

TOWN COUNCIL MEETING MINUTES

August 7, 2023

I. TOWN COUNCIL INTERVIEW SCHEDULE: The Jamestown Town Council met to conduct interviews of applicants for the committee vacancies as follows:

The Jamestown Town Council conducted interviews of applicants for the committee vacancies as follows:

Richard Steinback and Thomas Waddington were interviewed for the Tree Preservation and Protection Committee member vacancy.

II. ROLL CALL

A regular meeting of the Jamestown Town Council was held on August 7, 2023. Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Michael G. White, and Erik Brine (via Zoom). Randy White was absent.

Also, in attendance: Town Administrator Edward A. Mello, Solicitor Peter Ruggiero, Finance Director Christina Collins, Public Works Director Michael Gray, Town Planner Lisa Bryer, Water and Sewer Clerk Denise Jennings and Town Clerk Roberta Fagan.

III. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President Beye called the meeting of the Jamestown Town Council to order at 6:18 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; and Councilor M. White, Aye;

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

- A) Open Forum – Water & Sewer Matters
 - 1) Scheduled request to address - none
 - 2) Non-scheduled request to address

- B) Report of Town Officials: Review, Discussion, and/or Take Action and/or Vote:
 - 1) Pumping Report
 - 1) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility

- C) Letters and Communication: Review, Discussion, and/or Take Action and/or Vote:
 - 1) No items at this time.
- D) Unfinished Business: Review, Discussion, and/or Take Action and/or Vote:
 - 1) No items at this time.
- E) New Business:
 - 1) Review, Discussion, and/or Take Action and/or Vote: At the recommendation of Public Works Director Michael Gray permission to Authorize Town Administrator Mello to sign the Interim Operations Assistance Agreement between the Town of Jamestown and Veolia Water North America-Northeast LLC
 - a) Memorandum from Public Works Director Michael Gray re: Recommendation for Interim Contract Operations, Water Treatment Facility
 - 2) Review, Discussion, and/or Take Action and/or Vote: Municipal Water Use Restrictions
 - 3) Review, Discussion, and/or Take Action and/or Vote: Proposed Water Budget FY2023-2024 in the amount of \$1,558,711.00
 - 4) Review, Discussion, and/or Take Action and/or Vote: Proposed Sewer Budget FY2023-2024 in the amount of \$920,401.00

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

A motion was made by Vice President Meagher with a 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; and Councilor M. White, Aye.

V. OPEN FORUM

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

Charlotte Zarlengo, Seaside Drive, made comments to the Town Council regarding the Affordable Housing Committee and alleged secret Executive Session meetings regarding proposed lots for affordable housing. She made statements of support for affordable housing and asked the Council to direct the Affordable Housing Committee to discuss critical items in a public setting.

Vice President Meagher stated the Affordable Housing Committee had properly posted Executive Session meetings and explained that a public body may hold a meeting closed to the public in this instance “discussions or considerations related to the acquisition or lease of real property for public purposes,”(RIGL 42-46-5 (a) (5)).

Bonnie Hogan, 56 Carr Lane, stated she has grave concerns about the location of the proposed cell phone tower on Carr Lane. She made statements and reference studies on the increased health risks of short and long-term exposure to cell tower radiation emitting rays. Ms. Hogan stated the negative health effects are vast and can be correlated to radiation exposure from cell tower rays.

She asked for the Town to consider alternative sites for a cell tower further away from residential homes.

Susan Gregorie, 91 Watson Avenue, stated an opinion regarding the proposed location of a pickleball court at the Lawn Avenue School. She requested the Town Council deny the creation of the proposed pickleball court location and restrict the use of the current tennis courts for pickleball use.

Patricia Ouimette, 783 North Main Road, also expressed concerns about the proposed cell phone tower on Carr Lane. Ms. Ouimette attended the Zoning Board of Review meeting and shared her concerns regarding the decision to permit the cell phone tower on Carr Lane. She expressed frustration at the suggestion that she needed to hire an expert to present her concerns at the Zoning Board meeting. She questioned why the Zoning and Planning Boards don't take health considerations into their decisions. Ms. Ouimette stated that many Zoning and Planning Boards have a misunderstanding of the Telecommunications Act of 1996. She made the Town Council aware that her question as to whether a Federal Communications Commission (FCC) compliance environmental assessment was conducted has not been answered. Additionally, she stressed the importance of measuring RF (radiofrequency) radiation on a regular basis, not just once, if the tower were to be installed. Ms. Ouimette stated she is not opposed to another cell tower, she would prefer it to be further away from residential homes for health and safety reasons.

Vice President Meagher made clarifying statements regarding the appeal process for Zoning Board decisions.

Marta Gomez-Chiarri, 819 North Main Road, concurred with Patricia Ouimette. Ms. Gomez-Chiarri commended the work of the Zoning Board and the Town's efforts to address the need for better cell phone coverage. She asked the Town Council to consider the negative effects on both the physical health and property values of residents in close proximity to the proposed Carr Lane cell phone tower. In addition, she questioned whether the Planning Board and Zoning Board did their due diligence in reviewing the application to protect the citizens of Jamestown. She made the request of the Board(s) to weigh both the actual "need" for cell phone towers versus the biological impact of electromagnetic fields on residents. Other options may be available for better cell phone coverage and requested the Town, the Planning, and Zoning boards balance the human and financial health of all Jamestown residents in close proximity to cell phone towers.

VI. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS AND PROCLAMATIONS

A) Acknowledgements:

- 1) Formal Swearing in of new Deputy Town Clerk/ Clerk to the Board of Canvassers Keith Ford

Town Clerk Roberta Fagan introduced Deputy Town Clerk/ Clerk to the Board of Canvassers Keith Ford to those in attendance. She praised Mr. Ford and commented that he already was proving to be the right candidate for the role. Deputy Town Clerk/ Clerk to the Board of Canvassers Keith Ford was then sworn in by Town Clerk Roberta Fagan.

A motion was made by Vice President Meagher with a second by Councilor M. White to reopen the Public Hearing continued from July 11, 2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

VII. PUBLIC HEARINGS, LICENSES AND PERMITS

A) Public Hearings

- 1) Public Hearing Continued from the July 11, 2023, Town Council Meeting: Review, Discussion, and/or Action and/or Vote: Proposed Amendments to the Code of Ordinances, Chapter 14 – Buildings and Buildings Regulation, Article V., Short Term Rentals, Sec. 14-80 thru 14-94-100. These Amendments are proposed based on comments received during Short-Term Rental Working Group sessions.

Vice President Meagher thanked Town Planner Bryer, Solicitor Ruggiero, and Short-Term Rental workgroup participants for their cooperative work in amending the proposed ordinance.

President Beye asked for comments. No comments were made.

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the Amendments to the Code of Ordinances, Chapter 14 – Buildings and Buildings Regulation, Article V., Short Term Rentals, Sec. 14-80 thru 14-94-100. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

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

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

- 1) Pursuant to RIGL §3-7-14, the following license application has been received under said Act for a one-day license on August 8, 2023:

CLASS F (NON-PROFIT)

Jamestown Arts Center

18 Valley Street

Jamestown, RI 02835

- a) Review, Discussion, and/or Action and/or Vote for Approval of the CLASS F (NON-PROFIT) LIQUOR LICENSE

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the Jamestown Arts Center Class F (NON-PROFIT) One-day Liquor License for August 8, 2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

The Town Council adjourns from sitting as the Alcohol Beverage Licensing Board

A motion was made by Vice President Meagher with a 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; and Councilor M. White, Aye.

C) 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 (JAC)
Event: Gallery Night with La Mechante el la Connard
Date(s): August 8, 2023, 6:00 p.m.-8:00 p.m.
Location: JAC, 18 Valley Street

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the Gallery Night with La Mechante el la Connard One-Day Event/Entertainment License scheduled for August 8, 2023, 6:00 p.m.-8:00 p.m. located at JAC, 18 Valley Street. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- b) Applicant: Jamestown Arts Center (JAC)
Event: JAC Talk: Kate Lence, Tim O'Connell & Liz Newton
Date(s): August 23, 2023, 6:00 p.m.-7:00 p.m.
Location: JAC, 18 Valley Street

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the JAC Talk: Kate Lence, Tim O'Connell & Liz Newton One-Day Event/Entertainment License scheduled for August 23, 2023, 6:00 p.m.-7:00 p.m. located at JAC, 18 Valley Street. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- c) Applicant: Jamestown Striper Club
Event: Jamestown Striper Club Kids Fishing Derby
Date(s): August 12, 2023, 8:00 a.m.-11:00 a.m.
Location: North Reservoir, North Road

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the Jamestown Striper Club Kids Fishing Derby One-Day Event/Entertainment License scheduled for August 12, 2023, 8:00 a.m.-11:00 a.m. located at North Reservoir, North Road. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

President Beye recused herself from agenda item 2) One-Day Vendor/Peddler License application from the Jamestown Rotary Club, for the August 19, 2023 Fools Rules Regatta event.

- 2) One-Day Vendor/Peddler License: All One-Day 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:
 - a) Applicant: The Jamestown Rotary Club
(sub-applicant of the Jamestown Yacht Club)
Event: Fools Rules Regatta
Date(s): August 19, 2023, 8:00 a.m.-1:00 p.m.
Location: East Ferry

A motion was made by Councilor M. White with a second by Vice President Meagher to approve the Jamestown Rotary Club (sub-applicant of the Jamestown Yacht Club) One-Day Vendor/Peddler license scheduled for August 19, 2023, 8:00 a.m.-1:00 p.m. located at East Ferry. Vote: Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- b) Applicant: Mumsy's Ice Cream Delights (sub-applicant of Jamestown Ukraine Relief Project)
Event: Sunflower Family Festival
Date(s): August 26, 2023, 10:00 a.m.-3:00 p.m.
Location: Lawn Avenue School

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the Mumsy's Ice Cream Delights (sub-applicant of Jamestown Ukraine Relief Project) One-Day Vendor Peddler License scheduled for August 26, 2023, 5:00 p.m. to 7:30 p.m. located at Lawn Avenue School. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- c) Applicant: The Ish, LLC (sub-applicant of Jamestown Ukraine Relief Project)
Event: Sunflower Family Festival
Date(s): August 26, 2023, 11:00 a.m.-2:00 p.m.
Location: Lawn Avenue School

A motion was made by Vice President Meagher with a second by Councilor M. White to approve The Ish, LLC (sub-applicant of Jamestown Ukraine Relief Project) One-Day Event/Entertainment License scheduled for August 26, 2023, 11:00 a.m.-2:00 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- d) Applicant: Kona Ice of Washington County (sub-applicant of Jamestown Ukraine Relief Project)
Event: Sunflower Family Festival
Date(s): August 26, 2023, 11:00 a.m.-2:00 p.m.
Location: Lawn Avenue School

A motion was made by Vice President Meagher with a second by Councilor M. White to approve the Kona Ice of Washington County (sub-applicant of Jamestown Ukraine Relief Project) One-Day Event Vendor/Peddler License scheduled for August 26, 2023, 11:00 a.m.-2:00 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

President Beye recused herself from agenda item 3) Bingo License Application for Friends of the Jamestown Seniors, Inc.

- 3) Bingo License Application: All bingo license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion and/or Action, and/or Vote on the following:
 - a) Applicant: Friends of the Jamestown Seniors, Inc.
Event: Weekly Bingo Games
Date: September 1, 2023, to August 31, 2024
Location: 6 West Street, Jamestown (Senior Center)

A motion was made by Councilor M. White with a second by Vice President Meagher to approve the Friends of the Jamestown Seniors, Inc. Bingo License for Weekly Bingo Games, September 1, 2023, to August 31, 2024, held at 6 West Street, Jamestown (Senior Center). Vote: Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

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

A) Town Administrator's Report: Edward A. Mello

1) Senior Center Facility update and community workshop announcement.

Town Administrator Mello and Senior Services Director Molly Rose have asked the Senior Services Advisory Committee to host a community discussion regarding senior services programming. The meeting will include an overview from Director Rose of current program offerings and will solicit feedback from the residents about other programming desires. Discussions will include the ongoing process of the facility needs assessment. The meeting will be scheduled for 6:00 p.m. on Thursday, August 10th at 6 West Street.

2) 90 Carr Lane cell town project update.

The project proposal would include a 160' monopole to be located at the corner of North Road and Carr Lane. This would be a private development. The Zoning Board has approved the project and the official decision will be recorded at the August Zoning Board meeting. Town Administrator Mello has spoken with the developer. If no objections are filed, the developer plans to begin construction in late fall with an approximate six-month build schedule. They indicated one major cell phone provider has committed to the site.

Vice President Meagher questioned Solicitor Peter Ruggiero on what the next step would be if there were objections.

Solicitor Peter Ruggiero explained the hearing of the Zoning Board is a hearing of a quasi-judicial body. A case presented before the Board would require evidence, not opinions. The right to appeal by any individual given notice needs to be filed by a certain date. The appeal would need to be prepared by an attorney to ensure proper filing.

3) Police Chief search process update.

Thirteen (13) applications were originally received. Several applicants withdrew. There were no internal applicants. The selection committee has interviewed several candidates and met again this past Friday for follow-up interviews. The process will continue for the next few weeks.

4) Town of Jamestown favorable Moody's Rating.

The Town has received notice from Moody's indicating the rating of Aa1. The Town recently underwent a review in preparation for going out to bond on several projects. The Aa1 rating holds the Town's current rating status just below the AAA rating. The rating is considered very strong and places the Town in an excellent position for borrowing at a competitive rate. The rating correlates largely to a healthy financial position. The efforts and careful stewardship of Finance Director Christina Collins have continued this healthy position for the Town.

5) Ft. Getty Bathroom plans update (Consent Agenda).

Town staff has met with Don Powers and his team to further develop the plans for the bathroom at Ft. Getty. Discussions have included the façade options (brick vs. cedar shingles) and the impact on the budget. The estimated cost of construction is \$250,000. The brick façade would be a 10% increase in construction cost. This would be the only red brick façade building located within Ft. Getty. It is for this reason and the additional cost that Town staff recommend the cedar shingle option.

6) Beavertail Lighthouse ownership transfer update.

Rhode Island Department of Environmental Management (RIDEM) successfully advocated for ownership of the lighthouse and associated property. The Federal Government has agreed to transfer the ownership of the property, and expected to be completed in late fall. Town Administrator Mello has been in contact with RIDEM regarding the partnership and the anticipated lease to be executed between RIDEM, the Beavertail Lighthouse Museum Association, and the Town.

7) Broadband Fiber Network buildout.

Town Administrator Mello has spoken with representatives from both Cox and Verizon regarding plans to install broadband (fiber) throughout the Island. Cox reported the current building of their fiber network throughout the Island with an expected completion in 2024. Cox will begin marketing this service to residents this fall, which will include fiber directly into the homes of their customers. They have used no federal funds for this project. Cox has offered to come brief the Town Council directly.

8) Cybersecurity Assessment completed by the US Department of Homeland Security.

The Town has completed the cybersecurity assessment process with the US Department of Homeland Security. A brief will be presented to the Town Council in September.

9) Municipal Road Paving budget update.

The State budget and the Rhode Island Department of Transportation (RIDOT) adjusted the road-paving fund, resulting in a reduction of \$90,000 in State funds. Town staff are working to readjust the budgeting plan for the next three years to maximize the amount of work and grant funding.

IX. UNFINISHED BUSINESS

- A) No items at this time.

X. NEW BUSINESS

- A) Review, Discussion, and/or Action and/or Vote: At the request from Parks and Recreation Director Ray DeFalco Town Council support of the Pickleball Court Project Proposal at Lawn Avenue Middle School Courtyard:
- 1) Memorandum from Parks and Recreation Director DeFalco regarding a Proposal for Pickleball Court Project at Lawn Ave Middle School Courtyard.

Discussion ensued.

Parks and Recreation Director DeFalco reviewed the proposed Pickleball Court Project at the Lawn Avenue Middle School Courtyard. In response to Ms. Gregoire's earlier comments, the upper public tennis courts had previously been lined for pickleball and there have been no logged complaints. There are ways to mitigate the sound in the school courtyard, and the Town staff will investigate further. Director DeFalco reported the increased demand for additional pickleball courts in the Town.

Town Administrator Mello explained the project proposal will be presented to the School Committee contingent on the Town Council's approval of the concept.

Vice President Meagher questioned the viability of the previously proposed location at the Eldred Avenue soccer fields for pickleball courts.

Town Planner Lisa Bryer explained the State has required the Town to conduct a Phase I C Archeological assessment of the Eldred Avenue area, which will take a prolonged amount of time to complete.

Councilor Brine stated support for the concept. He also would like to pursue recreation opportunities at the Eldred Avenue location. Councilor Brine asked Director DeFalco to clarify the pickleball court nets vs. roll-away nets.

Director DeFalco explained that the proposed plan would include installing posts similar to the tennis net posts. The nets would be easy to remove and or store. Rollaway nets could also still be considered.

President Beye would like to hear from more residents. She questioned whether the general public would be restricted from using the courtyard courts during school hours. And if so would the students be able to use them? Would this be disruptive to other students? She has done some preliminary research, and sound has been an issue in many locations.

Councilor M. White suggested conducting a simulated sound test.

Vice President Meagher restated her preference for the pickleball courts to be located at the Eldred Avenue location.

Susan Gregoire, 91 Watson Avenue, stated she was not aware that some of the tennis courts had already been lined. She also expressed concern that tennis players and students would not be able to use the courts for tennis. She asked that sound-mitigating material be installed wherever pickleball courts are located.

Town Administrator Mello explained that the concept proposes to improve the courtyard space to make it a more park-like atmosphere, conducive for multi-use, including outdoor classrooms, pickleball courts, and/or other uses.

A motion was made by Councilor M. White with a second by Vice President Meagher to support the concept proposal to improve the courtyard space to make it a more park-like atmosphere, conducive for multi-use, including outdoor classrooms, pickleball courts, and/or other uses. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

XI. 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) Affordable Housing Committee, One (1) member vacancy, with an unexpired three-year term ending May 3, 2025
 - a) Letter of Resignation
 - i) Joseph Cannon Jr.
 - b) Permission to advertise the vacancy

A motion was made by Vice President Meagher with a second by Councilor M. White to advertise the vacancy of the Affordable Housing Committee. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- 2) Discover Newport, One (1) member vacancy, with a three-year term

expiring September 1, 2026

- a) Permission to advertise the vacancy

A motion was made by Vice President Meagher with a second by Councilor M. White to advertise the vacancy of the Discover Newport Board. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

- 3) Harbor Management Commission, One (1) member vacancy, with a three-year term unexpired term ending 12/31/2026
 - a) Letter of interest:
 - i) Paul Sprague (previously interviewed)

President Beye stated that she was informed by Town Clerk Fagan that there are two additional potential candidates for consideration. Town Clerk Fagan stated that they had previously been interviewed.

Vice President Meagher stated that Paul Sprague had left his application on file and referenced his voicemail expressing interest again.

Paul Sprague asked why the previously interviewed candidates were not on the agenda.

Vice President Meagher stated the two previously interviewed potential candidates' names, although not on the agenda, were contacted after the agenda deadline.

Town Clerk Roberta Fagan confirmed that the previous applicants were inadvertently not contacted before the agenda deadline.

The appointment was held for the next meeting.

- 4) Tree Preservation and Protection Committee, One (1) member vacancy with an unexpired term ending December 31, 2023:
 - b) Application of Interest for appointment:
 - i) Thomas Waddington
 - ii) Richard Steinbach

A motion was made by Vice President Meagher with a second by Councilor M. White to appoint Thomas Waddington to the Tree Preservation and Protection Committee with an unexpired one-year term ending December 31, 2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor and M. White, Aye.

- 5) Zoning Board of Review, designation of First, Second, and Third Alternate for a one-year term(s) ending December 31, 2023
 - a) Current alternates:
 - i) John Shekarchi
 - ii) James Sisson
 - iii) Robert Maccini

A motion was made by Vice President Meagher with a second by Councilor M. White to appoint John Shekarchi as the Zoning Board of Review, First Alternate Member, James Sisson as Second Alternate, and Robert Maccini as Third Alternate with an unexpired one-year term ending December 31, 2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

A motion was made by Councilor M. White with a second by Vice President Meagher to accept the Consent Agenda. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

XII. 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) July 11, 2023 (Regular Meeting)

- B) Minutes of Boards/Commissions/Committees
 - 1) Jamestown Affordable Housing Committee (May 17, 2023)
 - 2) Jamestown Affordable Housing Committee (June 21, 2023)
 - 3) Jamestown Planning Commission (July 5, 2023)
 - 4) Jamestown Zoning Board of Review (June 27, 2023)

- C) Abutter Notification: Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing on August 22, 2023, at the Jamestown Town Hall 93 Narragansett Avenue, Jamestown, Rhode Island at 7:00 p.m. upon the following:
 - 1) Application of Alexander Revocable Living Trust whose property is located at 959 East Shore Road, and further identified as Tax Assessor's Plat 1, Lot 90 for a Variance granted under Article 6, Special Use Permits and Variances, Section 600 and 606. This application is made pursuant to the provisions of section 82-302, Table 3-2, District Dimensional Regulations for the RR80 Zoning District of the zoning ordinance. The Applicant seeks Corner yard setback relief of 14.7 feet where 40 feet is required and the existing structure is located 14.7 feet from the corner yard line. Out of an abundance of caution, his application also seeks a Special Use Permit granted under Article 6 Section 82-600 and 602, pursuant to Article 14. Accessory Family Dwelling Units, Section 82-1403 and 82-1404. General Requirements and Standards and Application Procedures, to obtain a permit for an accessory family dwelling unit to be located within the proposed addition. Said property is located in a RR-80 zone and contains 29,533 square feet.

- D) National Opioid Settlement update (Big Three Distributors and Johnson & Johnson ("2021 Settlements") and Teva, Allergan, CVS, Walmart, Walgreens ("2022 Settlement").

- E) Ratification of Administrative Event Approvals:
 - 1) Jamestown Senior Services Department, Annual Senior Picnic, August 2, 2023 at Fort Getty.

- F) Memorandum from Finance Director Christina Collins to the Town Council regarding Moody's Investor Service rating (full report attached).
- G) Deb Haaland, Secretary of the U.S. Department of the Interior, Recommendation for the selection of the Rhode Island Department of Environmental Management as the recipient of the Beavertail Lighthouse.
- H) Tax Assessor's Abatements and Addenda of Taxes

ADDENDA TO 2023 TAX ROLL		
07-0734-00	REMOVED EXEMPTION-SOLD	\$ 250.00
TOTAL ABATEMENTS TO 2023 TAX ROLL		\$ 0.00
TOTAL ADDENDA TO 2023 TAX ROLL		\$ 250.00
GRAND TOTAL		\$ 250.00

- I) Public Notice of CRMC and RIDEM of application for Assent filed by Richard and Susan Steinback, 85 Melrose Avenue, to construct and maintain: a 4'x143' residential pier with a 150 sf float terminating at 75' beyond MLW, which requires a variance under 650-RICR-20-00-1§1.3.1.D.11.1, and a variance request to be located inside the required 50' setback from a town mooring field under §1.3.1.d 11.m, with written comments/objections due by August 27, 2023, to CRMC, O.S. Government Center, 4808 Tower Hill Road, Rm 116, Wakefield, RI 02879 or cstaff1@crmc.ri.gov.

Communications were acknowledged.

XIII. 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 the citizen's request form to the Town of Jamestown
From: Robert Rogers
Dated: July 26, 2023
Re: Ban the use of motorized leaf blowers.
 - 2) Copy of the Memorandum to Municipal Clients
From: Peter D. Ruggiero, Esq., Ruggiero, Brochu & Petrarca
Dated: July 5, 2023
Re: 2023 Land Use Public Laws Digest

Vice President Meagher recused herself from the Executive Session and left the open meeting at 7:54 p.m.

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

XIV. 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 (2) Pending or Potential Litigation (Adverse Possession/Easement/Quiet Title), Cary v. Jamestown, NC File No. 2020-0375

XV. 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 Councilor Brine. Vote: President Beye, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

It was announced that no votes were taken.

XVI. ADJOURNMENT

A motion was made by Councilor M. White with a second by Councilor Brine to adjourn at 8:30 p.m. Vote: President Beye, Aye; Councilor Brine, Aye; and Councilor M. White, Aye.

Attest:


Roberta J. Fagan, Town Clerk