



**TOWN COUNCIL MEETING**  
**Monday, September 21, 2020**  
**6:30 PM**

**PURSUANT TO EXECUTIVE ORDER NO. 20-05 EXECUTED BY GOVERNOR GINA RAIMONDO ON MARCH 16, 2020, THIS MEETING WILL BE TELECONFERENCED VIA ZOOM:**

The public is invited to observe and participate in the deliberations of this meeting by accessing the meeting link set forth herein. For those without access to video observation platforms, you may also call in to listen to the deliberations of this meeting by using the call in phone number provided herein. To participate during Public Hearing or Public Input you will press \*9 to raise your hand.

**JOIN VIA PHONE: 1-646-558-8656 or 1-301-715-8592**  
**WHEN PROMPTED, ENTER MEETING ID: 939 5621 5296**  
**PRESS # AGAIN TO JOIN THE MEETING**

**JOIN VIA COMPUTER OR MOBILE APP: \_Meeting ID: <https://zoom.us/j/93956215296>**

**TO VIEW THE MEETING LIVE STREAM WITH NO INTERACTION, PLEASE VISIT THE FOLLOWING LINK:**

**<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>**

*Attachments for items on this meeting agenda are available to the public on the Town website at <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2020-meetings-minutes/2020-meetings/-fsiteid-1>*

**I. ROLL CALL**

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

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

A) Approval of Minutes; review, discussion and/or potential action and/or vote August 17, 2020 (regular meeting)

B) Open Forum – Water & Sewer Matters

*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.*

- 1) Scheduled request to address – Robert S. Powers- Ownership of Westwind Drive as listed in Communications
  - 2) Non-scheduled request to address
- C) Report of Town Officials - Status Reports; review, discussion and/or potential 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
- D) Letters and Communications
- 1) Copy of Letter to: Jamestown Town Council  
From: Robert S. Powers  
Dated: July 29, 2020  
Re: Ownership of Westwind Drive Sewer Line
- E) Unfinished Business  
*Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items*
- 1) Review, Discussion and Possible Action regarding Proposed Water Budget FY2020/2021 (cont. from 08/17/20)
  - 2) Review, Discussion and Possible Action regarding Proposed Sewer Budget FY2020/2021 (cont. from 08/17/20)
- F) New Business  
*Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or take Action and/or Vote on the following items:*
- 1) Review, Discussion and Possible Action regarding the Application of Adam et Phyllis Kurzer (Plat 12, Lot 27; Hull Cove Farm Road) for utility service (water only) connection
  - 2) Review, Discussion and Possible Action regarding the Application of Church Community Housing Corp. and Owner: Jamestown Center Partners, Inc. /Timothy E. Baker, President (Plat 9, Lot 207; 53 Narragansett Avenue) for utility service change of use
  - 3) Review, Discussion and Possible Action regarding Municipal Water Restriction

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

## 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. 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) Public Hearings:
- 1) Discussion and Possible Action on Proposed Amendments to the Code of Ordinances, Article III- Noise Ordinance; Sections 22-63C through Section 22-71. These Amendments are proposed to update and modernize the existing Noise Ordinance (Continued from August 17, 2020)
    - i) Memorandum of Chief Mello dated September 8, 2020 regarding the Noise Ordinance
  - 2) Discussion and Possible Action on Proposed Amendments to the Zoning Ordinance related to Building Height, Proposed amendment of Sections 82-302 and 82-317. This amendment seeks to limit building height in any zoning district from exceeding 35' in height due to required elevation provisions of flood zone requirements (Continued from August 17, 2020)
- B) Approval of One Day Event License Application
- 1) Applicant: Arnold-Zweir Post 22, American Legion  
Event: 2020 Veterans Day Ceremony  
Dates: November 11, 2020  
Location: Veterans Memorial Square
- C) Renewal of Event License Application
- 1) Applicant: Jamestown Chamber of Commerce  
Event: Restaurant Outdoor Dining  
Dates: Extending to October 20, 2020 unless revoked earlier  
Location: Narragansett Avenue, Narragansett Avenue Municipal Parking Lot & East Ferry Parking Lot
- D) Town Council Sitting as the Alcoholic Beverage Licensing Board
- 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.
- 1) Renewal of Approval of Requests for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas valid with Special Event Application of the Chamber of Commerce for Dine Out Event in response to COVID- 19; with proposed Extension to October 20, 2020 unless revoked earlier .
    - i) KALI LLC dba J22 Tap & Table, 22 Narragansett Ave.
    - ii) Jamestown Beer Holdings LLC dba The Generals Crossing- 34 Narragansett Ave.
    - iii) Jamestown Restaurant Group LLC dba Narragansett Café- 25 Narragansett Ave.
    - iv) Johnny Angels Clam Shack LLC dba Angels Kitchen- 23B Narragansett Ave.

- 2) Renewal of Approval of KAILI LLC dba J22 Tap & Table for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas to include property contingent on lease agreement with REGNUM LLC, located at 20 Narragansett Ave. With proposed Extension to October 20, 2020 unless revoked earlier.

- E) Town Council adjourns as the Liquor Licensing Board

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

*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) Resolutions
  - 1) Relating to State Assistance during the COVID 19 Emergency

## **VII. UNFINISHED BUSINESS**

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

- A) Upcoming Meetings and Sessions – dates and times
  - 1) Town Council Meeting Schedule: October 5, 2020 and October 19, 2020
  - 2) Rescheduling of Noise Ordinance Workshop
- B) Review, Discussion and Possible Action to extend the March 16, 2020 Declaration of the Town of Jamestown State of Emergency to October 20, 2020 unless revoked earlier, to curtail the spread of the COVID 19 Virus.
- C) Review, Discussion and Possible Action to extend the Executive Order 2020-1, to October 20, 2020, unless revoked earlier; the continuation of the authorization of the Town Administrator to take any and all necessary actions to implement best practices guidance regarding municipal government actions to curtail the spread of the COVID 19 virus.
- D) Review, Discussion and Possible Action on the Golf Course Club House Project and requested change order in the amount of \$81,719, for the addition of cart storage to the building construction; approve the design changes and credit of \$39,711. With a total request net amount of \$6,049.81 above the \$2.9 million that was allocated for the project
  - 1) Memorandum dated September 16, 2020 from Public Works Director Gray regarding Golf Course Project

## **VIII. NEW BUSINESS**

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

- A) Conanicut Island Sailing Foundation Memorandum of Agreement Agreement Amendment; review discussion and/or potential action and/or vote
  - 1) Memorandum dated September 16, 2020 from Parks & Recreation Director Wade regarding MOU-CISF Alteration Request

**IX. 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 potential action and/or vote:
  - 1) Discover Newport
    - a) Letter of Interest for Reappointment -Thomas McNiff
  - 2) Zoning Board of Review
    - a) Letter of Interest-John E. Shekarchi, Esq.
  - 3) Permission to Advertise Expiring Terms:
    - a) Beavertail State Park Advisory- 1 opening
    - b) Conservation Commission- 1 opening
    - c) Fire Department Compensation- 1 opening
    - d) Harbor Management – 2 openings
    - e) Jamestown Housing Authority – 1 opening
    - f) Juvenile Hearing Board- 4 openings (2 Full, 2 Alternate)
    - g) Library Board of Trustees - 3 openings
    - h) Police Pension Committee- 1 opening
    - i) Traffic Committee – 2 openings
    - j) Zoning Board of Review- 4 openings (1 full, 3 Alternate)

**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 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 17, 2020 (Regular Meeting)
  - 2) September 1, 2020 (Regular Meeting)
- B) Minutes of Boards/Commissions/Committees
  - 1) Zoning Board of Review (July 28, 2020)
- C) Ratification of Administrative Event Approvals
  - 1) Meatball Grab &Go- September 19, 2020
  - 2) Swim Event Fort Getty- September 13, 2020
- D) Rescinded Executive Orders
  - 1) Executive Order 20-06- Regarding Parking Fines an No Parking
- E) Award a Bid for Improvements at the Lawn Avenue Recreation Complex’s Basketball Courts Crack Repairs and Resurfacing to J. G. Coffee in an amount not to exceed \$4,683.00

- F) Award a Bid for Improvements at the Lawn Avenue Recreation Complex’s Tennis Courts Crack Repairs and Resurfacing to J.G. Coffee for \$6.35 per linear foot for the Upper Courts and \$7.25 per linear foot for Lower Courts.
- G) Request of Tax Assessor for Specific Abatements & Addenda of Taxes

**ADDENDA TO 2020 TAX ROLL**

03-1154-10	Plat 16, Lot 222	\$ 834.56
04-0594-57	Plat 9, Lot 662	\$ 771.86
07-1111-65	Plat 14, Lot 247	\$ 502.94
12-0102-46	Plat 14, Lot 89	\$ 112.09
13-1522-65	Plat 9, Lot 123	\$ 187.50
15-0240-50	Plat 5, Lot 519	\$ 182.83
16-0840-03	Plat 8, Lot 58	\$ 712.50

<b>TOTAL ADDENDA</b>	<b>\$ 3,304.28</b>
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**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 Received:
  - 1) Copy of Letter to: Town Administrator Hainsworth  
From: Christine Ariel  
Dated: August 24, 2020  
Re: Noise Ordinance
  - 2) Copy of Letter to: Town Administrator Hainsworth  
From: Christopher Gray  
Dated: August 20, 2020  
Re: Noise Ordinance
  - 3) Copy of Letter to: Town Administrator Hainsworth  
From: Christian Infantolino  
Dated: August 17, 2020  
Re: Noise Ordinance
  - 4) Copy of Letter to: Town Administrator Hainsworth  
From: Dennis Webster  
Dated: August 17, 2020  
Re: Noise Ordinance

- 5) Copy of Letter to: Chief Mello  
From: Patrice Kilroy  
Dated: August 18, 2020  
Re: Noise Ordinance
- 6) Copy of Letter to: Town Council  
From: Melody Drnach  
Dated: August 28, 2020  
Re: Recreation Department Thank You
- 7) Copy of Letter to: Town Council  
From: Guy Settipane  
Dated: August 13, 2020  
Re: Zoning Amendment, Ch. 82
- B) Public Notice Received:
  - 1) Zoning Board of Review: Jamestown as an Abutter  
Application of Andrew Bilodeau- Plat 5 Lot 164  
Hearing Date: September 22, 2020
  - 2) Zoning Board of Review: Jamestown as an Abutter  
Application of Paul Hamilton & Patricia Young- 260 Beavertail Road  
Hearing Date: September 22, 2020

**XII. OPEN FORUM- To participate you will press \*9 to raise your hand.  
The meeting moderator will coordinate your participation.**

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

**XIII. 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) Pursuant to RIGL § 42-46-5(a) Subsection (5) Lease of Real Property – 18,000 sq. ft. of real property at the westerly end of Narragansett Avenue to Dutch Harbor Boat Yard, LLC
- B) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation- Complaint of The Laura C. Albert Revocable Trust and Gerard J. Albert Revocable Trust - Case Number: NC-2020-0220 Quiet Title Conanicut Park Plat

- C) Pursuant to RIGL § 42-46-5(a) Subsection (2) Potential or Pending Litigation-  
Hull Cove Plat 12, Lot 138 & Lot 6

#### **XIV. 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 [eliese@jamestownri.net](mailto:eliese@jamestownri.net) not less than three (3) business days prior to the meeting.

*Posted on the RI Secretary of State website on September 17, 2020*