

JAMESTOWN BOARD OF CANVASSERS MEETING MINUTES
THURSDAY, OCTOBER 31, 2024
12:30 P.M.

I. CALL TO ORDER; ROLL CALL

A meeting of the Board of Canvassers was called to order at 12:31 P.M. at 93 Narragansett Ave in the Small Conference Room. Board of Canvassers Members present were as follows: Ms. Carol Nelson-Lee, Mr. Kenneth Newman, and Mr. Hugh Murphy. Absent from the meeting were as follows: Ms. Katherine Wineberg and Ms. Jennifer Thran.

Also in attendance was Keith Ford, Deputy Town Clerk/Clerk to the Board of Canvassers and Edward Mello, Town Administrator.

II. NEW BUSINESS

D) Review, Discussion, and/or Action, and/or Vote: Issues with political signage around Jamestown. Ms. Nelson-Lee opened the agenda item with discussion of political signage around Jamestown. Mr. Newman commented that there have been several complaints to the Board of Canvassers with regards to political signs. These complaints range from signs on private property with the owner's permission to those signs on private property where the owner may not be aware or did not permit the signs to be placed. There are also complaints about signs on public property whether it be town owned, state-owned property or placed upon telephone poles. There were also questions as to who complaints can be filed with. Ms. Nelson-Lee commented that Mr. Ford has contacted the Rhode Island Department of Transportation (RIDOT) who has not confirmed if they can and will be removing any signs.

Town Administrator (TA) Mello commented that with regards to signs placed on private property without permission the owner can simply remove it. The signs that are clearly on town owned property are removed by the building official or other town employees. The signs related to utility poles are in most cases are in a right-of-way, either town or state, when they are within a set distance from the roadway. The signs that are clearly on state property can be reported to the RIDOT or the Rhode Island Turnpike and Bridge Authority. The problem is when a private property owner has a sign in front of their property near the roadway, we have no way to determine where the private property ends and the public right-of-way begins. There is however a zoning ordinance regarding residential signs. If the signs are in violation the zoning official cannot remove the sign but can issue a notice of violation. Mr. Murphy inquired as to the zoning ordinance. TA Mello commented that no one sign can be larger than four square feet and the property cannot display more than twelve square feet altogether. Mr. Newman inquired as to the duration the signs can be placed. TA Mello commented that the ordinance as it relates to signs on private property cannot be displayed for more than 45 days. *A discussion ensued.* Mr. Newman inquired as to where complaints can be filed. TA Mello commented that all complaints of this nature can be taken by Mr. Ford, the Police, or the Building/Zoning Official. All complaints will ultimately end up with the Building/Zoning Official.

TA Mello commented that if the Board of Canvassers feels that the sign issue needs to be addressed through an ordinance change there will be an opportunity in the coming months as there is an ordinance change in the works. With that in mind any sign ordinance change should be generic, not specific to political signs. *A discussion ensued.*

Mr. Newman inquired as to the legality of placing signs on private property without the owner's permission and if there was any penalty for the individual. TA Mello commented that there is no law against that per say, unless they were forewarned not to be on their property. *A discussion ensued.* Mr. Newman commented that he would like to be proactive in response to sign complaints asking if it would be feasible to have the Town ask the state if any complaints came in regarding signs on state property that town employees could remove them. TA Mello reiterated the difficulty of determining if the signs are on private, public, or right-a-way land. TA Mello commented on things that the Board should think about with regards to a future ordinance change; length of time, proximity to the road, and height restrictions.

Ms. Nelson-Lee suggested the next steps moving forward whether this would be for the Board to investigate or have the Elections Training and Advisory Committee. Mr. Murphy commented that there is an issue with vandalism, one resident has had her signs vandalized three times, and the evidence has been turned over to the police. Mr. Newman commented that he feels this may be a task for the Elections Training and Advisory Committee. Mr. Newman made a motion to have the Elections Training and Advisory Committee to research and make recommendations to the Town Council on changes

to the Town Ordinances with regards to residential signs with a second by Mr. Murphy. Vote: Ms. Nelson-Lee, Aye; Mr. Newman, Aye; and Mr. Murphy, Aye. Vote Passed unanimously.

Ms. Kristan Peters-Hamlin, 134 Battery Lane, commented that she raised an issue with Mr. Newman regarding a vacant lot on the corner of Beavertail Road and Battery Lane owned by Procaccianti Realty Group that had signs she believes were placed by another neighbor. She made a complaint with the police department who were going to investigate the issue and contact the owner regarding the signs and has not heard a response. TA Mello commented that the owner can remove any signs from their property that they did not permit, second if the sign is in violation of town ordinance, the zoning official may issue a violation notice. *A discussion ensued.*

VI. ADJOURNMENT

Mr. Murphy made a motion to adjourn with a second by Ms. Nelson-Lee. Vote: Ms. Nelson-Lee, Aye; Mr. Newman, *abstained*; and Mr. Murphy, Aye. Vote Passed. Meeting was adjourned at 1:22 P.M.

Attest:



Keith Ford

Deputy Town Clerk/Clerk to the Board of Canvassers

CC: Town Council Members (5)
Board of Canvassers (5)
Roberta Fagan, Town Clerk