

**TOWN COUNCIL MEETING MINUTES**  
**Monday, October 16, 2023**  
**5:00 P.M.**

**I. ROLL CALL**

A regular meeting of the Jamestown Town Council was held on October 16, 2023. Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Michael G. White, and Randy White. Erik Brine joined the meeting via Zoom at 6:56 p.m.

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

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 M. White, Aye; and Councilor R. White, Aye.

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

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 M. White, Aye; and Councilor R. White, Aye.

**III. EXECUTIVE SESSION- BOARD OF WATER AND SEWER COMMISSIONERS**

- 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: CLP TRUST – 2016, by and through its Trustee, Joseph R. Paolino, Jr., vs. Town of Jamestown, C.A. No. 1:22-cv-00339.

**IV. THE BOARD OF WATER AND SEWER COMMISSIONERS RECESS FROM THE EXECUTIVE SESSION AND THE TOWN COUNCIL CONTINUES THE OPEN SESSION.**

A motion was made by Vice President Meagher to adjourn from the Executive Session, seal the minutes, and recess the Board of Water and Sewer Commissioners at 5:56 p.m. with a second by Councilor M. White. 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 SCHEDULE: The Jamestown Town Council conducted interviews with the following individuals:**

Jennifer Thran was interviewed for the Board of Canvassers- Republican Alternate vacancy.

Mark D'Arezzo and Marla Romash were interviewed for the Discover Newport vacancy.

Karl Seelig, Tom Alexander, and Jim Archibald were interviewed for the Harbor Management Commission vacancy.

## **VI. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Town Council President Beye called the meeting of the Jamestown Town Council to order at 6:34 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 reconvene as the Town Council Sitting as the Board of Water and Sewer at 6:34 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

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

- A) Awards, Presentations, and Acknowledgments:
  - 1) Presentation by Pare Corporation re: Water Supply System Management Plan-5 Year Update (October 2023)
  
- B) Approval of Minutes; Review, Discussion, and/or Action and/or Vote:
  - 1) September 18, 2023 (regular meeting)
  
- C) Open Forum – Water & Sewer Matters
  - 1) Scheduled request to address - none
  - 2) Non-scheduled request to address
  
- D) Report of Town Officials: Review, Discussion, and/or Action and/or Vote:
  - 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
  
- E) Letters and Communication: Review, Discussion, and/or Action and/or Vote:
  - 1) No items at this time.
  
- F) Unfinished Business: Review, Discussion, and/or Action and/or Vote:
  - 1) No items at this time.
  
- G) New Business: Review, Discussion, and/or Action and/or Vote:
  - 1) No items at this time.

**The Town Council recesses 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 (joined at 6:56 p.m. via Zoom); Councilor M. White, Aye; and Councilor R. White, Aye.

#### **VIII. OPEN FORUM**

- A) Scheduled request to address – none.
- B) Non-scheduled request to address- none.

#### **IX. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS, AND PROCLAMATIONS**

A) Resolution 2023-17, reinstating the Jamestown Tick Task Force.  
President Beye read Resolution 2023-17.

A motion was made by Vice President Meagher with a second by Councilor M. White to reinstate the Jamestown Tick Task Force, to advertise new membership and encourage resident participation. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

#### **X. PUBLIC HEARINGS, LICENSES, AND PERMITS**

A motion was made by Vice President Meagher with a second by Councilor M. White to re-open the public hearing continued from October 2, 2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

- A) Public Hearings
  - 1) Review, Discussion, and/or Action and/or Vote: Pursuant to the relevant provision of the Jamestown Code of Ordinances, Section 22-91, Tree Preservation and Protection, regarding an appeal by Joseph Rosati of a decision rendered on August 16, 2023 of the Tree Preservation and Protection Committee for the removal of a tree at the Steamboat Street Right of Way(ROW), duly advertised in the September 21<sup>st</sup> edition of the Jamestown Press and continued from the October 2, 2023 Public Hearing.

Town Administrator Mello summarized the first meeting that took place on October 2, 2023, where he was tasked to investigate the Town's liability and maintenance plan agreement:

1. A detailed cabling plan has not been submitted as of October 16, 2023.
2. Licensed arborist to review the Tree annually.
3. Transfer of liability in the event the Rosati's sold property

It has been determined liability exposure for the Town still exists. Mr. Rosati cannot provide a release for the Town's liability.

Joseph Rosati, 173 Seaside Drive, requested the Town Council and Town staff to "wait and see" until the spring of 2024. He explained the planned pruning will remove two-thirds of the Tree, coupled with the cabling, will help relieve some stress on the Tree.

Susan Little, Seaside Drive, stated there is potential damage to her property if the Tree remains.

Allen Sexton, Seaside Drive, asks the Town Council to take his safety/visitors' safety and well-being into consideration.

John Russo, 168 Seaside Drive, for the record, does not agree with statements made on October 2<sup>nd</sup>, that he wants the Tree removed to improve his water view. His concern is for the health and safety of individuals, other trees, and adjacent structures.

Vice President Meagher stated she would like to wait and see at the Rosati's expense. She would like to try to save the tree first before removal.

President Beye, as a business owner you have to prepare for the worst. She stands in solidarity with Tree Warden Saracino and favors the removal of the Tree. On a positive note suggested planting a new tree and watching it grow.

Councilor M. White has viewed the Tree. He would be in favor of delaying removal; cabling the tree first, monitoring the tree, and reassessing in the spring of 2024.

Councilor R. White stated he agrees with President Beye and this is a question of safety. Tree Warden Saracino determined that the Tree was hazardous. Although, on a practical and legal matter, the appeal before the Town Council is "de novo", a new appeal regarding the outcome of the Tree.

Councilor Brine commented he is very conflicted. This is a matter of safety and tree preservation. He suggested placing hazard warning signs in the ROW, taking the necessary steps to preserve the tree at the Rosati's expense, and reassessing the tree in the spring of 2024.

Solicitor Peter Ruggiero reminded the Council the Tree is a "known dangerous condition", and doesn't relieve the Town of personal or private property damage liability.

Susan Little, 155 Seaside, reiterated the Tree Warden has already determined the Tree is a hazard, the trunk is rotten and six months will not make a difference. Limiting access to the ROW will inevitably push the public onto her private property.

The question is whether the Tree should come down right now or allow the Rosati's to follow through with their offer, Vice President Meagher stated.

John Russo, 168 Seaside Avenue, the Tree Protection & Preservation Committee, and the Tree Warden have ruled to remove the Tree. There is risk and limited use of the ROW because of the Tree.

A motion was made by Vice President Meagher with a second by Councilor M. White to (1) allow the Rosati's to comply with the pruning/cabling plan, (2) reassess the Tree in the spring of 2024, and (3) place warning signs in the ROW to mitigate risk. Vote: President Beye, Nay; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Nay.

A motion was made by Vice President Meagher with a 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; and Councilor R. 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 October 26th, October 27th, October 28<sup>th</sup>, November 9<sup>th</sup>, November 15<sup>th</sup>, and December 9<sup>th</sup>, 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 one-day Class F liquor license for the Jamestown Arts Center scheduled for October 26th, October 27th, October 28<sup>th</sup>, November 9<sup>th</sup>, November 15<sup>th</sup>, and December 9<sup>th</sup>, 2023. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

2) Pursuant to RIGL §3-7-14, the following license application has been received under said Act for a one-day license on October 20, 2023, to take place at the Jamestown Senior Center, 6 West Street:

CLASS F (NON-PROFIT)

Jamestown Yacht Club  
9 B Arnold Avenue  
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 one-day Class F liquor license for the Jamestown Yacht Club scheduled for October 20, 2023. 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 a second by Councilor R. 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; and Councilor R. White, Aye.

**XI. 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:*

- A) Town Administrator’s Report: Edward A. Mello
  - 1) Short-Term Rental Registration update: Staff are finalizing the online registration process this week. Additionally, inspections have been scheduled to begin the week of October 16. This will be done incrementally through the next several weeks. The Clerk will then advertise the completed applications and schedule hearings for the Town Council to consider during December.
  - 2) Beavertail Lighthouse Ceremony to recognize the transfer of Beavertail Lighthouse and property: GSA along with RIDEM has scheduled a ceremony to recognize the transfer of the Beavertail Lighthouse and property from the US Government to RIDEM. The event is scheduled for 10 AM on October 24<sup>th</sup>. This will now allow the Town, Beavertail Lighthouse Museum Association, and RIDEM to develop a long-term lease agreement for the management of the property.
  - 3) Tax Abatement Update: Tax abatements that are offered to property owners including seniors, veterans, and members of the fire department are covered under both local ordinances and RI General Law. Both areas need revisions. Staff are working to develop a recommendation to the Town Council.
  - 4) Code Enforcement Officer announcement: Joseph Kaufman, the newly hired part-time code enforcement officer is expected to begin working next week. He will work one day per week under the supervision of the building/zoning official.

**XII. UNFINISHED BUSINESS**

- A) Review, Discussion, and/or Action and/or Vote: Recommendation from the Jamestown Planning Commission on the final draft of the 2023 Zoning Ordinance Update and Rewrite. *Permission to schedule Public Workshops to review recommended updates and amendments.*
  - 1) Memorandum from Town Planner regarding the Zoning Ordinance Update/Rewrite and copy of the final draft prepared by Horsley Witten Group.

**Discussion ensued.**

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A joint meeting of the Town Council and Planning Commission will take place on Wednesday, November 1<sup>st</sup> at 7 p.m. Consultant Horsley Witten will make a presentation on the recommended amendments to the Zoning Ordinance.

**XIII. NEW BUSINESS**

- A) No items at this time.

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



A) Appointments, Vacancies, and Expiring Terms; Review, Discussion, and/or Action and/or Vote:

1) Board of Canvassers – One (1) unexpired six-year term Republican Alternate Member vacancy (March 2023- March 2029):

a) Interest Applicant:

i) Jennifer Thran

i. Jamestown Republican Town Committee recommendation received September 18, 2023

ii. Interview scheduled for October 16, 2023

A motion was made by Councilor R. White with a second by Vice President Meagher to appoint Jennifer Thran as the Republican Alternate to the Board of Canvassers for the six-year unexpired term ending March 2029. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

2) Discover Newport, One (1) member vacancy, with a three-year term ending September 1, 2026, and shall be associated with the hospitality industry, duly advertised in the September 14<sup>th</sup> & 21<sup>st</sup> edition(s) of the Jamestown Press with a request to submit applications prior to September 26, 2023:

a) Interested Applicant(s):

i) Marla Romash

i. Application received September 19, 2023

ii. Interview scheduled for October 16, 2023

ii) Mark D'Arezzo

i. Application received September 26, 2023

ii. Interview scheduled for October 16, 2023

A motion was made by Vice President Meagher with a second by Councilor M. White to appoint Marla Romash to Discover Newport, with a three-year term ending September 1, 2026. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; and Councilor R. White, Aye.

3) Harbor Management Commission, One (1) member, unexpired three-year term ending 12/31/2025, duly advertised in the September 21<sup>st</sup> and 28<sup>th</sup> editions of the Jamestown Press with a request to submit applications prior to October 12, 2023:

a) Interested Applicant(s):

i) Paul Sprague

i. Initial application November 29, 2021

ii. Interviewed on January 10, 2022

iii. Confirmed continued interest July 10, 2023, and resubmitted an application October 2, 2023

ii) Stephen Santoro

i. Initial application April 3, 2023

ii. Interviewed on May 1, 2023

- iii. Confirmed via email continued interest August 9, 2023
- iii) Kristopher Matthews
  - i. Initial application March 30, 2023
  - ii. Interviewed on May 15, 2023
  - iii. Confirmed via email continued interest August 7, 2023
- iv) Tom Alexander
  - i. Received an email of interest on August 10, 2023
  - ii. Interview scheduled for October 16, 2023
- v) James (Jim) Archibald
  - i. Received an application on September 15, 2023
  - ii. Interview scheduled for October 16, 2023
- vi) Karl Seelig
  - i. Received an application on September 27, 2023
  - ii. Interview scheduled for October 16, 2023

A motion was made by Councilor R. White with a second by President Beye to appoint Tom Alexander to the Harbor Management Commission for an unexpired three-year term ending December 31, 2025. 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 a 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; Councilor R. White, Aye.

## **XV. 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 Meeting Minutes
  - 1) October 6, 2023
- B) Minutes of Jamestown Boards/Commissions/Committees
  - 1) Affordable Housing Committee (July 19, 2023)
  - 2) Affordable Housing Committee (August 16, 2023)
  - 3) Planning Commission (September 6, 2023)
- C) One-Day Event/Entertainment Applications
  - 1) Applicant: Jamestown Yacht Club  
 Event: Annual General Meeting  
 Date: October 20, 2023  
 Location: Senior Center, 6 West Street
  - 2) Applicant: Jamestown Arts Center (JAC)



- Event: JAC Talk: Afrofuturism
- Date: October 24, 2023
- Location: 18 Valley Street
- 3) Applicant: Jamestown Arts Center (JAC)
- Event: "The Moment Before"
- Date: October 28, 2023
- Location: 18 Valley Street
- 4) Applicant: Jamestown Arts Center (JAC)
- Event: Member's Show/Exhibition Opening
- Date: November 9, 2023
- Location: 18 Valley Street
- 5) Applicant: Jamestown Arts Center (JAC)
- Event: Holiday Arts Market
- Date: December 8, 2023
- Location: 18 Valley Street
- 6) Applicant: Town of Jamestown Police Department
- Event: Halloween/Halloween Parade
- Date: October 31, 2023
- Location: Narragansett Avenue
- 7) Applicant: Jamestown Parks & Rec Department
- Event: Christmas Tree Lighting Ceremony
- Date: December 2, 2023
- Location: East Ferry

D) One-Day Vendor Peddler

- 1) Applicant: Little B's BBQ
- Event: Halloween/Halloween Parade (sub-applicant)
- Date: October 31, 2023
- Location: 20 Clinton Avenue

Communications were acknowledged.

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

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

- A) Communications Received:
  - 1) Copy of letter to: Christine Brochu
  - From: Jamestown Arts Center
  - Dated: August 21, 2023

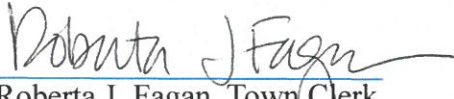
Re: Request for Property Tax Abatement

- 2) Copy of letter to: Town Council  
From: Christopher Powell  
Dated: October 2, 2023  
Re: Open Space and Pickleball Courts

**XVII. ADJOURNMENT**

A motion was made by Councilor M. White with a second by Councilor R. White to adjourn at 8:20 p.m. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; ad Councilor R. White, Aye.

Attest:

  
Roberta J. Fagan, Town Clerk