



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, August 7, 2023
6:05 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:

<https://jamestownri.gov/watch-live-Town-meetings>

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. It is the Town Council’s hope 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/2023-meetings-minutes>

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

TIME	NAME	COMMITTEE
6:05	Richard Steinback	Tree Committee
6:15	Thomas Waddington	Tree Committee

II. ROLL CALL

III. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

A) 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 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.

- 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

V. 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

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

VII. 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) 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.

- 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

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

- 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
 - 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
 - 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
 - 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
 - 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
 - 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
 - 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

- 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)

VIII. 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: Edward A. Mello
 - 1) Senior Center Facility update and community workshop announcement.
 - 2) 90 Carr Lane cell town project update.
 - 3) Police Chief search process update.
 - 4) Town of Jamestown favorable Moody’s Rating.
 - 5) Ft. Getty Bathroom plans update (Consent Agenda).
 - 6) Beavertail Lighthouse ownership transfer update.
 - 7) Broadband Fiber Network buildout.
 - 8) Cybersecurity Assessment completed by the US Department of Homeland Security.
 - 9) Municipal Road Paving budget update.

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.

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

- 2) Discover Newport, One (1) member vacancy, with a three-year term expiring September 1, 2026
 - a) Permission to advertise the vacancy
- 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)
- 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
- 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 Sission
 - iii) Robert Maccini

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.

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

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

XVI. 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 Clubhouse Library. Notice is also posted at the Jamestown Police Station and on the Internet at 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 prior to the meeting.

Posted on the RI Secretary of State website on August 3, 2023.