND ROLL CALL**

Vice-Chairman Junge called the meeting to order at 5:00 PM with roll call:

Present:

- Michael Junge, Vice-Chairman
- Steven Bois, Commissioner
- Jessica McCarthy, Commissioner
- Richard Raynes, Commissioner
- Eric Lexow, Commissioner
- Dan Wurzbacher, Commissioner

Absent:

- Wayne Banks, Chairman

Also in attendance:

- Chief Edward Mello, Executive Director
- Randy White, Town Council Liaison
- George Souza, Conservation Commission Liaison
- Kim Devlin, Harbor Clerk

**II. APPROVAL OF MEETING MINUTES - Review, discussion and/or potential action and/or vote**

**A. Wednesday, February 9, 2022**

Commissioner Wurzbacher moved to approve the February 9, 2022 minutes of the Jamestown Harbor Commission; Commissioner Lexow seconded. So voted; 5 ayes, 0 nays.

**III. OPEN FORUM**

**A. Scheduled Requests to Address**

There were no Scheduled Requests to Address.

**B. Non-scheduled Requests to Address- Review, discussion and/or potential action and/or vote**

There were no Non-Scheduled Requests to Address.

**IV. EXECUTIVE DIRECTOR MELLO'S REPORT- Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello reported that Tri State Dive Services has filed an appeal with the Town Council regarding the Qualified Mooring Inspector list.

Executive Director Chief Mello reported that he met with the Harbormaster and is preparing for the upcoming season.

**V. MARINE DEVELOPMENT FUND BUDGET**

**A. 2020/2021**

**MDF YTD Budget- Review, discussion and/or potential action and/or vote**

The year to date budget was presented to the Jamestown Harbor Commission. Executive Director Chief Mello stated that we are in good financial shape and are still receiving money from permit renewals.

**VI. SUB-COMMITTEE REPORTS**

**A. Budget - Review, discussion and/or potential action and/or vote**

Commissioners Lexow and Raynes had nothing to report.

**B. Facilities - Review, discussion and/or potential action and/or vote**

Commissioner Wurzbacher and had nothing to report.

**C. Mooring Implementation - Review, discussion and/or potential action and/or vote**

Chairman Banks was absent.

**D. Traffic Committee - Review, discussion and/or potential action and/or vote**

Commissioner Junge had nothing to report.

**E. Gould Island Restoration Committee - Review, discussion and/or potential action and/or vote**

Commissioner Bois had nothing to report.

**VII. LIAISON REPORTS**

**A. Conservation Commission Liaison - Review, discussion and/or potential action and/or vote**

Conservation Commission Liaison Souza reported that he has submitted a document for inclusion on the next agenda regarding rights of ways in Jamestown.

*(Commissioner McCarthy arrived 5:03.)*

**B. Town Council Liaison Report - Review, discussion and/or potential action and/or vote**

Town Council Liaison White reported that Ms. Zarlengo attended a Town Council meeting and stated that she is concerned with the objectivity of the Jamestown Harbor Commission when discussing moorings at Head's Beach.

**VIII. OLD BUSINESS**

**A. Touch and Go Signs - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that, during the site visit to East Ferry, some commission members expressed concern that the public touch and go space was not clearly marked. Executive Director Chief Mello presented an example of the signage we will place, seaward facing, at all of the public touch and go docks at East and West Ferry.

Executive Director Chief Mello stated that we will be working on revising the Harbor Guidebook and once the rules are adopted, we will post the signs.

**B. Mooring Capacity in Town Mooring Areas - Review, discussion and/or potential action and/or vote**

Vice-Chairman Junge stated that he will present this topic at next month's meeting.

**IX. CORRESPONDENCE**

**A. Letter from Roland and Jan Cavanagh – Re: East and West Ferry public docks and pumpouts - Review, discussion and/or potential action and/or vote**

Commissioner Bois moved to accept Correspondence item A; Vice-Chairman Junge seconded. So voted; 6 ayes, 0 nays.

**X. NEW BUSINESS**

**A. Transfer of Conanicut Marine commercial mooring permits to TPG - Review, discussion and/or potential action and/or vote**

Executive Director Chief Mello stated that we had met with representatives from Conanicut Marine and TPG and went over the requirements for the transfer to occur. We have not been provided those documents from other agencies at this time.

Christian Infantolino, representative of Conanicut Marine, presented to the Jamestown Harbor Commission his opinion that the Jamestown Harbor Commission can approve the transfer without additional documentation.

Executive Director Chief Mello stated that there is one permit issued by the Army Corps of Engineers (ACOE) and that Conanicut Marine wants to transfer 150 moorings to TPG and to retail 10 for Conanicut Marine. At no time did the ACOE and CRMC indicate that they do not have jurisdiction. If ACOE and CRMC agree that this is a Town issue then we would like that in writing.

**X. OPEN FORUM – CONTINUED - Review, discussion and/or potential action and/or vote**

There was no continued open forum.

**XIII. ADJOURNMENT- Review, discussion and/or potential action and/or vote**

Commissioner Raynes moved to adjourn at 6:20 PM; Commissioner Bois seconded. So voted; 6 ayes, 0 nays.

Respectfully submitted,



Kim Devlin  
Jamestown Harbor Clerk



**Jamestown Tree Preservation and Protection Committee**  
**Jamestown Philomenian Library**  
**Thursday, February 17, 2022**  
**Meeting Minutes**

**Call to Order:** The meeting was called to order at 6:32.

**Roll Call:** Present - Walter Bopp, Carol Coleman, Steve Heath, John Murphy, Jim Simmons, Beth Herman, Steve Saracino (phone), George Souza, Barbara Lundy. Absent - Darcy Magratten.

**Reading and Approval of Minutes:** John made a motion to approve the January 20th minutes, seconded by Walter. The minutes were approved unanimously.

**New Business:**

- a. Walter introduced Barbara Lundy, the new Conservation Commission liaison. George Souza also attended the meeting to assist in the transition.
- b. Arbor Day, Friday April 29. Walter proposed again placing the tree along the bike path. Steve S. suggested an oak or maple, which could either be purchased or sourced from the tree nursery. He will evaluate and make a recommendation. John asked if we could in future utilize a tree being removed from private property. TC might start a "contribute your tree" program.
- c. Favorite tree contest. This idea could be included in the website.
- d. Consider not for profit status. Walter suggested setting up a committee to study this idea. Steve H. agreed to work with Jim and Beth on the concept.

**Communications:** None

**Tree Warden Correspondence and Report:**

Steve S. reported that DPW assistance with new deer fencing is pending. Volunteer maintenance assistance will be needed. Walter asked Jim if he could look into getting students involved. Carol asked if the Jamestown Community Farm uses student volunteers. They do have an active program. The tree inventory will recommence on weekends.

**Unfinished Business:**

- e. Strategic planning/budget. Walter has met several times with Jaime Hainsworth and Mike Gray. He feels that the TC's immediate needs are being met. Progress is being made concerning the nursery (deer fencing, irrigation, signage) and increasing Steve S.'s hours.

A major focus this year will be the bike path. Walter presented a large aerial photo of

the reservoir area including the bike path, which he received from Mike Gray. Mike is currently working with National Grid to resolve power pole issues on the North Road. He will reach out to Haile Beckman re design issues. John notes that Tom Todd supervised the design of the 138 access road. Bill Burgin is also informally reviewing the process.

- f. UCF grant. Inventory will recommence this weekend. Steve S. and Beth will meet at 10:00 am Saturday.
- g. Tree walk brochure. Darcy and Carol are nearing completion of a mockup. It was suggested that a print run of 500 copies might be sufficient. John asked if there is still a "tree of the month" prepared by the RI Tree Council. In the past a Jamestown tree was selected. John Campanini may have a copy. Beth agreed to contact John C.
- h. Educational lectures series. Beth will contact John Campanini about a lecture date, ideally in May or June.
- i. Social media. The town has agreed to pay for a TC website. A committee needs to be formed to work on it. Darcy has purchased a suite of tree photos which will primarily be used for the website. Steve H. noted that we need to establish our content. We will also need a domain.

**Liaison and Other Reports.** George S. noted that the Conservation Commission would like to add the Jamestown trail map to the future TC website. The map is currently being updated. Walter asked if the Conservation Commission is involved in the bike path. A discussion ensued regarding getting all bike path stakeholders together. John noted that some groups report to the Town Council. Beth will follow up re upcoming Town Council meetings.

**Open Forum.** None.

**Future Agenda Topics; Items of Interest.** None.

**Adjourn:** There being no further business, Steve H. moved to adjourn, seconded by Walter. The meeting was adjourned at 7:56 pm.

Respectfully submitted,  
Beth Herman, Secretary



**Jamestown Tree Preservation and Protection Committee  
Attendance Log  
2022**

	Jan 19*	Feb 17	Mar 16	Apr 20	May 18	Jun 15	Jul 20	Aug 17	Sep 21	Oct 19	Nov 16	Dec 21
Walter Bopp	P	P										
Beth Herman	P	P										
Darcy Magratten	P	A										
Carol Coleman	P	P										
Steve Heath	P	P										
John Murphy	P	P										
Jim Simmons	P	P										
Steve Saracino	P ***	P ***										
George Souza**	A	P										
Barbara Lundy**		P										

\*Meeting held via Zoom due to Covid

\*\*Barbara Lundy replaced George Souza as Conservation Commission Liaison as of 2/17

\*\*\*By phone

STEVEN SARACINO  
TREE WARDEN REPORT  
February 17, 2022

### **Tree Nursery**

Pending – DPW assistance with new deer fencing.  
Volunteer assistance to be coordinated for weekly/monthly tree nursery maintenance duties.

### **Tree Inventory**

Discussions with Beth Herman to schedule tree inventory work. Days and times to be determined.

### **2022 Arbor Day**

Beginning open discussion for 2022 Arbor Day to be celebrated on Friday April 29, 2022. Tree selection and planting location will be determined upon committee agreement.

JAMESTOWN ZONING BOARD OF REVIEW

Minutes of the March 22, 2022 Meeting

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Chairman called the meeting to order at 7:05 p.m. The clerk called the roll and noted the following members present:

Richard Boren, Chair  
Dean Wagner, Vice-chair  
Terence Livingston, Member  
James King, Member  
Jane Bentley, Member  
Judith Bell, 1<sup>st</sup> Alternate  
John Shekarchi, 2<sup>nd</sup> Alternate  
Alex Finkelman, 3<sup>rd</sup> Alternate

Also present: Jamie Hainsworth, Town Administrator  
Wyatt Brochu, Counsel  
William L. Moore, Zoning Officer  
Brenda Hanna, Stenographer  
Pat Westall, Zoning Clerk

MINUTES

Minutes of Feb. 22, 2022

Jane Bentley stated that page 6 needed to be amended to change the date from March 26, to March 22.

A motion was made by Dean Wagner and seconded by Terence Livingston to accept the minutes of the February 22, 2022 meeting as amended.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

CORRESPONDENCE

A request from 5A Builders and Emily Bowab to continue their case.

5A Builders/Mowab

A motion was made by Richard Boren and seconded by Jane Bentley to continue the application of 5A Builders and Emily Bowab to the April 26, 2022 meeting.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

OLD BUSINESS

JB's On the Water

A motion was made by Terence Livingston and seconded by Richard Boren to grant the request of JB ON THE WATER, LLC with regard to property located at 150 Conanicus Avenue, and is further identified as Tax Assessor's Plat 8, Lot 258 for a Variance from Article 3, Section 82-301 entitled "District Development Regulations", Section 82-302 entitled "District Dimensional Regulations", Table 3-2 for the Village Special Development District Zones R-8, R-20, CL and CD authorized by this Ordinance, Article 11 entitled Jamestown Village Development District, Section 82-1107, a Special Use Permit from Article 7, NONCONFORMING USES, Section 82-704. - ALTERATION OF A NONCONFORMING USE, and Article 6, Section 82-601 entitled "Special Use Permits Authorized by this Ordinance" and Section 82-605 entitled "Variances Authorized by this Ordinance" to add a handicap access ramp and outdoor deck with awning to the existing restaurant space. Pursuant to Article 3, Table 3-1 a Restaurant serving alcoholic beverages is not permitted. Pursuant to Article 3, Table 3-2 a front setback of 30' is required. Pursuant to Article 11, Section 82-1107, the building placement must be reviewed by the Planning Commission. Pursuant to Article 7, Section 82-704, a Special Use Permit is required to alter a nonconforming use.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):

1. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. And the conditions of approval paragraphs 2-5 of the Planning Board memorandum dated January 4, 2021 (which should be 1-4-2022).
3. The site improvements shall be built in strict accordance with the amended plans.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 49,504 sq. ft.
2. The matter was originally heard at the zoning board on January 25, 2022
3. At the January 25, 2022 hearing certain objections were made to the application.
4. The matter was continued from the January 25, 2022 meeting to the meeting held on February 22, 2022.
5. Subsequent to the January 25, 2022 meeting and prior to the February 22, 2022 zoning board meeting, the applicant and his team including his attorney met with the neighbors who objected to the project.
6. The applicant after listening to the concerns of the objectors/neighbors, Elliott Richmond, 10 Bryer Avenue Jamestown, Rick and Betty Edie, Bryer avenue Jamestown and John Andrews, owner 10 Bryer Avenue Jamestown amended their application to address the objectors' / neighbors' concerns.
7. The applicant's amended their application as follows;
  - (a) The width of the southern deck, which goes almost up to Canonicus Avenue, was reduced from 11.6 feet to 8.4 feet,
  - (b) Construct a bench seat at the west end of the deck to keep people's backs to the west and lattice also to obstruct the view of patrons toward the westerly neighbors and vice versa.
  - © Relocate the steps facing Canonicus Avenue to access from the south side and the lawn area. And this shall reduce visibility from Bryer and Conanicus Avenue. It alleviates congestion on the sidewalks along Canonicus Avenue as well.
  - (d) The applicant will maintain a 4-foot-high hedge area as to help buffer anybody on the lawn but not obstruct the views of the people across the street.
  - (e) JB On the Water will encourage patrons to enter off Bay View Drive with landscaping in a foot path. They will be landscaping and trying to establish more of an entrance off of Bay View to eliminate people from gathering on the Canonicus side.
  - (f) The applicant is adding a JB On the Water sign on the Bay View side.

(g) The applicants are keeping the steps leading to the bar and deck but introduced tables on the south side to alleviate concerns of patrons using it as a bar rail. The applicant will shift the bar as far north as possible to locate it in line with the existing building and to help absorb sound being emitted from the easterly deck area. So, the deck and bar has been shifted north as close to the pool areas as we could get it, but they still do need to maintain the service steps and delivery.

(h) The original objectors/neighbors, Elliott Richmond, 10 Bryer Avenue Jamestown, Rick and Betty Edie, Bryer Avenue Jamestown and John Andrews, owner 10 Breyer Avenue Jamestown have withdrawn their objection to the application and are satisfied with the changes as proposed in paragraph 7 subparagraphs a-h above.

(i) Marylou Sanborn, and John Richardson, 20 Bay View Drive objected to the projected and testified they were not invited to the meeting that was subsequent to the January 25, 2022 hearing and prior to the February 22, 2022 zoning board hearing. Their objection amounted to the parking issues stating that they did not think the applicant had adequate parking. The Zoning Board's finds that issue is not before the board as the town had already determined that the applicant had enough parking for this project. In any event if the issue is properly before the Board, the board finds that the applicant has more than enough parking and satisfies the statutory parking requirements. The objectors were neighbors to the north who are the least affected by the project, they also complained about potential noise and congestion.

(j) the Bay Voyage hotel was built in 1900 and is non-conforming.

(k) The applicant testified due to pandemic condition testified they will suffer a financial hardship if not allowed to add additional outdoor seating and that 75% of his business is between Mother's Day and Columbus Day and the Board accepts this testimony as true.

(l) The applicant testified he cannot move the project to the east as it would encroach on the hotel pool. The Board accepts this fact as true and unworkable given the dimension of the hotel and the property

(m) The project will have two seat table setting outside, which takes up less space and reduces noise as only two people are conversing.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

NEW BUSINESS

Wassel

A motion was made by Dean Wagner and seconded by Terence Livingston to grant the request of Ronald A. Sr. et Andrea M. Wassel, Trustees, whose property is located at 16 Emerson Rd., and further identified as Assessor's Plat 8, Lot 208 for a variance from Article 3, Section 82-302, Table 3-2, R20 Zoning District Regulations and Art. 6, Sec. 82-600, 605, 606 & 607 to rebuild in same existing footprint and to raise the height of the detached garage by 55 inches where the garage is located 3 ft. (10 ft. required) from the side property and 3 ft. (10 ft. required) from the rear property.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):

1. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. It is a condition of the approval that there be no plumbing in this structure. No bathrooms. No kitchen.

This motion is based on the following findings of fact:

1. Said property is located in a R20 zone and contains 21,454 sq. ft.
2. There is no increase to the building footprint.
3. The structure cannot be located further to the east due to a large tree.
4. The structure cannot be located further to the south due to the generator off set requirement to the house.
5. The existing structure is burdened by rot and an unstable foundation.
6. The relief requested would not alter the neighborhood.
7. There are no objections.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

Town of Jamestown

A motion was made by James King and seconded by Dean Wagner to Grant the request of Town of Jamestown Rhode Island, whose property is located at 41 Conanicus Avenue, and further identified as Tax Assessors Plat 9, Lot 252 for a Variance from Article 3, section 82-302, table 3-2, Public Zoning District, Accessory Building, other, to replace an existing storage shed, in the same location 2'6" from sideline and 5'9" from other side line where 10' is required. Also, in compliance with Article 6, section 82-605, 606, and Article 7, section 82-705, non-conforming by dimension structure. The only change is size requested is 2'6" higher than the existing 8' high storage shed.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTION 600, SECTION 606, and SECTION 607, PARAGRAPH 2.

This Variance is granted with the following restriction/condition(s):

This project must be constructed in strict accordance with the site and building plans duly approved by this Board.

This motion is based on the following findings of fact:

1. Said property is located in the Public Zoning District and contains 23,086 square feet of land.
2. Building is to be reconstructed within the same footprint as the existing structure.
3. Building will have no plumbing or power, but will be allowed power for light and safety.
4. Neighbors were in favor of the project and there were no objectors.

The motion carried by a vote of 5 -0.



Richard Boren, Dean Wagner, Terence Livingston, James King, and Jane Bentley voted in favor of the motion.

Judith Bell, John Shekarchi and Alex Finkelman were not seated.

TPG Marinas

A motion was made by Terence Livingston and seconded by Dean Wagner to grant the request of TPG Marinas Conanicut, LLC, whose property is located at 1 and 3 Ferry Wharf Unit D and E. and further identified as Tax Assessor's Plat 9, Lot 791 (D) and (E) for a Modification to a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. This application is made pursuant to the provisions of section 82-302, Table 3-1, Permitted Uses of the zoning ordinance. The Applicant seeks to make interior modifications to the property and is requesting modifications to the service and operational hours, entertainment and service conditions from the approval granted September 25, 2013.

This Board has determined that this application does satisfy the requirements of ARTICLE 6, SECTIONS 600 and 602.

This Special Use Permit is granted with the following restriction/condition(s):

1. This project must be constructed in strict accordance with the site and building plans duly approved by this Board.
2. The Board removes the restriction contained in paragraph 3 of the Sept. 25, 2013, the restriction section of the Board of Review decision.

This motion is based on the following findings of fact:

1. Said property is located in a CD zone and contains 12,060 square feet.
2. The applicant is requesting that the Board remove the restrictions of the Sept. 25, 2013 special use permit approved by the Zoning Board. The restrictions that the applicant request to be removed are contained in paragraph 3 of that decision.
3. The Board finds that allowing the applicant to remove the no entertainment and that alcohol terminated by 10:00 p.m. is reasonable.
4. The applicant will have a bar area and bar service and the Board finds that is reasonable.

5. The applicant wants to be able to serve alcohol after 10:00 p.m.
6. The applicant will have a full-service restaurant with 3 meals a day.
7. The restaurant currently has 68 seats and will continue to have 68 seats after approval.
8. It will be a sit-down restaurant with full service and an ice cream shop and rest room inside the restaurant.

The motion carried by a vote of 5 -0.

Richard Boren, Dean Wagner, Terence Livingston, Jane Bentley and Judith Bell voted in favor of the motion.

James King was recused and John Shekarchi and Alex Finkelman were not seated.

#### ADJOURNMENT

A motion was made and seconded to adjourn at 8:05 p.m.  
The motion carried unanimously.



**Town of Jamestown  
Tax Assessor**

**93 Narragansett Avenue  
Jamestown, RI 02835**

**Phone: 401-423-9802  
Email: [cbrochu@jamestownri.net](mailto:cbrochu@jamestownri.net)**

To: COUNCIL PRESIDENT BEYE, JAMESTOWN TOWN COUNCIL

From: CHRISTINE BROCHU, JAMESTOWN TAX ASSESSOR

Subject: ABATEMENT OF TAXES FOR THE **MAY 2, 2022** MEETING

Please see the attached.

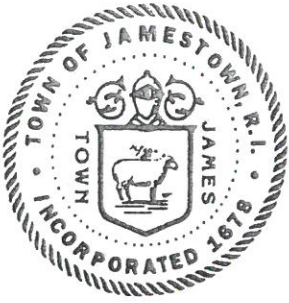
RESPECTFULLY SUBMITTED,

*Christine Brochu*

CHRISTINE BROCHU  
TAX ASSESSOR

BAA/COC Listing Report      TYPE: All      JAMESTOWN      YEAR: 2011 TO 2021      Page 1  
 Conditions:      District:      Reported Type: All      DATE: 4/27/2022

YEAR	NAME/ADDRESS	COC INFO	ACCOUNT #	GROSS OLD	EXEMPT OLD	NET OLD	TAX OLD	SEWER OLD	GROSS CHANGE	EXEMPT CHANGE	NET CHANGE	TAX CHANGE	SEWER CHANGE	GROSS NEW	EXEMPT NEW	NET NEW	TAX NEW	SEWER NEW
2019	[REDACTED]	18645M	14-0397-19M	2,610	805	1,805	26.03	0.00	54	1,859	-1,805	-26.03	0.00	2,664	2,664	0	0.00	0.00
Accept	SOLDIER & SAILOR EXEMPT																	
Totals For -2019 M						-1,805	-26.03											
				Total Inc's:		0.00			Total Dec's:		-26.03							
2021	[REDACTED]	18646R	16-0144-08	922,200	0	922,200	7,635.82	0.00	-211,200	0	-211,200	-1,748.74	0.00	711,000	711,000	711,000	5,887.08	0.00
Accept	TAX ASSESS. BOARD OF REVIEW																	
Totals For -2021 R						-211,200	-1,748.74											
				Total Inc's:		0.00			Total Dec's:		-1,748.74							
TOTAL				# Of Accts 2		-213,005	-1,774.77		Grand Total Inc's:		0.00			Grand Total Dec's:		-1,774.77		



# Town of Jamestown

CANVASSING AUTHORITY  
Town Hall, 93 Narragansett Avenue  
Jamestown, Rhode Island 02835-1199  
[www.jamestownri.gov](http://www.jamestownri.gov)

April 18, 2022

Dr. Kenneth A. Duva  
Superintendent of Schools  
76 Melrose Ave  
Jamestown, RI 02835

Dear Superintendent Duva,

The Board of Canvassers requests a list of people from the school who will be attending the Jamestown Town Financial Meeting on June 6, 2022 at 7:00 pm. Usually it is the Superintendent, Business Manager, Principal, Vice Principal, and Director of Student Services. Please list the name of the persons attending and their position and forward your request to:

The Jamestown Board of Canvassers  
93 Narragansett Ave.

I will need this by May 10, 2022.

Thank you in advance.

Sincerely,

Karen Montoya  
Clerk to the Board of Canvassers  
[kmontoya@jamestownri.net](mailto:kmontoya@jamestownri.net)

COPY

# Memorandum

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**To:** Roberta Fagan  
**From:** Karen Montoya  
**Date:** 3/21/2022  
**Re:** Financial Town Meeting

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Please advise me who from the Administration needs permission from the Board of Canvassers to attend the Town Financial Meeting to be held on June 6, 2022. I will need this by May 10<sup>th</sup>.

Thank you





**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**DIVISION OF PLANNING AND DEVELOPMENT**  
235 Promenade Street 3<sup>rd</sup> Floor  
Providence, Rhode Island 02908

Edward D. Pare III  
Savage Law Partners  
564 S Water St,  
Providence, RI 02903

April 13, 2022

RE: 2022 Recreation Grant round – Jamestown application

Dear Mr. Pare:

Thank you for your letter dated April 11 and addressed to the RI RRRC and delivered to my staff.

As you noted, the Outdoor Recreation Grant program requires evidence of public participation for any application submitted by an eligible entity in this program. In addition to the public participation described in the original application, which surely met the requirements of the application process, your letter described additional discussions and considerations that continued.

Applications for funding in this particular grant program remain under review at this time. One option, of course, is for the Town to withdraw their previously-submitted application. To date, DEM has not received a request from the Town to do so.

I appreciate your interest, and that of your clients, in participating in discussions regarding local planning and governance.

As a courtesy, I am forwarding this material to the Jamestown Town Administrator and Council.

Thank you again for your keen interest in the program.

Best wishes,

A handwritten signature in blue ink that reads "Megan DiPrete".

Megan T. DiPrete, AICP  
Chief

Cc: Jamestown Town Administrator Jamie Hainsworth  
Jamestown Town Council



April 11, 2022

**Via First Class Mail and Hand Delivery**

Rhode Island Recreation Resources Review Committee  
c/o Rhode Island Department of Environmental Management  
Division of Planning and Development  
235 Promenade Street  
Providence, RI 02908

*Re: Application of the Town of Jamestown for a 2022 Recreation Grant*

Dear Members of the Recreation Resources Review Committee (the “RRRC”):

This firm has been retained to represent Jeffrey Boal and Abigail Jenkins, residents of the Town of Jamestown, in connection with their opposition to Jamestown’s application to the Rhode Island Department of Environmental Management (the “RIDEM”) for a 2022 Recreation Grant. For the reasons discussed below, Mr. Boal and Ms. Jenkins, along with other members of the Jamestown community, respectfully oppose Jamestown’s December 15, 2021 application (the “Grant Application”) for a grant in connection with the construction of pickleball courts located at 1050 Fort Getty Road, in Jamestown, Rhode Island (“Fort Getty”).

Although the various stages of review employed by the RIDEM’s staff, the RRRC’s Members, and, ultimately, the RIDEM’s Director do not formally include a mechanism for providing public opposition to grant applications, the elements of public participation and public involvement described in the Appendix D to the State Guide Plan on Recreation Grants attempts to ensure that the grant applications receive input from the public before the grant awards are complete. As observed in that Appendix D:

- “The [Recreation Grant Selection Process] requires **public involvement to ensure that the projects selected have widespread public acceptance and support**, best reflect current needs and desires of State residents and are, to the maximum extent possible, free from potential problems”; and
- “The [Recreation Grant Selection Process] considers the allocation of funds, funding categories, criteria for applicant eligibility, the level of public participation required in project formulation, and criteria for scoring project proposals. Scoring criteria is based on how well the application meets the goals, objectives, and action items identified in the [State Comprehensive Outdoor Recreation Plan] and other applicable State plans.”



(Emphasis added). Here, consistent with those principles, Mr. Boal and Ms. Jenkins respectfully asks that you, along with the RIDEM, consider this correspondence when evaluating Jamestown's Grant Application.

The primary reason weighing against issuing a recommendation in favor of this Grant Application is its proposed location. Using Fort Getty as a home for pickleball courts not only disrupts its historical, natural, and aesthetic character, but also undercuts several of the criteria listed in the RRRC's grant review criteria.

In its Grant Application, Jamestown has requested \$400,000 to build pickleball courts, adjoining ADA accessible restrooms, and a parking lot at Fort Getty. Originally constructed in the early part of the twentieth century, Fort Getty is located in a rural farmland area of Jamestown, and over time, it has become a quiet, waterfront park for visitors to enjoy. During the summer months, Jamestown opens Fort Getty to a limited number of short-term campers, who enjoy the scenic park camped out in their recreational vehicles. And, once the summer passes, Fort Getty offers an ever quieter location for its visitors, leaving the fall, winter, and spring months open for residents and neighbors to enjoy the grounds and serene views.

Neighboring Fort Getty is another location of historic significance: Fox Hill Farm. Fox Hills Farm—for which Mr. Boal and Ms. Jenkins serve as stewards—is a colonial farm with long roots dating back to the first Governor of the State Rhode Island. In recent years, it has realized significant improvements, including: bringing sheep and livestock back to its pastures; the installation of nearly fifty heritage maple trees; and the addition of hundreds of native shrubs and plants with a goal of preserving the area's historically serene and natural aesthetic.

Now, however, Jamestown has asked the RIDEM to award grant funding to build pickleball courts in the middle of this wild and scenic area. Pickleball, an inherently loud game, is simply not in keeping with the character of Fort Getty and the surrounding natural area. It also undercuts one of the criteria that the RRRC considers here: Historic & Cultural Preservation. Adding courts for a sport that may, someday, be remembered as a passing fad, into this historical area is also of limited use, undermining another scoring criterium: Multiple Uses. The pickleball project, if it remains located at Fort Getty, provides only a limited number of recreational opportunities, directed at a sport with even narrower participation. Furthermore, the project fails to show Expanded Usage, a criterium that considers, among other things, adding lights to expand the durational use of a proposed project. This Grant Application, however, will not accommodate nighttime use, as it lacks a proposal to install lights. Adding lights to the pickleball courts is likely unfeasible, given the surrounding area's rural aesthetic. All of these issues, though, are solvable through the use of an alternative site location.

These concerns are not Mr. Boal's and Ms. Jenkins's alone. Jamestown's own public process following its Grant Application shows that even the Town Council is split on the location for this project. It is true that on October 18, 2021, the Jamestown Town Council held a public hearing to consider submitting this Grant Application, after which the Council voted unanimously "to approve pursuing grants to fund the project."



Later, however, public input poured in, and opposition mounted to using Fort Getty for pickleball courts. As a result, the Council held several more public hearings on this Grant Application, and, ultimately, a pragmatic solution arose: move the location of the pickleball courts from Fort Getty to Eldred Field, where Jamestown currently houses soccer fields. That alternative location makes sense; it is centrally located, easily accessible, and already home to recreational development.

The Council's ongoing public hearings on the Grant Application culminated on March 7, 2022, when the Council voted 3-2 to proceed with the Grant Application as is—*i.e.*, at Fort Getty. Although “[*m*]ost agreed that Eldred Avenue would be a better location for a pickleball court[.]” the Council's splintered vote rested on an inability to amend the Grant Application after the December, 2021 deadline expired. *See* March 7, 2022 Meeting Minutes at 3, enclosed herewith as **Exhibit 1** (emphasis added). As Jamestown's Parks and Recreation Director reported to the Council, the difficulty in amending the Grant Application arose out of a deed restriction at Eldred Field that required time to amend/release, which created a problem: the time to address that land-use issue had passed because the grant application deadline had already closed.

Still, when it weighed in fully on this Grant Application, an overwhelming majority of the public was opposed to utilizing Fort Getty for pickleball courts. Awarding Jamestown a grant under these circumstances—where the public's support is, at best, questionable, and an alternative site that has achieved public support remains available (without more than loosening a deed restriction and obtaining an amendment to the Grant Application)—cuts against the public participation called for under the State Guide Plan on Recreation Grants. Even when confronted with withdrawing the Grant Application, the Council was nevertheless split, voting 3-2 to proceed at Fort Getty.

There is no doubt that the RIDEM's resources here are limited, especially when awarding funds under this competitive Recreation Grant program. And those resources ought to be directed towards projects that meet the relevant scoring criteria and as is often the case, are fully supported by the surrounding community. Here, however, the Grant Application falls short in both respects. The location of these pickleball courts will interfere with a historic site, surrounded by emergent marsh, estuarian, and scrub wetlands.

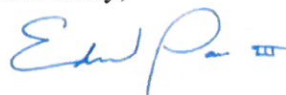
The scoring criteria, coupled with the voices of public opposition who went unheeded before the Council, weigh against recommending this Grant Application to the Director of the RIDEM for an award. There is, though, a solution: the project site proposed in the Grant Application can be moved to Eldred Field, with a release of the deed restriction, which the RIDEM can allow for through more time/an amendment to the Grant Application. At this time, however, the Grant Application misses the mark.

For those reasons, Mr. Boal and Ms. Jenkins respectfully request that the Members of the RRRC, along with RIDEM staff, recommend against funding this Grant Application. Grant funding for eligible applicants is an important governmental function that almost universally follows from universal public support. This, however, is one of the rare circumstances where grant

funds would be utilized in a manner that its recipients do not fully support. In short, absent a site change, the RIDEM should not award this grant.

Thank you for your time and attention in considering my clients' voices on this matter of public concern. Should you have any questions or concerns, please do not hesitate the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edward D. Pare III".

Edward D. Pare III, Esq.

Enclosures.

cc: Lisa McGreavy – *via email* ([lisa.mcgreavy@dem.ri.gov](mailto:lisa.mcgreavy@dem.ri.gov))



564 South Water Street, Providence, RI 02903

p. 401.238.8500 | f. 401.648.6748

SAVAGELAWPARTNERS.COM

# Exhibit 1

**TOWN OF BARRINGTON, RI**  
**Ordinance 2022-10**  
**RENEWAL OF**  
**DECLARATION OF EMERGENCY**

Pursuant to Sec. 2-2-5 of the Barrington Home Rule Charter, on March 14, 2020, the Council declared the existence of an emergency. The basis for the Council's emergency declaration was the danger to health and life posed by the novel coronavirus known as COVID-19, as set forth in the Governor's Executive Order 21-86, dated August 19, 2021, declaring a state of emergency.

Since the Council's declaration of emergency, the Governor has issued over one hundred and fifty (as of March 19, 2021) further supplemental emergency declarations relating to the COVID-19 pandemic, and circumstances remain concerning both locally, statewide, and nationwide. Therefore, the Town Council deems it prudent to declare that a state of emergency continues to exist in Town, and hereby extends the end date of its original emergency declaration to June 14, 2022.

The substance of the Council's original declaration of emergency remains in full force and effect, except to the extent that it has been superseded by an Executive Order of the Governor of the State of Rhode Island.

Subject to any restrictions of the Charter, the Town Council hereby delegates all of its authority, with the exception of financial and legislative, to the Town Manager to take any and all actions deemed necessary to address the ongoing emergency. The Town Manager shall report actions taken pursuant to this emergency declaration to the Council and to the public as soon as practicable, including ongoing updates on the Town's website.

This Ordinance shall take effect immediately and remain in full force and in effect until June 14, 2022.

---

Council Member

Filed: April 22, 2022

Introduced: May 2, 2022

Amended:

Adopted:

Renewed:

## TOWN OF BURRILLVILLE

Office of Town Clerk  
Email:  
[townclerk@burrillville.org](mailto:townclerk@burrillville.org)



Phone: 401-568-4300, ext. 133  
Fax: 401-568-0490  
RI Relay 1-800-745-5555 (TTY)

### RESOLUTION OF THE TOWN OF BURRILLVILLE OPPOSITION TO RHODE ISLAND 2022 GUN CONTROL LEGISLATION

- WHEREAS, the Town Council of the Town of Burrillville pursuant to Rhode Island statute and the Town of Burrillville Charter, is vested with the authority of administering the affairs of the Town of Burrillville, RI; and
- WHEREAS, the Second Amendment to the United States Constitution, ratified on December 15, 1791 as part of the Bill of Rights, protects the inalienable and individual right of the people to keep and bear arms; and
- WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S.570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and
- WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742(2010), affirmed that the right of an individual to "**keep and bear arms**," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment and is applicable to the states; and
- WHEREAS, the United States Supreme Court in *United States v. Miller*, 307 U.S. 174(1939), opined that firearms that are part of ordinary military equipment, or with use that could contribute to the common defense are protected by the Second Amendment; and
- WHEREAS, Article I, Section 22 of the Rhode Island Constitution adopted in 1842, provides that "**The right of the people to keep and bear arms shall not be infringed.**"; and
- WHEREAS, Article I, Section 6 of the Rhode Island Constitution provides that "**The right of the people to be secure in their persons, papers and possessions, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue, but on complaint in writing, upon probable cause, supported by oath or affirmation and describing as nearly as may be, the place to be searched and the persons or things to be seized.**"; and
- WHEREAS, as a matter of general principle, and in recognition of over 230 years of lawmaking under the guidance of the Constitution for the United States of America having properly established numerous laws regarding criminal use of firearms that are wholly adequate when judiciously enforced such that additional laws are unneeded, any law which upon passage renders a life-long law-abiding citizen a felon through no action of their own, is an unjustified law and should be unconstitutional under multiple amendments in the Bill of Rights; and

WHEREAS, it is the desire of the Town Council of the Town of Burrillville to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Rhode Island Constitution which protect the citizens of the State of Rhode Island's inalienable and individual right to keep and bear arms and

WHEREAS, the Burrillville Town Council members each took an oath to support and defend the United States Constitution, the Rhode Island Constitution, and the laws of the State of Rhode Island which are not deemed unconstitutional by a court of competent jurisdiction, and the Charter of the Town of Burrillville; and

WHEREAS, the Burrillville Town Council members give great weight to and adhere to the belief of James Madison, Jr., the fourth President of these great United States that: "Oppressors can tyrannize only when they achieve a standing army, an enslaved press, and a disarmed populace"; and

WHEREAS, the Burrillville Town Council desires to protect the rights of law abiding citizens, individuals who have committed crimes with firearms should be fully prosecuted with existing laws on the books; and

WHEREAS, many of the bills being considered by the General Assembly would require the confiscation and storage of otherwise lawfully owned firearms, and make the Towns and Cities of Rhode Island, responsible for these costs; and

WHEREAS, the Rhode Island General Assembly, in its 2022 legislative session has pending before it numerous bills regulating and restricting the rights afforded the citizens of the State of Rhode Island through the Second Amendment to the United States' Constitution and the Constitution of the State of Rhode Island, including, but not limited to:

Senate Bill 2704 which repeals the authority of local authorities to issue conceal carry permits to eligible individuals and repeals the right of minors to obtain carry permits; and repeals provisions allowing permits to be issued to law enforcement officers who have retired in good standing after at least twenty (20) years of service;

House Bill 7300 and Senate Bill 2734, which would require all firearms within a home to be kept in a locked container or equipped with a tamper resistant or mechanical lock, and creates a new felony for noncompliance;

House Bill 7457 and Senate Bill 2637, which will illogically raise the age to legally acquire a firearm from 18 to 21 years of age;

House Bill 7764 and Senate Bill 2733, which would create an instant felony for those who are in violation of Rhode Island General Law §11-47-8, including something as simple as transporting a handgun to a friend's house;

House Bill 6616, which would prohibit the sale or transfer of ammunition unless the purchaser successfully undergoes an onerous and unwarranted background check;

House Bill 6614 and Senate Bill 2653 would criminalize previously lawful ownership by making it a felony, without merit, for an individual to possess any semi-automatic firearm magazine that is capable of holding more than ten (10) rounds of ammunition;

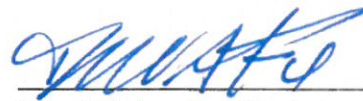
House Bill 6615 and Senate Bill 2224, the Rhode Island Assault Weapons Ban Act of 2022, would prohibit the possession of "assault weapons," defined as any shotgun that holds more than six (6) rounds or a rifle that holds more than 10 rounds. In order to be exempt, the weapon must, within twelve (12) months of the bill's passage, be registered, be rendered inoperable, be surrendered to a registered firearm dealer or police department, or be transferred to a person in another jurisdiction where such firearms are allowed. It would also require any heirs of a decedent to surrender or transfer the firearm. If registered, the lawful owner would be required submit fingerprints and pay a fee for registering the firearm.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Burrillville on April 24, 2019, declared itself a Second Amendment Sanctuary Town, now reaffirms that declaration, and hereby takes the following position on state legislation that potentially abridges our Second Amendment rights. We find and declare that these gun restriction bills, if enacted by the Rhode Island General Assembly, infringe upon the rights of the People of the Town of Burrillville and the People of the State of Rhode Island to keep and bear arms. We are collectively opposed to the infringement of these rights established by our Founding Fathers.

BE IT FURTHER RESOLVED that these bills impose unfunded mandates upon local governments; and the Town Council of the Town of Burrillville will not appropriate funds for capital construction of building space and/or the purchase of storage systems to store weapons seized, pursuant to any requirements set forth in the legislation if enacted by the General Assembly for the purpose of enforcing any law, that unconstitutionally infringes upon the rights of the People of the Town of Burrillville to keep and bear arms.

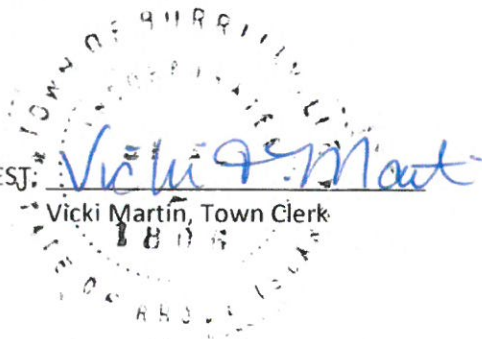
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to every Rhode Island Municipality, State Senators, State Representatives, the Governor and the Lt. Governor respectfully requesting their support.

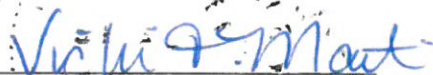
Passed as a resolution of the Burrillville Town Council this 13<sup>th</sup> day of April, 2022.



Donald A. Fox, President  
Burrillville Town Council

ATTEST:



  
Vicki Martin, Town Clerk



**TOWN OF CHARLESTOWN, RHODE ISLAND**

**RESOLUTION IN SUPPORT OF HOUSE BILL 2022 – H 8055  
A N A C T RELATING TO WATERS AND NAVIGATION  
COASTAL RESOURCES MANAGEMENT COUNCIL**

**WHEREAS**, the lack of a workable, readily identifiable right of access to the shore by the public has led to confusion, conflict and disputes between those attempting to exercise their rights and privileges to the shoreline and the rights of property owners along the shore; and

**WHEREAS**, it is in the best interest of the public and shoreline property owners to clearly and easily define the public's rights and privileges of and to the shore to avoid constitutional rights conflicts; and

**WHEREAS**, the Town Council of the Town of Charlestown is committed to protect the public's constitutional rights to access and enjoy their privileges of and to the shore while also respecting well-established property right laws; and

**WHEREAS**, House Bill 2022 – H 8055 provides, in relevant part, a clear definition of the high tide line, so-called, to preserve the public's constitutional right to access and use of the shore; and

**WHEREAS**, the Town Council of the Town of Charlestown finds that it is in the best interests of the health, safety and welfare of the people and visitors to Rhode Island and the Town of Charlestown to enact a workable, readily identifiable right of access to the shore by the public to prevent confusion, conflict and disputes between those attempting to exercise their rights and privileges to the shoreline and the rights of shoreline property owners.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Charlestown hereby requests that the General Assembly act favorably and pass House Bill 2022 – H 8055; and

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby authorized to provide a copy of this resolution to the Town of Charlestown's representatives in the R.I. General Assembly and all 38 cities and towns.

The RESOLUTION shall take effect upon passage.

By resolution of the Charlestown Town Council at a meeting held on April 11, 2022.

*Amy Rose Weinreich, CMC*

Amy Rose Weinreich, CMC  
Town Clerk



2022-0006

RESOLUTION OF THE TOWN OF TIVERTON  
IN OPPOSITION TO RHODE ISLAND SENATE BILL S-2244 AND  
HOUSE BILL H-7198 MUNICIPAL EMPLOYEES' ARBITRATION

WHEREAS, the Tiverton Town Council believes in a fair collective bargaining process and balanced interest arbitration process and believes the General Laws of the State of Rhode Island already provide alternative means for resolving disputes; and

WHEREAS, the stated purpose of Rhode Island Senate Bill S-2244 and House Bill H-7198 is to provide an "alternative mode of settling disputes where employees must, as a matter of public policy be denied the usual right to strike;" and

WHEREAS, the Rhode Island Senate Bill S-2244 and House Bill H-7198 will institute an arbitration process to include the right of an unelected arbitrator to "...enter into and execute an effective and *binding* collective bargaining agreement." (emphasis added); and

WHEREAS, the Rhode Island League of Cities and Towns, in a letter of testimony submitted to the House Committee on Labor, dated February 2, 2022, attached hereto, expressed significant and meaningful reasons for cities and towns to object to this legislation, which the Council adopts; and

WHEREAS, Senate Bill S-2244 and House Bill H-7198 seek to implement vague and ambiguous standards, for example, municipalities of "comparable size," and

WHEREAS, the legislation will interfere with, and preempt, the sovereign rights of each municipality to set their own budgets and manage their own personnel; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiverton opposes Senate Bill S-2244 and House Bill H-7198 .

BE IT FURTHER RESOLVED that the Tiverton Town Council urges the Rhode Island House of Representatives and Senate not to pass the Bill and that a copy of this Resolution be forwarded to every Rhode Island municipality, Tiverton's legislators and the Governor requesting their support in opposition to this legislation and that this resolution shall be effective immediately upon passage.

WHERETO: The following bear witness:

Denise M deMedeiros  
Denise M. deMedeiros, Town Council President

4/11/2022  
Date



**RHODE ISLAND LEAGUE  
OF CITIES AND TOWNS**

*Distinctive Communities  
Powerful Alliance*

**Testimony from Jordan Day, Policy Director  
In Opposition to Expansion of Binding Arbitration (H7198)  
House Committee on Labor – February 2, 2022**

Thank you, Madam Chair and members of the committee, for the opportunity to testify. The League of Cities and Towns strongly opposes H7198, which would expand bargaining arbitration for municipal employees to include monetary issues. Personnel is the largest component of municipal budgets, representing more than 75% of budgets in some communities. Passing this legislation would give unelected arbitrators even greater control over municipal budgets, with no recourse for taxpayers.

As the committee is likely aware, most cities and towns require local councils to approve collective bargaining agreements. This protection is intended to ensure that contractual promises do not exceed available dollars. It also provides an important balance between the needs of employees and taxpayers. However, an arbitration decision does not need to be ratified by a city or town council, which means that arbitration awards on wages or benefits could blow a hole in local budgets, increasing the likelihood of higher taxes or service reductions.

There are several concerns with expanding binding arbitration rights to wages and monetary issues. The scope of this legislation includes not only municipal employees, but also school system employees who are not certified teachers. Combined with binding arbitration for public safety officials, a substantial component of municipal budgets could be locked in by binding arbitration awards, which means city and town councils would lose authority over the budgets that the residents elected them to manage.

There are also practical implications to how binding arbitration would work in this case. If a town and its municipal employees cannot come to agreement on wages or other monetary matters, a panel of unelected arbitrators would decide. The bill states that arbitrators should look to the pay scales in other cities and towns "of comparable size." However, it does not require the arbitrators to consider the specific budgetary outlook of the city or town. As a result, some "comparable" cities and towns may not be so comparable. Rhode Island has a lower per capita income than Massachusetts, Connecticut or New Hampshire. If an arbitrator uses these comparisons, cities and towns would be providing wages that their tax bases cannot afford.

Unfortunately, the greatest impact of expanded binding arbitration would ultimately be increases in property taxes. Rhode Island cities and towns raise about two-thirds of their revenues from local taxes and fees, with the remainder coming from the state – primarily for schools. Of the locally

*Testimony - Jordan Day - Binding Arbitration (H7198)  
House Committee on Labor  
Page 2 of 2*

raised revenues, about three-quarters comes from the property tax, and the rest from various fees. As a result, if costs go up because of arbitrator awards, cities and towns would be forced to raise property taxes. Rhode Island communities already have the eighth highest property tax burden per capita, and we cannot afford to go any higher.

The League's members believe that the current binding arbitration process is lengthy and expensive. We should be reforming it instead of expanding it and giving more power to unelected arbitrators. For these reasons, the League and its members are opposed to H7198. Thank you for your opportunity to testify.

2022-0005

RESOLUTION OF THE TOWN OF TIVERTON  
OPPOSITION TO RHODE ISLAND 2022 HB 6638 AND 2022 SB 2340  
“AN ACT RELATING TO TOWNS AND CITIES – ZONING ORDINANCES” CREATING  
CHAPTER 24.7 TITLED “OPENING THE MARKET FOR HOUSING IN URBAN AREAS”

WHEREAS, The Town of Tiverton opposes House Bill 2022-H 6638 and Senate Bill 2022-S 2340 (collectively “Bill”), which would prohibit single-family residential zoning in municipalities with populations of over twenty-thousand (20,000), thus further increasing density in already densely populated communities, and mandating that those municipalities adopt zoning regulations for “middle housing,” in single-family residential zones; and

WHEREAS, The stated purpose of the Bill is to expand the supply of affordable housing in urban areas, reduce homelessness, and reduce the use of automobiles; and

WHEREAS, The Bill mandates that the state building standards committee develop a model middle housing ordinance no later than December 31, 2022, and further requires that local governing bodies must amend their comprehensive plan no later than June 30, 2023, to provide zoning for “middle housing” in single-family zoned areas; and

WHEREAS, If a local governing body fails to amend its comprehensive plan by June 30, 2023, the city or town must apply the model middle housing ordinance adopted by the state building standards committee; and

WHEREAS, The Bill would usurp the traditional planning and zoning powers of cities and towns to comprehensively regulate, on a local level, the land use in their communities and would overtax local communities’ availability to provide adequate public safety measures and other necessary municipal services; and

WHEREAS, the General Laws already provide measures that require municipalities to address affordable housing and reduce homelessness, and which incentivize developers; and

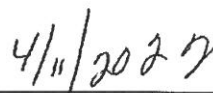
WHEREAS, a threshold of populations of twenty-thousand (20,000) is arbitrary and capricious, is not based on competent evidence, and fails to account for individual circumstances of each municipality irrespective of population; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiverton opposes 2022 HB 6638 and 2022 SB 2340.

BE IT FURTHER RESOLVED that the Tiverton Town Council urges the Rhode Island House of Representatives and Senate not to pass the Bill and that a copy of this Resolution be forwarded to every Rhode Island municipality, Tiverton’s legislators and the Governor requesting their support in opposition to this legislation.

WHERE TO: The following bear witness:

  
Denise M. deMedeiros, Town Council President

  
Date