

**TOWN COUNCIL MEETING MINUTES
September 6, 2022**

I. ROLL CALL

A regular meeting of the Jamestown Town Council was held on September 6, 2022. Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Michael G. White, Randy White and Erik Brine (arrived at 6:20 p.m.)

Also, in attendance: Town Administrator Jamie Hainsworth, Solicitor Peter Ruggiero, Police Chief Edward Mello, Town Planner Lisa Bryer, 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 6:00 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 President Beye to move into Executive Session with a second by Vice President Meagher. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

III. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion, and/or potential action and/or vote on the following:

- A) Review, Discussion, and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (3) Matter of Security

IV. ADJOURNMENT OF EXECUTIVE SESSION

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

It was announced that no votes were taken.

The Town Council reconvenes the regular meeting.

V. TOWN COUNCIL INTERVIEW SESSION: The Jamestown Town Council will meet in special session to conduct interviews of applicants for the committee vacancies as follows:

TIME	NAME	COMMITTEE
6:15	Gerald Precious	Jamestown Housing Authority

The Town Council interviewed the candidate and thanked him for his interest. Councilor R. White and Mr. Precious agreed to meet at a date to be determined to further discuss the JHA Resident Commissioner position.

VI. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard

and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering, or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- A) Scheduled request to address
- B) Non-scheduled request to address

VII. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS, AND PROCLAMATIONS

- A) None

A motion was made by Vice President Meagher with second by Councilor M. White to convene as the Town Council sitting as the Alcohol Beverage Licensing Board. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

VIII. 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) Town Council Sitting as the Alcohol Beverage Licensing Board

- 1) The Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956, and as amended, the following license application has been received under said Act for a one-day license(s), at the Jamestown Arts Center

- a) Review, Discussion, and/or Action and/or Vote: One Day Event/Entertainment license previously approved by the Town Council on August 22, 2022, modified on August 25, 2022, to serve alcohol (CLASS P / Caterer)

Applicant: Jamestown Arts Center

Event(s): Manhattan Shorts Film Festival Screening

Date(s): September 23rd, September 24th, September 30th, and October 1st

Location: Jamestown Arts Center, 18 Valley Street

Discussion ensued.

A motion was made by Vice President Meagher with second by Councilor M. White to approve the amended event application of the Jamestown Arts Center. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

A motion was made by Vice President Meagher with second by Councilor M. White to adjourn from sitting as the Alcohol Beverage Licensing Board. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

B) Licenses and Permits

1) 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 Arts Center
Event(s): Artist Talk with Kate Barber & Wendy Mueller
Date(s): September 29, 2022
Time(s): 6:00 p.m. – 8:00 p.m.
Location: ~~Narragansett Avenue~~ scrivener's error, Valley Street

A motion was made by Vice President Meagher with second by Councilor M. White to approve the One Day Event/Entertainment License for Artist Talk with Kate Barber & Wendy Mueller on September 29, 2022, 6:00-8:00 p.m. at the Jamestown Arts Center, Valley Street. . Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- b) Applicant: Jamestown Police Department
Event(s): Halloween
Date(s): October 31, 2022
Time(s): 4:00 p.m. – 9:00 p.m.
Location: Narragansett Avenue

A motion was made by Vice President Meagher with second by Councilor M. White to approve the One-day Event/Entertainment License for Jamestown Police Department Halloween event on October 31, 2022, 4:00-9:00 p.m. on Narragansett Avenue. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

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

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

- A) Town Administrator's Report: Jamie A. Hainsworth
1) Reservoir level and water restrictions

As of the morning of September 6, 2022, the reservoir level increased to 43.75" below the spill line which is encouraging. For reference the weekend usage for the last four weeks:

- August 12-14, approximately 1 million gallons consumed
- August 19-21st approximately 820,000 gallons consumed
- August 26-28th approximately 726,000 gallons consumed
- September 2-5th approximately 626,000

Even though usage has gone down significantly over the last 3 weekends water restrictions are still in place. Conservation would be the best way to avoid water usage. Better shape than was previously reported a few weeks ago, but still not out of the severe water restriction state.

Vice President Meagher requested that the Conservation regulation be reviewed at the next meeting and consideration to amend so that conservation measures can be enforced sooner.

Water shortages are going to continue to be a critical issue regionally, nationally, and globally. Energy costs are predicted to increase as well.

Councilor Brine also could we look at other policy considerations for example conservation incentives and/or requirements.

Councilor M. White also commented that decreased usage will inevitably drive the water and sewer rates up.

President Beye stressed the importance of conservation education, especially in schools.

X. UNFINISHED BUSINESS

- A) Review, Discussion, and/or Action and/or Vote: Resolution No. 2022-11 which calls a Special Financial Town Meeting to be held on (TBD by the Town Council at this or a future meeting) such Special Financial Town Meeting to be held to consider a Resolution for the purpose of (1) making appropriations for the renovation, repair and/or expansion of the Jamestown Philomenian Library including related equipment therefor and all costs incidental thereto and (2) authorizing borrowing by issuance of \$600,000 bonds and notes of the Town to finance said appropriation; which \$600,000 amount of bonds and notes is in addition to the \$1,500,000 previously approved by the voters at the general election of November 3, 2020 by approving Local Acts 52 and 53 of the Rhode Island Acts and Resolves of 2020 and the \$1,000,000 previously approved by the voters at the general election of November 6, 2018 by approving Local Acts 148 and 151 of the Rhode Island Acts and Resolves of 2018.
- 1) Memorandum from Jamestown Philomenian Library Director Lisa Sheley and Board of Directors Chair Eugene Mihaly to the Town Council with the following attachments: Appendix A, Appendix B, Appendix C, Appendix D and Appendix E

A lengthy discussion ensued.

Library Board of Trustees (LBOT) Board Chair Eugene Mihaly, Knowles Court and Library Director Lisa Sheely made a presentation to the Town Council. An anonymous donation in the amount of \$400,000 has reduce the previously requested amount of \$1,000,000 bond to \$600,000 bond. Mr. Mihaly and Ms. Sheely continued to explain that anticipated reimbursement from OLIS will cover the requested \$600,000 bond.

Vice President Meagher noted Mr. Mihaly and Ms. Sheely's stalwart support of the library project, greatly appreciate their efforts; and supports the request. She gave historical background on the renovation project. Vice President Meagher requested that the LBOT continue to explore value engineering in anticipation of cost runs/unanticipated expenses. Leveraging your position before you sign the contract, go back to bidders and ask what can be changed, and have them come back with updated bids.

Councilor Brine also would be in support of the library project and gave thanks to the LBOT for their work.

Councilor R. White shared the sentiments of fellow council members. He explained that at the August 22nd Town Council meeting there was not sufficient information to vote in support of the SFTM and appreciates the efforts of the LBOT.

A motion was made by Vice President Meagher with second by Councilor M. White to have a Special Financial Town Meeting on October 18, 2022, for the purpose of (1)making appropriations for the renovation, repair, and/or expansion of the Jamestown Philomenian Library including related equipment therefor and all costs incidental thereto and (2) authorizing borrowing by issuance of \$600,000 bonds and notes of the Town to finance said appropriation. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- B) Review, Discussion, and/or Action and/or Vote: Use of public dock at East Ferry**
 - 1) Town Administrator Hainsworth to update the Town Council**

A lengthy discussion ensued.

Town Administrator Hainsworth, Chief Mello, and Harbor Commissioner Chairperson Wayne Banks met with Conanicut Marine Services/Jamestown Newport Ferry (CMS/JNF) owner William (Bill) Munger. A proposal was submitted for consideration by CMS/JNF.

Vice President Meagher reminded all that at the August 22nd meeting questions were raised regarding liability, hindrance of public access to the touch-and-go docks, and lack of formal use agreement between the Town of Jamestown and CMS/JNF.

Chief Mello explained there are unresolved issues and more explicit direction from the Town Council is necessary.

Vice President Meagher and Councilor Brine suggested the need for an executive session to discuss the use of the East Ferry public touch-and-go docks by CMS/JNF.

Councilor R. White shared Vice President Meagher's frustration with the delay in resolving the use of the public access docks at East Ferry.

An Executive Session was scheduled for September 13th at 8:30 a.m.

XI. NEW BUSINESS

- A) Review, Discussion, and/or Action and/or Vote: Rhode Island Statewide Planning Program amendments to the General Laws regarding land use, zoning, and planning matters; mandatory education law effective January 1, 2023**
 - 1) Rhode Island Division of Statewide Planning Summary of the 2022 Legislative Session digest**

Discussion ensued.

Solicitor Peter Ruggiero as of July 2022 General Laws were amended and superseded local ordinances pertaining to Accessory Dwelling Units. If a municipality chooses to permit ADUs the ordinance can not be more restrictive then the RIGL. Took out entire reference to family (AFDU). Ordinances are not compliant and need to be change. Solicitor Peter Ruggiero advised the Town Council to request Planning and Zoning to address these issues.

Vice President Meagher informed the Town Council the Affordable Housing Committee will be meeting tomorrow to discuss this topic. ADUs could be viable affordable housing solutions.

Councilor Brine made the request to the Town Planner to report to the Town Council at the next regularly scheduled meeting on ADUs.

- B) Review, Discussion, and/or Action, and/or Vote to increase the number of Members of the Tree Protection and Preservation Committee by Two (2), from Seven (7) Members to Nine (9) Members, with a three-year term ending date of December 31, 2025

Discussion ensued.

A motion was made by Vice President Meagher with second by Councilor M. White to increase the number of Members of the Tree Protection and Preservation Committee by Two (2), from Seven (7) Members to Nine (9) Members, with a three-year term ending date of December 31, 2025. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye**

*****This motion does not conform to the Town of Jamestown Code of Ordinances Sec. 1002 (1) of the Charter limits committee membership to 7 members.***

- C) Review, Discussion, and/or Action, and/or Vote to discharge or extend the January 19, 2021 approval to Reconstitute the Traffic Committee, with 3-year terms due to expire in November 2025

Discussion ensued.

Chief Mello gave historical background on the Traffic Committee and made the recommendation to delegate the oversight to Town staff; modeling similar to the Technical Review Committee.

President Beye expressed concern about discharging the Traffic Committee.

Vice President Meagher had similar reservations about discharging the Traffic Committee.

The agenda item was continued to the next regularly scheduled Town Council meeting.

XII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Appointments, Vacancies, and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
- 1) Jamestown Affordable Housing Committee, One [1] member vacancy with an unexpired term ending May 31, 2024, **permission to advertise** a vacancy to be inserted in the September 15th and 22nd, 2022 editions of the *Jamestown Press*

A motion was made by Vice President Meagher with second by Councilor M. White to advertise a vacancy to be inserted in the September 15th and 22nd, 2022 editions of the *Jamestown Press*. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- 2) Jamestown Housing Authority, One [1] Resident Commissioner vacancy with an unexpired term ending December 31, 2023
 - a) JHA Resident Commissioner voting results
 - i) Gerald Precious
 - ii) Doreen Dell
 - iii) Bernie Courtney

Discussion ensued.

A motion was made by Councilor R. White with second by Vice President Meagher to continue to the next meeting.. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

- 3) Jamestown Tree Protection and Preservation Committee, Two [2] member vacancies with a term ending to be determined, and/or **permission to advertise** vacancies to be inserted in the September 15th and 22nd, 2022 editions of the *Jamestown Press*:
 - a) Letter of Interest
 - i) Donna Repko (previously interviewed)

Discussion ensued.

A motion was made by Vice President Meagher with second by Councilor M. White to appoint Donna Repko to the Jamestown Tree and Preservation Committee. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye**

****This motion does not conform to the Town of Jamestown Code of Ordinances Sec. 1002 (1) of the Charter limits committee membership to 7 members.**

- 4) Jamestown Zoning Board of Review –Alternate Member One [1] vacancy with an unexpired one-year term ending date of December 31, 2022, **permission to advertise** vacancy to be inserted in the September 15th and 22nd, 2022 editions of the *Jamestown Press*:

A motion was made by Vice President Meagher with second by Councilor M. White to advertise the Jamestown Zoning Board of Review vacancy to be inserted in the September 15th and 22nd, 2022 editions of the *Jamestown Press*. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

A motion was made by Vice President Meagher with second by Councilor M. White to accept the Consent Agenda excluding A) Adoption of Town Council Minutes August 22, 2022. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye

XIII. CONSENT AGENDA

An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately for review, discussion, and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion, and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) ~~August 22, 2022 (Regular Meeting)~~

- B) Minutes of Boards/Commissions/Committees
 - 1) Planning Commission (August 3, 2022)
 - 2) Zoning Board of Review (July 26, 2022)

C) Tax Assessor's Abatements and Addenda of Taxes

ABATEMENTS TO 2021-2022 TAX ROLL		
01-0002-08M	CAR SOLD(2021)	\$56.27
12-0069-05	UPDATED PROP INFORMATION(2022)	\$911.22
TOTAL ABATEMENTS TO 2021 TAX ROLL		\$56.27
TOTAL ABATEMENTS TO 2022 TAX ROLL		\$911.22
GRAND TOTAL		\$967.49

- D) Authorize Town Administrator Hainsworth to sign any and all forms and applications related to the purchase of development rights for the Jamestown Community Farm
- E) Authorize Town Administrator Hainsworth to sign the Memorandum of Understanding between the Town of Jamestown and the University of Rhode Island

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

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion, and/or potential action and/or vote.

- A) Communications Received:
 - 1) Copy of email to: Town Clerk Roberta Fagan
From: Carol Hopkins
Dated: August 24, 2022
Re: Short-Term Rental Ordinance
 - 2) Copy of email to: Town Clerk Roberta Fagan
From: Jon Whitney
Dated: August 25, 2022
Re: Short Term Rental Regulations 14-88.c

Communications were acknowledged

XV. ADJOURNMENT

A motion was made by Vice President Meagher with second by Councilor M. White to adjourn at 8:13 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, aye; Councilor R. White, Aye.

Attest:


 Roberta J. Fagan, Town Clerk