



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
**Rosamond A. Tefft Council Chambers**  
**93 Narragansett Avenue**  
**Monday, March 3, 2025**  
**5:20 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/how-do-i/watch-live-streamed-town-meetings>

*The public is welcome to participate in Town Council meetings in several ways:*

- *Citizens are invited to speak on the topic of a Public Hearing which will be listed on the agenda.*
- *Citizens may speak during Open Forum to clarify or comment on an item on the agenda or address items not on the agenda.*
  - *A Citizen may schedule a Request to Address with the Town Council no less than seven day before the meeting in which they would like to appear. Their topic will be listed on the agenda and Town Councilors may respond to their comments.*
  - *Citizens may also simply request to speak in Open Forum at a Council meeting by raising their hands and being recognized by the Town Council President. (See below)*
- *At other times during a Town Council meeting, citizens may speak at the discretion of the Council President or of a majority of Councilors present.*

*Anyone wishing to speak should use the microphone at the front of the room and state their name and address for the record. Comments must be addressed to the Council, not the audience. The Town Council hopes that citizens and Councilors alike will be respectful of each other, and mindful of everyone's time. For those speaking on an agenda item, please note that this is the time reserved for councilors to discuss these items and your participation in the discussion is at the discretion of the Council.*

*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/2025-meetings-minutes>

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

TIME	NAME	COMMITTEE
5:20	Kenneth Newman	Board of Canvassers (Full/Alternate)
5:30	Mary Brimer	Board of Canvassers (Full)
5:40	George Newman	Board of Canvassers (Full)
5:50	John Murphy	Board of Canvassers (Full)
5:55	Laura Goldstein	Board of Canvassers (Full/Alternate)
6:00	Jane Gilgun	Board of Canvassers (Full/Alternate)
6:10	Jennifer Thran	Board of Canvassers (Full)
6:20	Daphne Meredith	Board of Canvassers (Full)

**II. ROLL CALL**

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

**IV. 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 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.

- A) Scheduled request to address: None at this time.
- B) Non-scheduled request to address.

**V. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS, AND PROCLAMATIONS**

- A) Presentations
  - 1) Keith Roberts, President, Jamestown Shores Association.
- B) Resolutions and Proclamations
  - 1) Review, Discussion, and/or Action and/or Vote: regarding Resolution 2025-08, Resolution in Support of Amending the Rhode Island General Laws to Allow Financial Town Meetings to Approve An Annual Budget Exceeding the 4 Percent Levy Cap.
  - 2) Review, Discussion, and/or Action and/or Vote: regarding Proclamation 2025-09 declaring April 25, 2025, as Arbor Day in the Town of Jamestown.

**VI. 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.*

- A) Public Hearing: No items

**VII. 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) Mental Health Awareness Month
  - 2) Right-of-Way (ROW) Revised Policy
  - 3) Rhode Island Department of Transportation (RIDOT)/Statewide Transportation Improvement Program (STIP)(new business)
  - 4) RIDOT Grant

**VIII. UNFINISHED BUSINESS**

- A) Review, Discussion, and/or Action and/or Vote: At the request of Councilor Meagher discussion and consideration to increase funding to the Affordable Housing Trust Fund:
  - 1) Memorandum from the Affordable Housing Committee requesting increased investment into the Affordable Housing Trust Fund at a minimum of \$225,000 annually.
  
- B) Review, Discussion, and/or Action and/or Vote: At the request of Councilor Meagher discussion and consideration to submit a request to Senator Dawn Euer and Representative Alex Finkelman to introduce legislation authorizing the creation of linkage/impact fees to support Affordable Housing.
  - 1) Memorandum from the Affordable Housing Committee regarding the request to adopt linkage/impact fees for Affordable Housing.
  
- C) Review, Discussion, and/or Action and/or Vote: At the request of Councilor Meagher discussion and consideration of a \$3,000,000 Bond for affordable housing for FY 2025/2026:
  - 1) Request to meet with Bond Counsel to discuss potential affordable housing bonds.
  
  - 2) Memorandum from the Affordable Housing Committee requesting Town Council support of a \$3,000,000 Bond for potential affordable housing initiatives:
    - a) Affordable and workforce housing at 11 Knowles Court (former ambulance barn). See attached floor plans.
  
    - b) An additional affordable housing building at 171 Conanicus Avenue.
  
    - c) Single-family houses on town-owned lots (similar to those on Swinburne Street).
  
    - d) Incentive for affordable accessory dwelling units (ADUs)
  
  - 3) Request for Proposals (RFP) for an affordable housing developer to develop proposed affordable housing/workforce housing at 11 Knowles Court and 169 Conanicus Avenue

**IX. NEW BUSINESS**

- A) Review, Discussion, and/or Action and/or Vote: Town Administrator Mello Proposed FY2025/2026 to the Town Council, (Code of Ordinances Town of Jamestown, Part 1 Charter and Related Laws, Article XI. Financial Provisions, Sec. 1101. – Proposed budget).
  
- B) Review, Discussion, and/or Action and/or Vote: Approval of the revised Adopt-A-ROW (Right-of-Way) policy:
  - 1) Town of Jamestown, 550.10 Adoption Program

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

- A) Appointments, Vacancies, and Expiring Terms
- 1) Board of Canvassers- One (1) unexpired six-year term **Full Member** Vacancy (March 2022-March 2028) and One (1) expiring six-year term **Full Member** Vacancy (March 2025-March 2031); interviews to be scheduled on March 3, 2025:
    - a) Jamestown Republican Town Committee
      - i) Jennifer Thran
    - b) Jamestown Democratic Town Committee
      - i) Kenneth Newman (seeking reappointment)
      - ii) Daphne Meredith
      - iii) George Newman
      - iv) John Murphy
      - v) Laura Goldstein
      - vi) Jane Gilgun
    - c) Letter of interest for appointment (not endorsed by the Republican or Democratic Town Committees)
      - i) Mary K. Brimer
  - 2) Board of Canvassers – One expiring six-year term Democratic **Alternate Member** vacancy (March 2025- March 2031)
    - d) Jamestown Democratic Committee
      - i) Kenneth Newman
      - ii) Laura Goldstein
      - iii) Jane Gilgun

**XI. 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) Minutes of Boards/Commissions/Committees
- 1) Affordable Housing, December 18, 2024.
  - 2) Affordable Housing, January 15, 2025.
  - 3) Board of Canvassers, January 15, 2025.
  - 4) Zoning Board of Review, January 28, 2025
- B) All One-Day Event/ Entertainment license application approvals are subject to any COVID-19 protocols in effect at the time of the event:
- 1) Applicant: Save the Bay  
 Event: Save the Bay Swim (ENT-25-9)  
 Date: July 19, 2025  
 Location: Potter Cove, RITBA lawn, Jamestown

## **XII. 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 Council  
From: Abby Jenkins and Jeff Boal  
Dated: February 11, 2025  
Re: Ft Getty Park- Park & Rec Utility Garage/Shed
  
- 2) Copy of letter to: Town Council  
From: Peter Gadoury  
Dated: February 24, 2025  
Re: Mental Health Awareness Month
  
- 3) Copy of report to: Town Council  
From: American Civil Liberties Union Foundation(ACLU)  
Dated: February 2025  
Re: Remote Access to Public Meetings Post-Covid: A Review of Rhode Island City and Town Councils and School Committees.

## **XIII. OPEN FORUM**

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- A) Continued (If necessary)

## **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 (5) the acquisition and/or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public. (Potential lease of publicly held property, AP 9-152).

## **XV. 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 [rfagan@jamestownri.net](mailto:rfagan@jamestownri.net) not less than three (3) business days prior to the meeting. *Posted on the RI Secretary of State website on February 28, 2025.*



JAMESTOWN TOWN COUNCIL  
 INTERVIEW SCHEDULE  
 Jamestown Town Hall  
 93 Narragansett Avenue  
 Town Council Chambers  
 March 3, 2025

TIME	NAME	COMMITTEE
5:10		
5:20	Kenneth Newman	Board of Canvassers (Full/Alt)
5:30	Mary Brimer	Board of Canvassers (Full)
5:40	George Newman	Board of Canvassers (Full)
5:50	John Murphy	Board of Canvassers (Full)
5:55	Laura Goldstein	Board of Canvassers (Full/Alt)
6:00	Jane Gilgun	Board of Canvassers (Full/Alt)
6:10	Jennifer Thran	Board of Canvassers (Full)
6:20	Daphne Meredith	Board of Canvassers (Full)







Jamestown Republican Town Committee  
P.O. Box 224  
Jamestown, Rhode Island 02835  
*"Balanced with Common Sense"*

January 15, 2025

Keith Ford  
Clerk to the Board of Canvassers  
Town of Jamestown  
93 Narragansett Avenue  
Jamestown, RI 02835

RE: Board of Canvassers Full Member Position

Dear Keith:

The Jamestown Republican Town Committee is recommending Jennifer Thran as a full time member to the Jamestown Board of Canvassers. Jennifer is currently an alternate member on the JBOC. Her experience in this position lends her to be an excellent candidate as a full time member.

Any other Jamestown Republican registered voters who may apply for this position are not members of the Jamestown Republican Town Committee and should not be considered as being recommended by our committee.

Please contact me if you have any questions. Thank you

Sincerely,

Mary Lou Sanborn  
Chair  
Jamestown Republican Town Committee

RECEIVED  
JAN 15 2025 04:01 PM  
Roberta J. Fournier  
TOWN OF JAMESTOWN Town Clerk

Jamestown Democratic Town Committee  
PO Box 111  
Jamestown RI 02835

January 15, 2025

Keith Ford  
Clerk to the Board of Canvassers  
Town of Jamestown  
93 Narragansett Avenue  
Jamestown RI 02835

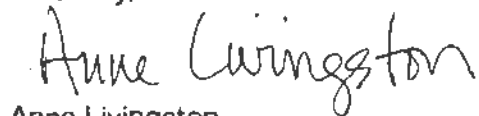
Dear Keith,

In accordance with your letter dated December 18, 2024, following is a list of five residents of Jamestown who are interested in the position of a full member of the Jamestown Board of Canvassers, for the remainder of an unexpired term:

Daphne Meredith  
George Newman  
John Murphy  
Cynthia Raterron  
Anne Livingston

Thank you for your attention to this matter.

Sincerely,



Anne Livingston  
Chair, Jamestown Democratic Town Committee

**Jamestown Democratic Town Committee  
PO Box 111  
Jamestown, RI 02835**

February 17, 2025

Mr. Keith Ford  
Clerk, Jamestown Board of Canvassers  
Town of Jamestown  
93 Narragansett Avenue  
Jamestown, RI 02835

Dear Keith,

In accordance with your letter dated February 5, 2025, the following is a list of Jamestown residents are interested in the position of full and alternate members of the Jamestown Board of Canvassers:

**Kenneth Newman (reappointment)**

**Laura Goldstein**

**Jane Gilgun**

Thank you for your attention to this matter. Please let me know if you have any questions. Appreciate all you do!

Stay well,

Deborah Ruggiero  
Co-Chair, Jamestown Democratic Town Committee  
[DebRuggieroJamestown@gmail.com](mailto:DebRuggieroJamestown@gmail.com)  
401-487-6415



**Roberta Fagan**

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**From:** Aileen Flath  
**t:** Wednesday, January 29, 2025 12:50 PM  
**to:** Keith Roberts  
**Cc:** Roberta Fagan  
**Subject:** RE: Town Council Agenda for 2/17

Keith,  
 Great to hear about the great work you and your associates are doing for the Shores Association. I am cc'ing Roberta Fagan, Town Clerk as she handles Town Council Agenda's and can work with you on getting you on the agenda.

Best-

*Aileen*

**From:** Keith Roberts [REDACTED]  
**Sent:** Wednesday, January 29, 2025 11:27 AM  
**To:** Aileen Flath <aflath@jamestownri.net>  
**Subject:** Town Council Agenda for 2/17

**CAUTION:** This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

Hi Aileen,

I hope this email finds you well. My name is Keith Roberts, and I'm the President of the Jamestown Shores Association (JSA). Last summer an entirely new slate of board members took responsibility for the JSA, and since then we have been re-organizing. At last night's meeting we approved revisions to our Bylaws and Constitution which were last updated over 20 years ago. Sub-committees are forming, and agendas, goals, and plans are all in process. It is exciting to see the renewed energy and enthusiasm to reinvent the 70+ year old Association. The members have been expressing interest for us to secure a spot on the Town Council's agenda to re-introduce the JSA, and provide some insight into what has been identified as objectives for the year and to explore opportunities to collaborate with the other Jamestown non-profits as well as the town administration.

Would it be possible for us to secure a spot on the agenda for Monday, February 17? I don't think we would need more than 10 minutes.

Thank you,  
 Keith





## Town of Jamestown Resolution of the Town Council

No. 2025-08

### RESOLUTION IN SUPPORT OF AMENDING THE RHODE ISLAND GENERAL LAWS TO ALLOW FINANCIAL TOWN MEETINGS TO APPROVE AN ANNUAL BUDGET EXCEEDING THE 4 PERCENT LEVY CAP

WHEREAS the Rhode Island General Laws currently impose a levy cap of four (4) percent annually on the amount a community may increase its property tax levy; and

WHEREAS financial town meetings have long been a method for Rhode Island communities to engage in direct democratic decision-making, providing citizens the opportunity to approve their municipality's annual budget; and

WHEREAS some communities face unique financial challenges, such as rising costs of essential services, unforeseen economic downturns, new unfunded mandates or just wish to pursue novel and unique programs to improve the local community, that may require budgetary flexibility beyond the four (4) percent levy cap; and

WHEREAS the current levy cap limits a community's ability to meet the growing needs of its citizens, including the funding of public safety, education, infrastructure, and other critical services; and

WHEREAS allowing the taxpaying electorate at a financial town meeting to approve an annual budget that exceeds the four (4) percent levy cap would provide local governments the flexibility needed to respond effectively to the needs of their communities while maintaining accountability to the taxpayers; and

WHEREAS the ability to approve a budget above the levy cap would still require approval through the direct, transparent, and accountable process of a financial town meeting, where voters have the final say in the decision; and

WHEREAS this amendment would empower communities to make informed, flexible, and timely decisions in the best interest of their residents, ensuring the continuation of vital services and the long-term financial health of the municipality.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Jamestown urges the Rhode Island General Assembly to amend the Rhode Island General Laws, specifically Section 44-5-2, Maximum levy, to allow communities that operate under a financial town meeting budget system, regardless of the voting method used, to approve an annual budget that exceeds the four (4) percent levy cap, provided that such a decision is made through a majority vote at a duly called and properly conducted financial town meeting. (See the attached example of proposed amendments).

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Rhode Island General Assembly, the Governor of Rhode Island, and other relevant stakeholders, urging swift consideration of this proposed amendment.

Passed as a resolution of the Town of Jamestown, Jamestown Town Council this 3<sup>rd</sup> day of March, 2025.  
By Order of the Jamestown Town Council

\_\_\_\_\_  
Nancy A. Beye, President

IN WITNESS WHEREOF, I hereby attach my hand and the official  
Seal of the Town of Jamestown this 24<sup>th</sup> day of February 2025.

\_\_\_\_\_  
Roberta Fagan, CMC, Town Clerk

**Chapter 5**  
**Levy and Assessment of Local Taxes**

**§ 44-5-2. Maximum levy.**

(a) Through and including its fiscal year 2007, a city or town may levy a tax in an amount not more than five and one-half percent (5.5%) in excess of the amount levied and certified by that city or town for the prior year. Through and including its fiscal year 2007, but in no fiscal year thereafter, the amount levied by a city or town is deemed to be consistent with the five and one-half percent (5.5%) levy growth cap if the tax rate is not more than one hundred and five and one-half percent (105.5%) of the prior year's tax rate and the budget resolution or ordinance, as applicable, specifies that the tax rate is not increasing by more than five and one-half percent (5.5%) except as specified in subsection (c) of this section. In all years when a revaluation or update is not being implemented, a tax rate is deemed to be one hundred five and one-half percent (105.5%) or less of the prior year's tax rate if the tax on a parcel of real property, the value of which is unchanged for purpose of taxation, is no more than one hundred five and one-half percent (105.5%) of the prior year's tax on the same parcel of real property. In any year through and including fiscal year 2007 when a revaluation or update is being implemented, the tax rate is deemed to be one hundred five and one-half percent (105.5%) of the prior year's tax rate as certified by the division of property valuation and municipal finance in the department of revenue.

(b) In its fiscal year 2008, a city or town may levy a tax in an amount not more than five and one-quarter percent (5.25%) in excess of the total amount levied and certified by that city or town for its fiscal year 2007. In its fiscal year 2009, a city or town may levy a tax in an amount not more than five percent (5%) in excess of the total amount levied and certified by that city or town for its fiscal year 2008. In its fiscal year 2010, a city or town may levy a tax in an amount not more than four and three-quarters percent (4.75%) in excess of the total amount levied and certified by that city or town in its fiscal year 2009. In its fiscal year 2011, a city or town may levy a tax in an amount not more than four and one-half percent (4.5%) in excess of the total amount levied and certified by that city or town in its fiscal year 2010. In its fiscal year 2012, a city or town may levy a tax in an amount not more than four and one-quarter percent (4.25%) in excess of the total amount levied and certified by that city or town in its fiscal year 2011. In its fiscal year 2013 and in each fiscal year thereafter, a city or town may levy a tax in an amount not more than four percent (4%) in excess of the total amount levied and certified by that city or town for its previous fiscal year. For purposes of this levy calculation, taxes levied pursuant to chapters 34 and 34.1 of this title shall not be included. For FY 2018, in the event that a city or town, solely as a result of the exclusion of the motor vehicle tax in the new levy calculation, exceeds the property tax cap when compared to FY 2017 after taking into account that there was a motor vehicle tax in FY 2017, said city or town shall be permitted to exceed the property tax cap for the FY 2018 transition year, but in no event shall it exceed the four percent (4%) levy cap growth with the car tax portion included; provided, however, nothing herein shall prohibit a city or town from exceeding the property tax cap if otherwise permitted pursuant to subsection (d) of this section.

(c) The division of property valuation in the department of revenue shall monitor city and town compliance with this levy cap, issue periodic reports to the general assembly on compliance, and make recommendations on the continuation or modification of the levy cap on or before December 31, 1987, December 31, 1990, and December 31, every third year thereafter. The chief elected official in each city and town shall provide to the division of property and municipal finance within thirty (30) days of final action, in the form required, the adopted tax levy and rate and other pertinent information.

(d) The amount levied by a city or town may exceed the percentage increase as specified in subsection (a) or (b) of this section if the city or town qualifies under one or more of the following provisions:

(1) The city or town forecasts or experiences a loss in total non-property tax revenues and the loss is certified by the department of revenue.

(2) The city or town experiences or anticipates an emergency situation, which causes or will cause the levy to exceed the percentage increase as specified in subsection (a) or (b) of this section. In the event of an emergency or an anticipated emergency, the city or town shall notify the auditor general who shall certify the existence or anticipated existence of the emergency. Without limiting the generality of the foregoing, an emergency shall be deemed to exist when the city or town experiences or anticipates health insurance costs, retirement contributions, or utility expenditures that exceed the prior fiscal year's health insurance costs, retirement contributions, or utility expenditures by a percentage greater than three (3) times the percentage increase as specified in subsection (a) or (b) of this section.



(3) A city or town forecasts or experiences debt services expenditures that exceed the prior year's debt service expenditures by an amount greater than the percentage increase as specified in subsection (a) or (b) of this section and that are the result of bonded debt issued in a manner consistent with general law or a special act. In the event of the debt service increase, the city or town shall notify the department of revenue which shall certify the debt service increase above the percentage increase as specified in subsection (a) or (b) of this section the prior year's debt service. No action approving or disapproving exceeding a levy cap under the provisions of this section affects the requirement to pay obligations as described in subsection (d) of this section.

(4) The city or town experiences substantial growth in its tax base as the result of major new construction that necessitates either significant infrastructure or school housing expenditures by the city or town or a significant increase in the need for essential municipal services and such increase in expenditures or demand for services is certified by the department of revenue.

(5) The city or town uses a financial town meeting to approve an annual budget, regardless of the voting method used, and that any proposed levy increase in excess of the percentage increase as specified in subsections (a) or (b) is clearly and unambiguously listed in the proposed budget submitted to the voters at any such financial town meeting.

(e) Any levy pursuant to subsection (d) of this section in excess of the percentage increase specified in subsection (a) or (b) of this section shall be approved by the affirmative vote of at least four-fifths ( $\frac{4}{5}$ ) of the full membership of the governing body of the city or town, or in the case of a city or town having a financial town meeting, the majority of the electors present and voting at the town financial meeting shall also approve the excess levy.

(f) Nothing contained in this section constrains the payment of present or future obligations as prescribed by § 45-12-1, and all taxable property in each city or town is subject to taxation without limitation as to rate or amount to pay general obligation bonds or notes of the city or town except as otherwise specifically provided by law or charter.



# TOWN OF JAMESTOWN



## PROCLAMATION OF THE TOWN COUNCIL

No. 2025-09

### ARBOR DAY

**WHEREAS:** Arbor Day is observed throughout the nation and world; and

**WHEREAS:** Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

**WHEREAS:** Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

**WHEREAS:** Trees in our town increase property values and enhance the economic vitality of business areas; and

**WHEREAS:** Trees, wherever they are planted, are a source of joy and spiritual renewal; and

**WHEREAS:** Our community has been blessed with a plentiful number and variety of trees which have beautified our landscape and added a touch of nature.

**NOW, THEREFORE,** the Town Council of the Town of Jamestown, Rhode Island does hereby proclaim Friday, April 25, 2025 as **ARBOR DAY IN THE TOWN OF JAMESTOWN**, and does hereby urge all citizens to support efforts to protect our trees and woodlands; and

**FURTHERMORE,** all citizens are urged to plant trees to gladden the hearts and promote the well-being of present and future generations.

By Order of the Jamestown Town Council,

---

Nancy A. Beye, President

IN WITNESS WHEREOF, I hereby attach my hand and the  
Official seal of the Town of Jamestown this 3<sup>rd</sup> day of March, 2025.

---

Roberta J. Fagan, CMC, Town Clerk



Town Administrator  
93 Narragansett Avenue  
Jamestown, Rhode Island 02835-1199  
401-423-9805



Edward A. Mello  
Town Administrator

**MEMORANDUM TO: Honorable Town Council**  
**FROM: Town Administrator, Edward A. Mello**  
**DATE: February 26, 2025**  
**SUBJECT: Report for Town Council Meeting March 3, 2025**

**Mental Health Awareness Month-** Under communications is a request for the Town Council to declare May as Mental Health Awareness Month. If the Council so desires, a resolution can be prepared for the March 17 meeting. The Town staff will work to promote awareness during this period of time.

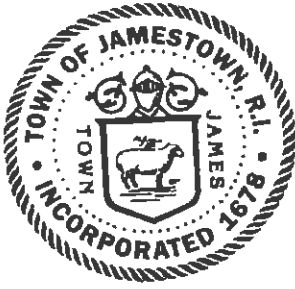
**ROW Revised Policy-** The Town Council had suspended the Right-of-Way adoption policy and referred the program back to the Conservation Commission. The Conservation Commission has revised the policy and provided additional language to clarify the role and limitations of those adopting a Town right-of-way. The Council is asked to consider adoption of this revised policy (new business)

**RIDOT/STIP-** RIDOT has requested that each community submit up to five (5) projects to be considered under the Statewide Transportation Improvement Program (STIP). (new business)

**RIDOT Grant-** As previously reported, RIDOT has awarded the Town a grant in the amount of \$100,000 in order to further develop the plan for bike lanes on East Shore Road connecting Eldered Avenue to Conanicus Avenue. We have now requested a proposal from the engineering firm to perform the design work which would include a multi-phase approach to project.



**Town of Jamestown**  
Town Administrator  
93 Narragansett Avenue  
Jamestown, Rhode Island 02835-1199  
401-423-9805



Edward A. Mello  
Town Administrator

**MEMORANDUM TO: Honorable Town Council**  
**FROM: Town Administrator, Edward A. Mello**  
**DATE: February 26, 2025**  
**SUBJECT: Statewide Transportation Improvement Program**

RIDOT has requested that each community submit up to five (5) projects to be considered under the Statewide Transportation Improvement Program (STIP). Due March 15, 2025.

Projects currently in the STIP:

Funded:

- Safe Routes to School-funded-pending permitting and potential rebidding
- East Shore Road-bike Lane/path design-funded-pending

Future Funding:

- Beavertail Road-pavement
- Narragansett Avenue-Howland Avenue to west end-pavement and sidewalks
- Southwest Avenue-pavement and sidewalks
- Conanicut Bridge-bridge replacement
- Round Swap (Zeek's Creek)-bridge
- East Shore Road-Conanicus Ave to RIBTA Office-pavement
- North Road-Narragansett Avenue to Zeeks Creek-pavement and sidewalks (partial)
- Intersection South West Avenue at Hamilton Avenue-safety improvement
- Intersection South West Avenue at High Street-safety improvement
- Intersection Conanicus Avenue at Bay View Drive-safety improvement

Recommended Requests:

- 1) East Shore Road-Conanicus Avenue to RT 138 ramp-remove center median, create share bike/pedestrian path
- 2) Redesign the intersection of East Shore Road, Conanicus Avenue and RT 138 East off ramp-create three-way stop and eliminate slip lane.
- 3) Address elevation Beavertail Road at Mackerel Cove
- 4) Conanicus Avenue Shared Use Path, from East Shore Road to Narragansett Avenue (per Bike Plan) in conjunction with raising Sea Wall for remainder of sea wall.
- 5) Walcott Avenue shared path on west side (per Bike Plan) from Conanicus Avenue (or High Street) to Ft. Wetherill Road. Include removal and of sidewalk.

\*\*\* Include shared pedestrian and bike lane where possible on all proposed projects





## Affordable Housing Committee MEMORANDUM

**TO:** The Honorable Town Council, Nancy Beye, President  
Edward A. Mello, Town Administrator  
**FROM:** Bob Plain, Chair, Jamestown Affordable Housing Committee  
**RE:** FY 25-26 Budget Request – Affordable Housing  
**DATE:** December 20, 2024

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The lack of local affordable housing and fast-evaporating economic diversity in Jamestown is an emergency situation for our community.

As an island, affordable housing and economic diversity are critical resiliency and sustainability issues for Jamestown. Our ability to maintain volunteer fire and EMS services is in danger because of our lack of housing diversity and affordability. If something were to happen to the bridges, we would not be able to educate our children, police our streets, or even plow our snow. Lack of economic diversity threatens our sense of community and generational connectedness. Our dearth of diverse housing options particularly impacts young families including fire department volunteers, elderly and local service workers.

As such, the Affordable Housing Committee strongly believes the time is right to make an important investment in preserving economic diversity in Jamestown. This Town Council and others have helped by making annual investments of \$100,000, on average, into our Affordable Housing Trust Fund each year. This started in 2005 with \$10,000 and has been as high as \$100,000 recently. The need has become so severe that Jamestown must now take bold action. We urge the Town Council to **Increase the annual investment to not less than \$225,000**. The median “sold” price for a market rate home in Jamestown over the last year is \$890,000 (Realtor.com), or almost four times the requested amount, while the median listing price over the last year is 2 million. \$225,000 is not enough to build even one unit of affordable housing, even if we already owned the land. The Affordable Housing Committee believes this is the bare minimum funding if Jamestown is to make progress on its efforts to staunch the loss of economic diversity in the community and to make progress toward the state mandate of 10% of its housing stock being affordable, both of which are goals listed in the town Comprehensive Plan, supported by the residents of Jamestown. The Trust Funding is used to leverage state and federal grants, for pre-development and closing costs, and other related housing acquisition costs. It could also be used to help build workforce housing for town employees or to create a housing component to a new senior center, as other communities such as Portsmouth, are doing.

We offer the following as justification for the annual budget request to the Affordable Housing Trust Fund. This yearly allocation should be relative to the amount the Town keeps from its share of the state Real Estate Conveyance Tax. This establishes a

logical relationship between the activity that is driving the loss of economic diversity, escalating real estate prices, and the public policy solution; affordable housing. The average of the last three years real estate transfer tax revenue to the Town of Jamestown is \$340,953. \$225,000 equals 65% of the three year average. We think this is a sustainable and reasonable policy model to follow.

For years, the state of Rhode Island has invested approximately 40% of its share of the Conveyance Tax towards affordable housing programs through Rhode Island Housing. As of 2022 there is a new, overlapping real estate transfer tax on properties selling for more than \$800,000. All of this money goes to the state, and will directly fund new affordable housing projects on a statewide competitive grant basis. Unfortunately, given Jamestown's affluence, the town has not been competitive with other more urban and in-need communities with lower average incomes for grant state funds. For this reason, Jamestown needs to make more of a commitment to our own community. The Housing Land Trust funds provide readily available seed money to make future projects happen.

Because Jamestown has a strong state real estate market and therefore transfer tax, we think this is a very cost-effective long-term strategy. This funding will ensure that we are able to keep our longtime residents, ensuring generational continuity and guarantee that Jamestown remains the best place to live in Rhode Island long into the future.



## Affordable Housing Committee MEMORANDUM

**TO:** The Honorable Town Council, Nancy Beye, President  
Edward A. Mello, Town Administrator  
**FROM:** Bob Plain, Chair, Jamestown Affordable Housing Committee  
**RE:** Request to adopt impact fees for Affordable Housing  
**DATE:** February 26, 2024

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The Affordable Housing Committee (AHC), in their quest to develop permanent and sustainable funds for affordable housing development, are requesting the Town Council support impact/linkage fees. This was discussed and requested during the Town Council's recent discussion with Jamestown Legislators on February 3, 2025. Impact/linkage fees are a fee, often permitted through special legislation, charged by a local government on certain developments to raise funds to offset the impacts of the development. Many communities have sought special legislation to reserve the fees in a special revenue fund to be expended for affordable housing related purposes.

We request the Town Council discuss this potential and make a formal request of our Legislators, if it is deemed necessary. Impact Fees are permitted by RIGL Title 45, Chapter 22.4 but do not address affordable housing as the recipient of these funds.

Additional information on RIGL and impact/linkage fees are attached.



**Title 45**  
**Towns and Cities**

**Chapter 22.4**  
**Rhode Island Development Impact Fee Act**

**R.I. Gen. Laws § 45-22.4-1**

**§ 45-22.4-1. Title.**

Chapter 22.4 of this title shall be known as the “Rhode Island Development Impact Fee Act”.

**§ 45-22.4-2. Legislative findings and intent.**

(a) Whereas, the general assembly finds that an equitable program is needed for the planning and financing of public facilities to serve new growth and development in the cities and towns in order to protect the public health, safety and general welfare of the citizens of this state.

(b) Whereas, it is therefore the public policy of the state and in the public interest that cities and towns are authorized to assess, impose, levy and collect fees defined herein as impact fees for all new development within their jurisdictional limits.

(c) Whereas, it is the intent of the general assembly by enactment of this act to:

(1) Ensure that adequate public facilities are available to serve new growth and development;

(2) Ensure that new growth and development does not place an undue financial burden upon existing taxpayers;

(3) Promote orderly growth and development by establishing uniform standards for local governments to require that those who benefit from new growth and development pay a proportionate fair share of the cost of new and/or upgraded public facilities needed to serve that new growth and development;

(4) Establish standards for the adoption of development impact fee ordinances by governmental entities;

(5) Empower governmental entities which are authorized to adopt ordinances to impose development impact fees.

History of Section.

P.L. 2000, ch. 508, § 1.

### § 45-22.4-3. Definitions.

As used in this chapter, the following words have the meanings stated in this section:

- (1) "Capital improvements" means improvements with a useful life of ten (10) years or more, which increases or improves the service capacity of a public facility;
- (2) "Capital improvement program" means that component of a municipal budget that sets out the need for public facility capital improvements, the costs of the improvements, and proposed funding sources. A capital improvement program must cover at least a five (5) year period and should be reviewed at least every five (5) years;
- (3) "Developer" means a person or legal entity undertaking development;
- (4) "Governmental entity" means a unit of local government;
- (5) "Impact fee" means the charge imposed upon new development by a governmental entity to fund all or a portion of the public facility's capital improvements affected by the new development from which it is collected;
- (6) "Proportionate share" means that portion of the cost of system improvements which reasonably relates to the service demands and needs of the project; and
- (7) "Public facilities" means:
  - (i) Water supply production, treatment, storage, and distribution facilities;
  - (ii) Wastewater and solid waste collection, treatment, and disposal facilities;
  - (iii) Roads, streets, and bridges, including rights-of-way, traffic signals, landscaping, and local components of state and federal highways;
  - (iv) Storm water collection, retention, detention, treatment, and disposal facilities, flood control facilities, bank and shore projections, and enhancement improvements;
  - (v) Parks, open space areas, and recreation facilities;
  - (vi) Police, emergency medical, rescue, and fire protection facilities;
  - (vii) Public schools and libraries; and
  - (viii) Other public facilities consistent with a community's capital improvement program.

History of Section.  
P.L. 2000, ch. 508, § 1.

**§ 45-22.4-4. Calculation of impact fees.**

(a) The governmental entity considering the adoption of impact fees shall conduct a needs assessment for the type of public facility or public facilities for which impact fees are to be levied. The needs assessment shall identify levels of service standards, projected public facilities capital improvements needs, and distinguish existing needs and deficiencies from future needs. The findings of this document shall be adopted by the local governmental entity. In order for a municipality to continue assessing and collecting impact fees, a needs assessment shall be conducted every five (5) years.

(b) The data sources and methodology upon which needs assessments and impact fees are based shall be made available to the public upon request.

(c) The amount of each impact fee imposed shall be based upon actual cost of public facility expansion or improvements, or reasonable estimates of the cost, to be incurred by the governmental entity as a result of new development, as set forth in the needs assessment. The calculation of each impact fee shall be in accordance with generally accepted accounting principles.

(d) An impact fee shall meet the following requirements:

(1) The amount of the fee must be reasonably related to or reasonably attributable to the development's share of the cost of infrastructure improvements made necessary by the development; and

(2) The impact fees imposed must not exceed a proportionate share of the costs incurred or to be incurred by the governmental entity in accommodating the development. The following factors shall be considered in determining a proportionate share of public facilities capital improvement costs:

(i) The need for public facilities' capital improvements required to serve new development, based on a capital improvements program that shows deficiencies in capital facilities serving existing development, and the means, other than impact fees, by which any existing deficiencies will be eliminated within a reasonable period of time, and that shows additional demands anticipated to be placed on specified capital facilities by new development; and

(ii) The extent to which new development is required to contribute to the cost of system improvements in the future.

History of Section.  
P.L. 2000, ch. 508, § 1.

**§ 45-22.4-5. Collection and expenditure of impact fees.**

(a) The collection and expenditure of impact fees must be reasonably related to the benefits accruing to the development paying the fees. The ordinance shall consider the following requirements:

(1) Upon collection, impact fees must be deposited in a special proprietary fund, which shall be invested with all interest accruing to the trust fund;

(2) Within eight (8) years of the date of collection, impact fees shall be expended or encumbered for the construction of public facilities' capital improvements of reasonable benefit to the development paying the fees and that are consistent with the capital improvement program;

(3) Where the expenditure or encumbrance of fees is not feasible within eight (8) years, the governmental entity may retain impact fees for a longer period of time if there are compelling reasons for the longer period. The governing body shall identify, in writing, the compelling reasons for retaining impact fees for a longer period of time over eight (8) years. In no case shall impact fees be retained longer than ten (10) years.

(b) All impact fees imposed pursuant to the authority granted in this chapter shall be assessed upon the issuance of a building permit or other appropriate permission to proceed with development and shall be collected only upon the issuance of the certificate of occupancy or other final action authorizing the intended use of a structure.

(c) A governmental entity may recoup costs of excess capacity in existing capital facilities, where the excess capacity has been provided in anticipation of the needs of new development, by requiring impact fees for that portion of the facilities constructed for future users. The need to recoup costs for excess capacity must have been documented by a preconstruction assessment that demonstrated the need for the excess capacity. Nothing contained in this chapter shall prevent a municipality from continuing to assess an impact fee that recoups costs for excess capacity in an existing facility without the preconstruction assessment so long as the impact fee was enacted at least ninety (90) days prior to July 22, 2000, and is in compliance with this chapter in all other respects pursuant to § 45-22.4-7. The fees imposed to recoup the costs to provide the excess capacity must be based on the governmental entity's actual cost of acquiring, constructing, or upgrading the facility and must be no more than a proportionate share of the costs to provide the excess capacity. That portion of an impact fee deemed recoupment is exempted from provisions of subsection (a)(2) of this section.

(d) Governmental entities may accept the dedication of land or the construction of public facilities in lieu of payment of impact fees provided that:

(1) The need for the dedication or construction is clearly documented in the community's capital improvement program or comprehensive plan;



(2) The land proposed for dedication or the facilities to be constructed are determined to be appropriate for the proposed use by the local governmental entity;

(3) Formulas and/or procedures for determining the worth of proposed dedications or constructions are established.

(e) Exemptions:

(1) Impact fees shall not be imposed for remodeling, rehabilitation, or other improvements to an existing structure, or rebuilding a damaged structure, unless there is an increase in the number of dwelling units or any other measurable unit for which an impact fee is collected. Impact fees may be imposed when property that is owned or controlled by federal or state government is converted to private ownership or control.

(2) Nothing in this chapter shall prevent a municipality from granting any exemption(s) that it deems appropriate.

History of Section.

P.L. 2000, ch. 508, § 1; P.L. 2007, ch. 305, § 1; P.L. 2007, ch. 447, § 1; P.L. 2009, ch. 310, § 53; P.L. 2017, ch. 49, § 1; P.L. 2017, ch. 57, § 1; P.L. 2018, ch. 346, § 32.

**§ 45-22.4-6. Refund of impact fees.**

(a) If impact fees are not expended or encumbered within the period established in § 45-22.4-5, the governmental entity shall refund to the fee payer or his or her successors the amount of the fee paid and accrued interest. The governmental entity shall send the refund to the fee payer at the last known address by certified mail within one year of the date on which the right to claim refund arises. Should the mailing of the fee be returned, the municipality shall make every effort to obtain a new address for the fee payer, including a search of the public records, the secretary of state's database, and the database for the contractors' registration and licensing board. All refunds due and not claimed within one year shall be forwarded to the state treasurer's office for inclusion in the unclaimed property fund.

(b) When a governmental entity seeks to terminate any or all impact fee requirements, all unexpended or unencumbered funds shall be refunded as provided above. Upon the finding that any or all fee requirements are to be terminated, the governmental entity shall place a notice of termination and availability of refunds in a newspaper of general circulation in the community at least two (2) times. All funds available for refund shall be retained for a period of one year. All refunds not claimed within one year shall be forwarded to the state treasurer's office for inclusion in the unclaimed property fund.

History of Section.

P.L. 2000, ch. 508, § 1; P.L. 2017, ch. 49, § 1; P.L. 2017, ch. 57, § 1.

**§ 45-22.4-7. Compliance.**

No later than two (2) years after July 22, 2000, governmental entities shall conform all impact fee ordinances existing on July 22, 2000 to the provisions of this chapter.

History of Section.

P.L. 2000, ch. 508, § 1; P.L. 2009, ch. 310, § 53.

**§ 45-22.4-8. Adoption of impact fees.**

Impact fees shall be adopted by ordinance and the adoption of an impact fee ordinance or amendment to that ordinance shall be by affirmative vote of not less than a majority of the total membership of the governing body in attendance at the meeting, in the manner prescribed by law.

History of Section.

P.L. 2000, ch. 508, § 1.

**§ 45-22.4-9. Severability.**

If any portion of this chapter or any rule, regulation, or determination made under this chapter, or the application of this chapter to any person, agency, or circumstances, is held invalid by a court of competent jurisdiction, the remainder of this chapter, rule, regulation, or determination and the application of those provisions to other persons, agencies, or circumstances shall not be affected. The invalidity of any section or sections, or parts of any section or sections of this chapter, shall not affect the validity of the remainder of this chapter.

History of Section.

P.L. 2000, ch. 508, § 1.

A Publication of the Massachusetts Department of Revenue's Division of Local Services

# City & Town

May 4th, 2023



## In this edition:

- **Ask DLS: Linkage Fees**
- **Register Now for the DLS Completing the Tax Rate Recap Forms Webinar**
- **Fiscal Stress Series Summary**

## Important Dates & Information

### FY2024 Preliminary Cherry Sheet Estimates

On Wednesday, April 12th the House Ways & Means Committee (HWM) released their version of the FY2024 budget proposal. The Division has posted updated preliminary cherry sheets on the DLS website.

Click [here](#) for Preliminary Municipal Cherry Sheet Estimates or [here](#) for Preliminary Regional Cherry Sheet Estimates.

Cherry sheet estimates for charter school tuition and reimbursements are based on estimated tuition rates and projected enrollments under charters previously issued by the Board of Elementary and Secondary Education. Please be advised that charter school assessments and reimbursements will change as updated tuition rates and enrollments become available. Estimates for the school choice assessments may also change significantly when updated to reflect final tuition rates and enrollments.

It is important for local officials to remember that these estimates are preliminary and are subject to

## Ask DLS: Linkage Fees

This month's *Ask DLS* features frequently asked questions concerning special act linkage fees. Please let us know if you have other areas of interest or send a question to [cityandtown@dor.state.ma.us](mailto:cityandtown@dor.state.ma.us). We would like to hear from you.

### What is a linkage fee?

A linkage fee is generally a fee, often permitted through special legislation, charged by a local government on certain developments to raise funds to offset the impacts of the development. Many communities have sought special legislation to reserve the fees in a special revenue fund to be expended for affordable housing related purposes. Some communities have also allowed expenditures for job training and readiness, and for the support of social services, education, youth recreational activities and public space enhancements like traffic and transportation improvements and capital construction projects. Sometimes, prior to pursuing special legislation, a community will conduct a nexus study to demonstrate the relationship between the impact of the development and the spending purpose of the fee.

### What are some examples of communities that have sought linkage fees through special legislation?

Examples of such communities are: Chelsea, Boston, Cambridge, Somerville, Everett, Watertown, Gloucester and Concord.

## Linkage fees/affordable housing impact fees

### On this page

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Eligibility

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Examples

Related resources

<https://localhousingolutions.org>



## Linkage fees/affordable housing impact fees

### This brief is appropriate for:

**Housing Market Condition:** Strong Markets

**Administering Agency:** Department of Housing and/or Community Development, Permitting/Inspections Department

**Published:** May 14, 2021

## Overview

Linkage fees and affordable housing impact fees are policy tools that generate revenue to support the creation of affordable housing by charging a fee on new development.

These policies work best in towns, cities or counties that are experiencing, or expect to experience, substantial commercial or residential growth. The fee is often justified as a way to meet the demand for housing caused by newly created jobs associated with this growth.

Linkage fees can be assessed on all new non-residential development, including retail centers, industrial or manufacturing facilities, and other commercial projects. These facilities stimulate the creation of jobs, but ordinarily do not include an affordable housing component for workers in low-wage jobs. The need to meet the demand for affordable housing created by new growth provides the legal justification for charging linkage fees, which are used to preserve or create affordable housing near the jobs that are created. The fee amount is typically based on the square footage of the building, with proceeds deposited in a housing trust fund (/housing-policy-library/housing-trust-funds/) for disbursement in accordance with local needs and priorities.

Affordable housing impact fees function like linkage fees, but are assessed on market-rate or luxury residential development on the assumption that an influx of new residents will generate increased demand for services and, in turn, low-wage jobs to fulfill that demand. The revenue from affordable housing impact fees can then be used to

help provide housing affordable to these workers. Affordable housing impact fees may be assessed on a per-unit or per-square foot basis, typically with different rates for different housing types (single-family homes, townhomes or condominiums, rental apartments).

This section describes some of the primary issues that local jurisdictions considering linkage fees or affordable housing impact fees should consider.

## Approach

Local jurisdictions that are deciding whether to create a linkage fee or affordable housing impact fee may first wish to assess local growth trends: Is the city or county currently adding new commercial or residential developments, and at what rate? If growth is slow, a new fee will generate limited revenue for affordable housing. However, if growth is expected to pick up in the future, periods of slow growth may also be opportune times to review local policy options to determine whether to create a fee that will be phased in over the coming years. This approach can help to ensure a community is prepared to capture fee revenue for affordable housing when development picks up. (Localities that project limited economic growth in the future may wish to consider alternative tools to generate revenue for affordable housing (</housing-policy-library/?section=library-1&sub=2>).

Even if a proposed fee has broad political support, cities and counties may want to work with housing and commercial developers to minimize or ameliorate unintended consequences associated with its creation. These stakeholders can provide guidance on measures that would make a new fee less challenging to implement – such as phasing in fee collection over a period of years and providing waivers for certain development types. When a locality is working to stimulate commercial development, it is especially important to align affordable housing funding goals with economic development programs so that both initiatives can be successful.

The next step in exploring potential for a linkage fee or affordable housing impact fee is to prepare a nexus study that clearly establishes the relationship between new commercial or residential development and the need for affordable housing, taking into account the new employment that will be generated, the occupations and income distribution of employees, and the number of new lower-income households who will need housing. The results of the study establish maximum, legally defensible fee amounts that could be charged to mitigate these impacts and provide sufficient housing to meet the demand created by the new development. In practice, most communities establish a fee well below this legal maximum to avoid legal challenges, including on the grounds that the fee constitutes an unconstitutional “taking” of private property. Local jurisdictions often engage a specialist to prepare the nexus study.

Communities that choose to establish a fee on new commercial or residential development will need to make a series of decisions about how the fee will be structured. Chief among these is to create a clear formula for calculating the fee amount. Many communities base the formula on square footage. Other approaches include assessing fees on a per-unit basis, or as a percentage of the sale price (for owner-occupied residential developments).

Fee amounts may also vary on the basis of the development type, with different linkage fee rates for hotels, shopping centers, and industrial facilities, for example, and varying affordable housing impact fees for condo units, town homes, and single family homes. In San Diego, for example, linkage fees range from \$0.80 per square foot for research and development facilities to \$2.12 per square foot for new office space. Alternatively, a single rate may apply to all development types covered by the policy. In determining which approach to take, local jurisdictions

should weigh the trade-offs in establishing a fee schedule that is relatively simple to manage from an administrative standpoint versus one that allows for more targeted assessments that may more accurately reflect the affordable housing needs that will be created by the new development.

When selecting a fee level within the range of legally permissible fees, communities should strive to develop formulas that generate as much revenue as possible to support local affordable housing goals while avoiding unintended negative impacts on new development. Linkage fees that are too high could suppress economic growth in the short run and lead to higher land prices in the long run, particularly if neighboring jurisdictions don't impose a similar charge. Similarly, affordable housing impact fees increase development costs and, to the extent they suppress new development, may frustrate efforts to increase the housing supply and reduce pressure on rents and home prices. Many communities choose to engage a consultant or other specialist when designing their formulas to help balance these competing priorities.

Communities will also need to decide when payment of the fee is due. Some cities allow the fee to be paid in installments as development milestones are reached. Others require payment at the time of building permit issuance or at project completion, prior to occupancy. Whatever approach is taken, when fees are first adopted local officials may wish to phase them in over a period of years in order to give the development community time to adjust (e.g., starting at \$1 per square foot in the first year and assessing incremental increases in subsequent years until the full fee amount is reached).

In some cases, communities also permit developers to build affordable housing or donate land in lieu of paying a linkage or affordable housing impact fee. This may be an especially attractive alternative in cities that have limited sites available for new development (depending on site-specific conditions) or in cities or states that prohibit mandatory inclusionary zoning. Communities should establish clear guidelines for the number of affordable homes or land area that must be delivered in lieu of payment of a linkage fee or affordable housing impact fee in order to promote transparency and predictability.

## **Coverage**

Affordable housing impact fees and linkage fees can apply to all residential or commercial development, or only to certain development types. For example, fees on residential development may be limited to homeownership units and not assessed on rentals. (Below-market developments are commonly exempt from affordable housing impact fees.) Some cities establish a minimum size threshold (e.g., 10,000 square feet for commercial developments or 15 units for residential projects) for new projects subject to the fee. Some communities also choose to provide more targeted exemptions from fee liability, including the exclusion of certain types of space or certain neighborhoods.

## **Eligibility**

Communities that assess linkage fees and affordable housing impact fees often deposit fee revenue in a new or existing affordable housing trust fund. In this case, the guidelines that govern trust fund allocations will determine eligible activities and how the proceeds are used.

Depending on local goals, communities may also wish to establish other guidelines for how fee revenue is spent. Linkage fees are intended to help mitigate the mismatch between where people work and where they can afford to live, so local jurisdictions may require the revenue to be spent within a certain distance from the commercial development, or in areas with frequent public transit service.

## Other considerations

### State authorization

A local jurisdiction's ability to establish a linkage fee program will depend on whether it is located in a "home rule" state that confers broad authority to municipalities to pass their own laws, or a "Dillon's Rule" state, in which local authority must be specifically granted by state legislation. Cities and counties in Dillon's Rule states will need to secure state enabling legislation as a first step in establishing their authority to levy linkage fees.

### Fees as an alternative to inclusionary zoning

In local jurisdictions where inclusionary zoning is prohibited, linkage fees and/or affordable housing impact fees can offer an alternative approach to increasing the affordable housing supply. This approach was particularly popular in communities in California, which adopted fees following a court decision prohibiting inclusionary zoning in rental developments.<sup>[1]</sup> In many cases, the policies establishing the affordable housing impact fee will permit owners to include affordable housing within the development as an alternative to paying the fee. Depending on the level of the fee, this can help achieve many of the same inclusion goals as an inclusionary zoning policy.

## Examples

**Boston, MA** created its commercial linkage fee program

([https://www.boston.gov/sites/default/files/embed/a/a2030-ar15-10\\_resource\\_development.pdf](https://www.boston.gov/sites/default/files/embed/a/a2030-ar15-10_resource_development.pdf)) in 1983, making it one of the first in the country when it was enacted into law in 1987. The fee is levied on all new commercial and institutional developments larger than 100,000 square feet and is assessed at a rate of \$15.39 per square foot, as of 2021 (<https://www.boston.gov/news/42-increase-development-linkage-fees-proposed-support-affordable-housing-workforce-training>). Payment of the fee is due in equal seven installments, beginning at building permit issuance. State-enabling legislation dictates the uses of Boston's linkage fee, which are limited to producing and preserving housing for low- and moderate-income households. Since 2014, Boston's linkage fee program generated over \$80 million to support affordable housing from new development. In 2020 alone, Boston Planning & Development Agency expected the program to generate over \$43.5 million in linkage fees to support affordable housing.

**Cambridge, MA**, amended its zoning ordinance

([http://www.cambridgema.gov/~media/Files/CDD/ZoningDevel/Amendments/Ordinances/zngamend\\_1371\\_incentive.pdf](http://www.cambridgema.gov/~media/Files/CDD/ZoningDevel/Amendments/Ordinances/zngamend_1371_incentive.pdf)) in 2015 to increase linkage fees assessed on new commercial developments of 30,000 square feet or more from \$4.58 to \$12 per square foot. This amount was set to increase by a dollar per year through 2018 and was also subject to annual inflation-based increases. Through City Council Amendments ([http://cambridgema.iqm2.com/Citizens/Detail\\_LegiFile.aspx?Frame=&MeetingID=4180&MediaPosition=&ID=16243&CssClass=](http://cambridgema.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=4180&MediaPosition=&ID=16243&CssClass=)), however, the rate has been set at \$33.34 per square foot, as of 2022.

In **Seattle, WA** developers may either pay a per-square-foot impact fee or build onsite or offsite

(<https://www.seattle.gov/council/issues/past-issues/creating-affordable-housing-with-a-linkage-fee>) affordable housing. The affordable housing must total between 3 percent - 5 percent of the units in their project and the households must make less than 80 percent AMI.

**Fremont, CA** adopted a commercial linkage fee in June 2017 with provisions that include an exemption for "Class A" office space in parts of town where the city is seeking to promote employment growth and a two-year exemption throughout the jurisdiction for new corporate headquarters that move into the city.<sup>[2]</sup>

The **City of San Bruno** charges both affordable housing impact fees and linkage fees for nonresidential projects. Impact fees are charged at a rate of \$32.50 per square of net new residential floor area for apartments and condos, and \$35.10 per square foot for single-family detached homes. (In multifamily developments, residential floor area calculations exclude parking areas, elevators, stairwells, and hallways.) Fee payment is due when the building permit is issued. Commercial linkage fees are set at rates of \$8.12 per square foot of net new gross floor area for buildings housing retail, restaurants, and services, and \$16.25 per square foot for hotels, offices and medical offices, and research and development usage. More details are available on the City of San Bruno's website (<https://www.sanbruno.ca.gov/496/Affordable-Housing-Inclusionary-Resident>)

## Related resources

### Implementation

- Linkage Fee Programs (<http://inclusionaryhousing.org/designing-a-policy/program-structure/linkage-fee-programs/>) and Commercial Linkage Fees (<https://inclusionaryhousing.org/designing-a-policy/program-structure/linkage-fee-programs/commercial-linkage-fees/>), Grounded Solutions Network – provides an overview of affordable housing impact fees and commercial linkage fees, including pros and cons and considerations in designing fees.
- Impact Fees (<http://www.21elements.com/Resources/nexus-study.html>), 21 Elements San Mateo Countywide Housing Element Update Kit – this collaborative effort among 21 jurisdictions in San Mateo County, CA provides practical guidance on the adoption of impact fees in any community. Resources include a decision-making guide, fee comparison table, and examples of nexus studies and staff reports.

### Local example

- Los Angeles Affordable Housing Linkage Fee Nexus Study, BAE Urban Economics (September 2016) – This nexus study assesses the impacts of new commercial development and new market-rate residential development ([https://c973c4be-4648-432f-aadc-69231cd8e0b0.filesusr.com/ugd/a71a83\\_772148ec60d54534a818067287d37ff8.pdf](https://c973c4be-4648-432f-aadc-69231cd8e0b0.filesusr.com/ugd/a71a83_772148ec60d54534a818067287d37ff8.pdf)) in the City of Los Angeles, and establishes maximum legal fees for different types of development. The report also includes examples and best practices from other communities.

### Market impacts

- Market Effects of Office Development Linkage Fees (<http://www.tandfonline.com/doi/abs/10.1080/01944368808976477>), Forest E. Huffman & Marc T. Smith in *Journal of the American Planning Association* (1988) – describes the impact of commercial linkage fees on demand for office space in Philadelphia; findings indicate that such fees can reduce demand where office users are sensitive to rent increases.
  - Impact Fees and Housing Affordability (<https://www.huduser.gov/periodicals/cityscape/vol8num1/ch4.pdf>), Vicki Been (2005) - describes the effect impact fees have on the price of housing and housing affordability for moderate-income households and racial minorities.
1. Read more about linkage fee programs (<https://inclusionaryhousing.org/designing-a-policy/program-structure/linkage-fee-programs/>).
  2. Geha, Joseph. "Fremont: Commercial Developers Must Pay Affordable Housing Impact Fees." *East Bay Times*, East Bay Times, 23 June 2017, <https://www.eastbaytimes.com/2017/06/22/fremont-commercial-developers-must->

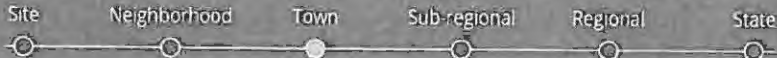


pay-affordable-housing-impact-fees/ (<https://www.eastbaytimes.com/2017/06/22/fremont-commercial-developers-must-pay-affordable-housing-impact-fees/>)



## PROGRAM REVENUE SOURCES

## Impact or Linkage Fees







LOCAL IMPLEMENTATION  Implemented on Cape Cod

## OVERVIEW

Impact fees, or linkage fees, are fees charged during the permitting of developments to offset their impacts. The calculation of the fees varies but is usually based on development size and type. They can be used for many purposes such as supporting infrastructure needed for new development (for example sewer connections), as well as to fund programs for the preservation and development of affordable housing. In Massachusetts, impact or linkage fees require special legislation from a municipality to adopt and collect.

## CHALLENGES ADDRESSED

-  Not Allowed to Build Multi-family Housing
-  Too Expensive to Build New Housing
-  Too Expensive to Secure or Maintain Housing
-  Hard to Find Year-round Housing

## POTENTIAL BENEFITS &amp; CONSIDERATIONS

- Can provide funding for affordable housing, infrastructure, and other public uses or goals
- Communities have flexibility in determining when the impact fees apply and how the funds are used
- Fees will not generate much revenue if development is not occurring in the community
- Fee revenue can be used to produce units that may be outside of typical inclusionary housing programs, such as higher AMI units, transitional housing, or housing for persons with special needs or those experiencing homelessness
- High fees may disproportionately affect smaller or local developers or deter certain types of development

## RESOURCES &amp; EXAMPLES

*Ask DLS: Linkage Fees* - This document from the Division of Local Services provides an overview of linkage fees in Massachusetts, including identifying some communities which have adopted linkage fees.

*Linkage Fees and Affordable Housing Impact Fees* - This webpage by Local Housing Solutions provides an overview and examples of impact or linkage fees as they relate to housing.

*City of Sacramento Housing Impact Fee* - The City of Sacramento charges a housing impact fee on certain market-rate housing developments. The funds are used to create more workforce and affordable housing.

## CASE STUDY: SOMERVILLE AFFORDABLE HOUSING LINKAGE FEES

The City of Somerville assesses linkage fees on commercial developments over 15,000 square feet. The linkage fees fund the Somerville Affordable Housing Trust Fund. The Fund benefits households earning up to 110% of the area median income. In 2023, the City

increased the linkage fees from \$11.23 per square foot to \$22.46 for projects 30,000 square feet and larger. The fees also fund the job Creation and Retention fund.

More information is available [here](#).



City of  
**SACRAMENTO**  
Community Development

## FEE NOTICE

### HOUSING IMPACT FEE (HIF) INCREASE

#### EFFECTIVE JULY 1, 2023

Housing Impact Fee (HIF) fee rates will increase in some cases starting July 1, 2023. Housing Impact Fees apply to new residential units, with some exemptions (see 17.712.040 and the table below). Projects that apply for permits on and after July 1, 2023, will be subject to the increased fee, where applicable. Per City Ordinance 17.712.050.F., the fees are adjusted automatically each year based on increases in the construction cost index\*.

Housing Type	July 1, 2022 – June 30, 2023 Fee Rate per Square Foot	July 1, 2023 – June 30, 2024 Fee Rate per Square Foot
Single-unit and duplex dwellings (less than 20 dwelling units per net acre)	\$3.49	<b>\$3.54</b>
High density single-unit and duplex dwellings (20 dwelling units per net acre or more)	\$0.00	\$0.00
Multi-unit dwellings (less than 40 dwelling units per net acre)	\$3.49	<b>\$3.54</b>
High density multi-unit dwellings (40 dwelling units per net acre or more)	\$0.00	\$0.00
Conversion of a nonresidential building to a residential use	\$0.00	\$0.00
Dwelling units in the Housing Incentive Zone	\$1.51	<b>\$1.53</b>

\*San Francisco Construction Cost Index (SF CCI) increase between March 2022 and March 2023 = 1.556%

**FOR MORE INFORMATION CALL:**  
**(916) 264-5011 or 311**  
**EMAIL: [planning@cityofsacramento.org](mailto:planning@cityofsacramento.org)**

## Chelsea Affordable Housing Trust: Action Plan

### HOUSING TODAY

#### CONTEXT: SUMMARY OF PREVIOUS PLANNING EFFORTS FOCUSED ON HOUSING

#### CITY OF CHELSEA GOALS

*The following City-wide goals are based on interview with City Manager. The Housing Trust goals were developed keeping in mind these City-wide goals so as to be aligned with them as much as is possible and so as not to conflict with them.*

- To focus on the downtown (e.g. more activity at night, apartments instead of SROs with some percentage of affordability above retail).
- To support some growth and increased density along waterfront (including housing, commercial, mixed use, some affordable housing).
- To support the increase in development expected as a result of the Silver Line extension (try to include some affordable housing).
- To keep the industrial base as it is important and valuable asset to the City. (encourage improvements in the two industrial areas, consider allowing marijuana cultivation. Constant and steady demand for the airport-dependent and food industry uses).
- To mitigate gentrification and help the residents of Chelsea to stay in Chelsea (Latin culture contributes greatly to the uniqueness of the City).

#### COMPREHENSIVE HOUSING ANALYSIS AND STRATEGIC PLAN

The City of Chelsea through the Department of Planning hired a consultant team led by RKG Associates, to prepare a Comprehensive Housing Analysis and Strategic Plan<sup>8</sup>. The goal of the plan is to better understand the conditions and needs in the local housing market, with the particular focus on how these factors affect the availability, demand, and creation of affordable housing. The Plan is an important source of information for the Affordable Housing Trust, both in terms of providing an inventory and assessment of existing conditions but also for the recommendations that it makes regarding addressing these.

<sup>8</sup> For the complete report see:

[https://www.chelseama.gov/sites/chelseama/files/uploads/chelsea\\_housing\\_strategy\\_volume\\_1\\_final\\_final\\_final.pdf](https://www.chelseama.gov/sites/chelseama/files/uploads/chelsea_housing_strategy_volume_1_final_final_final.pdf)

## Chelsea Affordable Housing Trust: Action Plan

### The Strategic Plan provides the City with:

- A detailed analysis of existing housing conditions
- An assessment of current and future housing needs
- Strategies for how to address these needs
- A framework for the City and its partners to prioritize strategies and actions towards addressing Chelsea's greatest housing need

The City plan can help the recently re-established Affordable Housing Trust Fund Board to carry out the duties and functions established by Section 18 of the Chelsea City Ordinance.

The key strategy areas the Plan identifies for exploration are:

- Expanding Homeownership Opportunities
- Housing Chelsea's lowest-income residents
- Preserving and maintaining existing affordable housing
- Housing Chelsea's seniors and disabled population
- Levering the City regulations to promote affordable housing creation

**5 HOUSING GOALS developed as part of the Comprehensive Housing Analysis and Strategic Plan based on identified needs and centered around recurring themes that emerged throughout research, data analysis, and stakeholder engagement:**

- *Retain existing residents through the creation, preservation, and maintenance of affordable housing for Chelsea's extremely low- to moderate-income families and households, and residents with special needs.*
- *Support greater pathways to homeownership for Chelsea residents, including buy-up opportunities for existing homeowners.*
- *Increase the supply and variety of mixed-income housing choices to support Chelsea's current and future residents, support the creation of neighborhoods where people live by choice, not chance, and encourage socioeconomic, racial, and cultural integration.*
- *Foster a continuous discussion and collaboration among residents, City officials and departments, non-profit organizations, and developers about the variety and depth of housing needs in Chelsea today, including strategies for attending to these needs in a collective and targeted way.*
- *Increase the City's capacity to facilitate housing production by allocating funding, staff, and other resources to implementing the Strategic Plan.*

*From City of Chelsea, Comprehensive Housing Analysis and Strategic Plan, RKG Associates, JM Goldson, Barrett Planning Group LLC, Nov. 15, 2017*

## Acts (2022)

### Chapter 232

#### AN ACT AUTHORIZING THE CREATION OF A LINKAGE FEE FOR DEVELOPMENT IN THE CITY OF CHELSEA

*Be it enacted by the Senate and House of Representatives General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The city of Chelsea may, by ordinance, require the payment of linkage fees from the developer of any: (i) commercial or industrial project; (ii) mixed-use project with a commercial or industrial component; and (iii) residential project that creates any residential units; provided, however that the linkage fees for such project are dedicated to the Community Impact Linkage Fee Fund described in section 2.

SECTION 2. The city of Chelsea may establish a separate fund to be known as the Community Impact Linkage Fee Fund, which shall be kept separate and apart from all other monies of the city by the city treasurer and into which shall be deposited linkage fees received by the city pursuant to section 1. The funds in the Community Impact Linkage Fee Fund may be expended by the city upon recommendation from the city manager and a majority vote of the city council solely for; (i) the creation or maintenance of affordable housing; (ii) the support of social services within the city; (iii) workforce development, job creation and education; (iv) youth recreational activities; and (v) if

they appear in an annual 5-Year Capital Improvement Plan approved by the city council, public space enhancements, traffic and transportation improvements and capital construction projects.

SECTION 3. This act shall take effect upon its passage.

Approved, October 4, 2022.

## Acts (2010)

### Chapter 217

#### AN ACT ESTABLISHING A LINKAGE EXACTION PROGRAM IN THE CITY OF GLOUCESTER.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** (a) The city of Gloucester may, by ordinance, require the payment of a linkage exaction fee as a condition of approval of a development impact project plan, as defined by the ordinance, for any future development within the scope of this act. The linkage exaction fee shall only be imposed on the construction, enlarging, expansion, substantial rehabilitation, or change of use of non-residential and residential projects that require zoning relief or exceed a threshold which shall be established by the city council. The linkage ordinance shall be used solely for the purposes of defraying the costs of capital improvements provided by the city caused by and necessary to support future development such as, but not limited to the following: capital improvements to school facilities, public facilities, roads, sewers, water supply lines, affordable housing, child care facilities, job training facilities, public safety service and facilities, and parks, playgrounds and other recreational facilities.



**(b) The linkage exaction ordinance may be enacted if the following criteria are met:**

(1) A rational nexus shall be established that shows the relationship between the creation of new residential dwelling units, and office, commercial and industrial structures and their impact on the following services including, but not limited to, school facilities, public facilities, roads, sewers, water supply lines, affordable housing, child care facilities, job training facilities, public safety facilities, and parks, playgrounds and other recreational facilities.

(2) The city shall develop and prepare a study for any project for which a linkage exaction fee is levied that examines the proposed project and projects the cost of capital improvements necessary to accommodate the project. Any exaction fee which may be established pursuant to this act shall be set in accordance with the methodology set forth in the study.

(3) The exaction fee shall be established on the basis of the cost projections in the capital improvement plans and study as described in paragraph (2) of subsection (b) and the expected level of allowed development pursuant to the city's zoning ordinance, as it may be amended.

(4) The city shall have the authority to create distinct and separate revolving trust accounts for each linkage ordinance enacted by the city for the services delineated in paragraph (1) of this subsection for necessary improvements resulting from future development. An exaction shall not be paid to the city's general treasury or used as general revenues subject to section 53 of chapter 44 of the General Laws.

(5) The level of any exaction fee shall be reviewed at least every 3 years and reset as required based upon the recommendation of

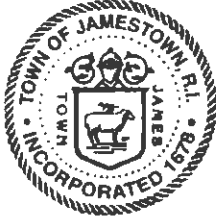
the office of community development and the mayor of the city.

(6) Any funds not expended or encumbered by the end of the calendar quarter immediately following 6 years from the date the exaction fee was paid shall, upon application of the applicant or his assigns, be returned to such landowner with interest from the fee's deposit in an interest bearing account; provided, however, that the applicant or his assigns submits an application for a refund to the office of community development within 180 days of the expiration of the 6 year period.

**SECTION 2.** This act shall take effect upon its passage.

*Approved August 4, 2010*





## Affordable Housing Committee MEMORANDUM

**TO:** The Honorable Town Council, Nancy Beye, President  
Edward A. Mello, Town Administrator  
**FROM:** Bob Plain, Chair, Jamestown Affordable Housing Committee  
**RE:** Bond Request for Affordable Housing  
**DATE:** February 26, 2024

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The Affordable Housing Committee (AHC) recently requested a yearly increase in the capital budget and we thank you for your consideration of that request. At that time, the AHC also discussed the need for funds to commence more immediate projects. Last year, 2024, the AHC requested a \$3,000,000 bond for that purpose, which did not make it into the budget. The AHC is making this request again this year, with greater urgency. The AHC has been delving deeper into particular feasible projects, which will be presented to the Town Council.

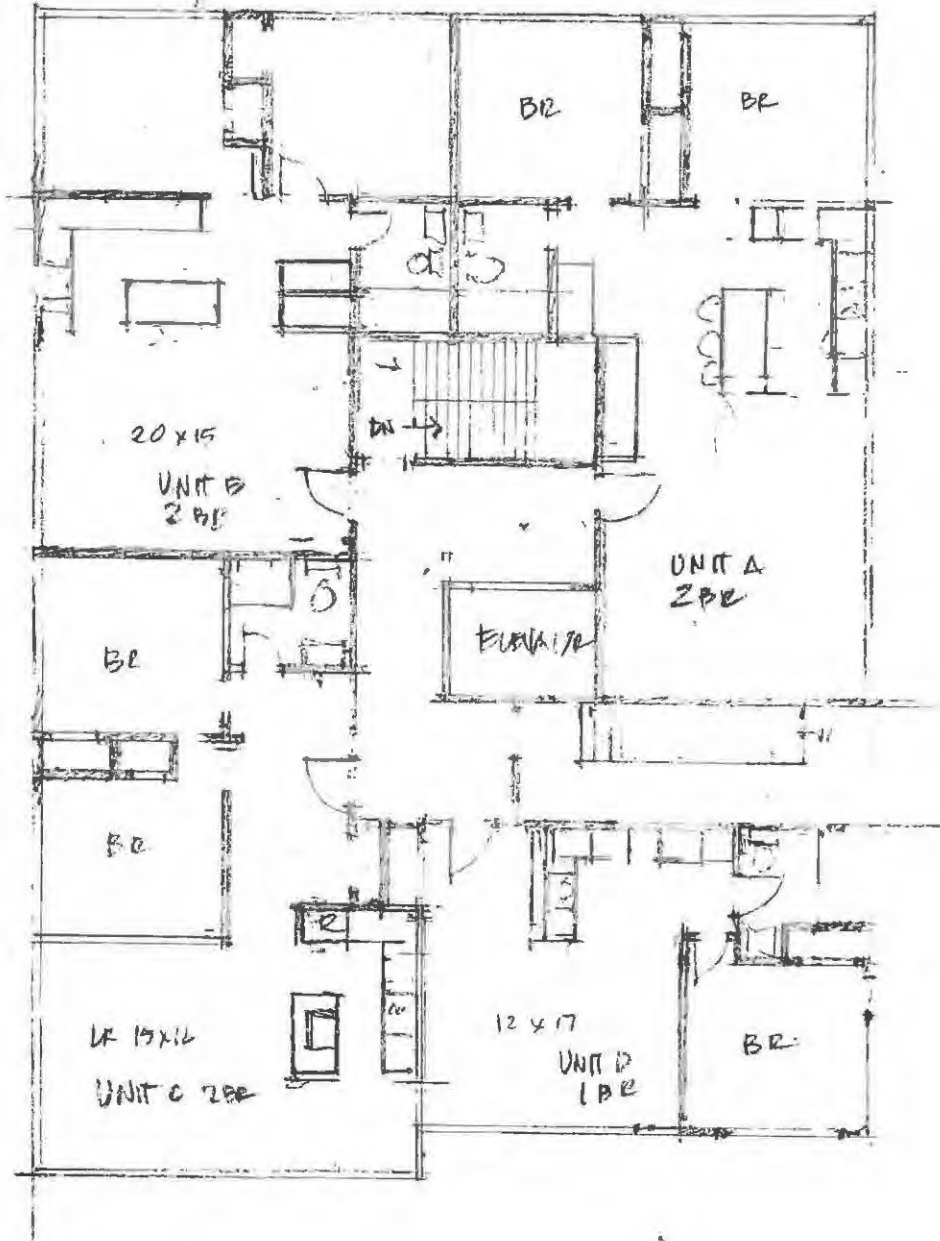
The lack of local affordable housing and fast-evaporating economic diversity in Jamestown is an emergency situation for our community. As an island, affordable housing and economic diversity are critical resiliency and sustainability issues for Jamestown. Our ability to maintain volunteer fire and EMS services is in danger because of our lack of housing diversity and affordability. If something were to happen to the bridges, we would not be able to educate our children, police our streets, or even plow our snow. Our dearth of diverse housing options has the very real potential of putting Jamestowners in jeopardy.

As noted for the last year, the Affordable Housing Committee strongly believes the time is right to make an important investment in preserving economic diversity in Jamestown. The need has become so severe that Jamestown must now take bold action. In addition to the increase in yearly capital allocations, based on the existing real estate transfer tax revenues, we urge the Town Council to support a \$3 million bond earmarked for affordable housing in FY 25-26.

This investment is necessary in many important ways and will be leveraged with state and federal funding. With this bond funding we propose to redevelop 11 Knowles Court, formerly the ambulance barn and currently sitting empty, into 9 affordable housing rental units. It would also allow the development of additional single-family affordable housing units. It would also serve as seed money for the newly-created Affordable Housing Preservation Program, which will help existing Jamestowners of modest means resist the market forces enticing them to sell their property to the highest bidder. Jamestown critically needs workforce housing for town employees, fire department volunteers and other local workers. The bond could be used to create a housing component to a new senior center, as other communities such as Portsmouth, are doing. The options and

needs are myriad, but without financial resources we can't move forward on any of them.

Because of Jamestown's strong bond rating and strong state real estate transfer tax, we think this is a very cost-effective long-term strategy. Jamestown has borrowed more than twice as much to preserve open space. Both open space and housing diversity are critical pieces of the puzzle that will make Jamestown a vibrant, resilient and sustainable community going forward. It is time for Jamestown to make the same kind of investment in economic diversity that we have made in open space. This combination will ensure that we are able to keep our longtime residents, ensuring generational continuity and guarantee that Jamestown remains the best place to live in Rhode Island long into the future.



2ND FLOOR PLAN  
 $\frac{1}{8} = 1'0''$



# KNOWLES COURT

09.04°  
90°00'00"  
186.49'

UP#3-84

90°31'15"  
89°28'45"

EDGE OF PAVEMENT

35.00'

30.84'

CONCRETE SLAB

GARAGE SLAB  
ELEV. 16.17

RETAINING WALL

H MARK:  
ESHOLD  
V. 16.27  
(AVD88)

PLAT 8, LOT 173  
AREA = 13,669 S.F.  
OR 0.3138/ACRES

PLAT 8, LOT 174  
N/F BARBARA E.  
VAN SCIVER, TRUSTEE  
(DEED BOOK 530  
AT PAGE 333)

EASTERLY FACE OF  
EXISTING 6' STOCKADE  
FENCE HELD FOR  
PROPERTY LINE

REBAR (FND & HELD)  
IS ON EASTERLY  
LOT LINE AND 4.88'  
SOUTH OF STREET LINE

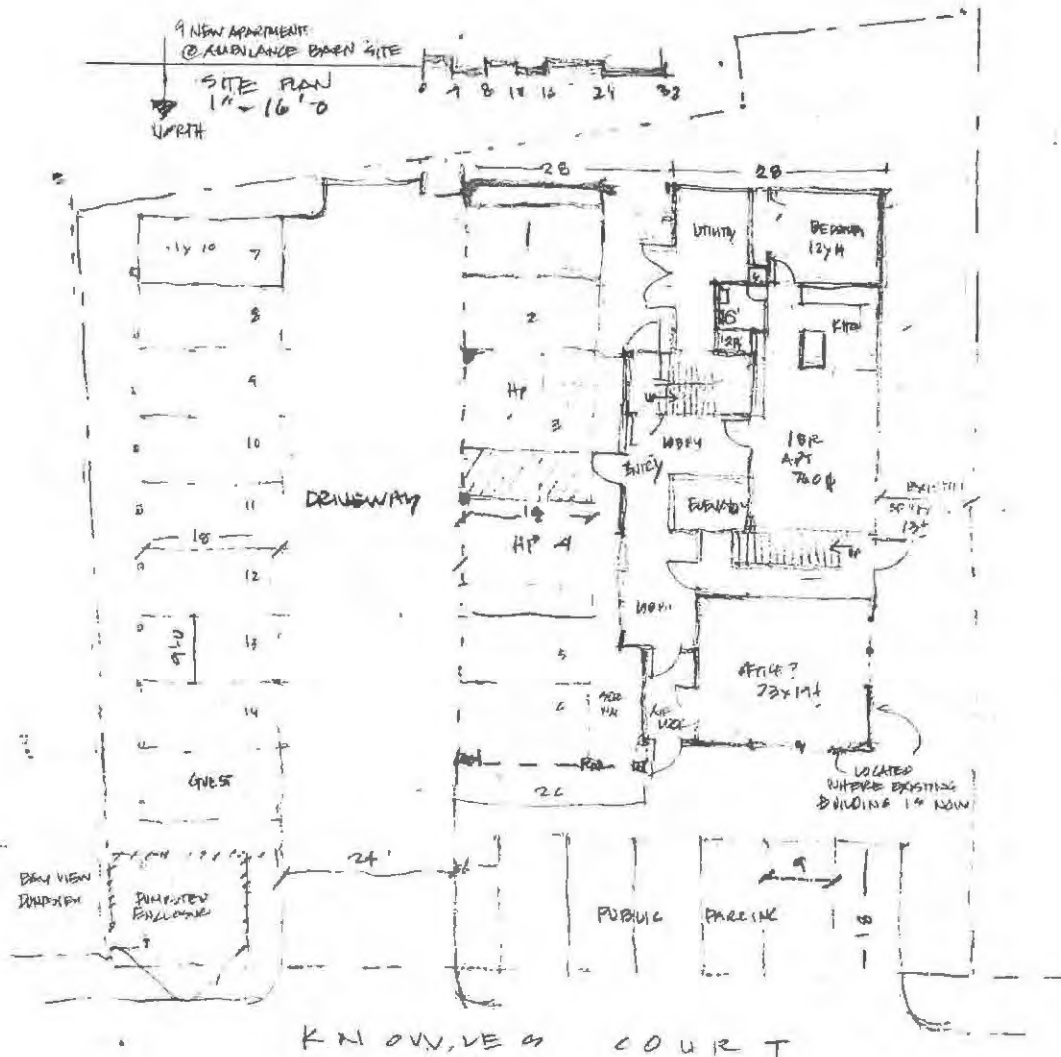
PLAT 8, LOT 170  
N/F JAMESTOWN  
BAY VIEW CONDOMINIUM  
ASSOCIATION

PLAT 8, LOT 168  
N/F MTM  
JAMESTOWN FISH, LLC

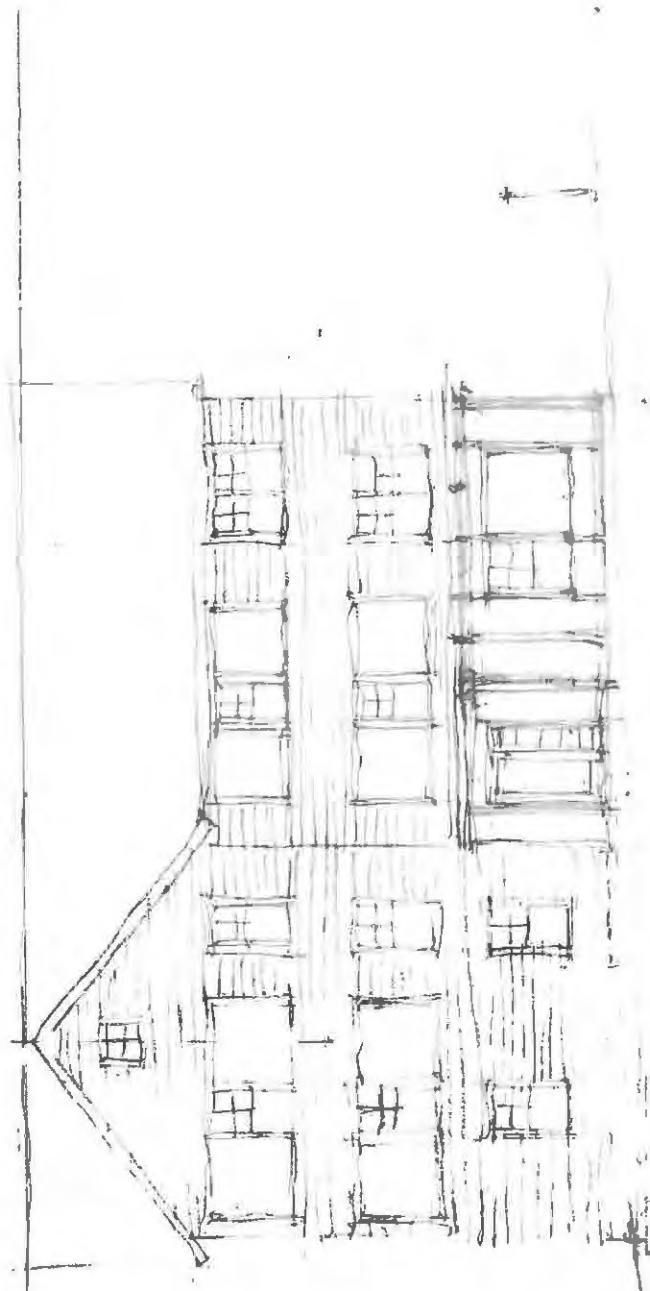
TO AVENUE

6' STOCKADE  
FENCE ON  
RETAINING WALL













# TOWN OF JAMESTOWN

SECTION	EFFECTIVE DATE	PAGES
500-Harbor Division	TBD	4
SUBSECTION	PREVIOUSLY ISSUED DATES	
50- Rights of Way		
TITLE	POSTING	
550.10 Adoption Program		
AUTHORITY	REFERENCE	
	Town Council Approval DTBD	

## I. PURPOSE

The Adopt-A-ROW program's purpose is to protect and maintain the shoreline resources and preserve natural esthetic areas within Jamestown. The intent of the Town of Jamestown's Adopt-A-ROW program is to establish a clear understanding of what the expectations are between the entity adopting the ROW and the Town of Jamestown. The program has three main areas of focus, the application process, the maintenance responsibilities of adopting a ROW, and the termination process.

## II. DEFINITIONS

**Right-of-Way (ROW)** - A public ROW to the shore is a parcel of land over which the public has the right to pass on foot or, if appropriate, by vehicle, in order to access the tidal waters of Rhode Island. This right of passage is consistent with the use and condition of each particular site. Accordingly, public ROWs can be used for a variety of activities such as scenic overlooks, providing access to fishing, access to mooring sites, or if appropriate launching a boat.

## III. POLICY

### The Role of the Town of Jamestown

The Town of Jamestown is responsible for creating and maintaining all public ROWs within its jurisdiction. The Town of Jamestown has the authority to establish policies procedures or programs that best ensure the public access and maintenance of its ROWs. Although the CRMC has an Adopt-An-Access program, since the Town of Jamestown serves as the ROW Proprietor for that program, all requests for adoption of a ROW within Jamestown, either for a CRMC-designated ROW or a Town-designated ROW shall go through Jamestown's Adopt-A-ROW program.

The Town of Jamestown is responsible for enforcing any violations for all public ROWs within its jurisdiction. The enforcement of violations shall be at the Town's discretion at the direction of the Town

Council and/or the Town Administrator, and may include items such as issuing warnings, cease and desist orders, restitution of areas improperly altered, fines, or other legal proceedings depending on the severity of the violation.

### **The Role of the CRMC**

According to Rhode Island General Law, The CRMC has the authority to designate public ROWs to the tidal waters of the state (R.I.G.L. 46- 23.6). The CRMC does not create “new” public ROWs, they must already exist. The CRMC merely recognizes and places an official designation on previously existing ROWs. It is the landowner and/or a city or town that creates a public ROW; the CRMC merely identifies these sites.

### **The Role of the Conservation Commission**

According to Rhode Island General Law, city or town councils have the authority to create a commission, to be called the conservation commission, the purpose of which is to promote and develop the natural resources, protect the watershed resources, and preserve natural esthetic areas within municipalities (R.I.G.L. 45-35-1). The Conservation Commission in Jamestown, shall be responsible for the oversight of the Town’s ROW’s and the administration of the Town of Jamestown’s Adopt-A-ROW program. The Conservation Commission shall also serve as the liaison for the Town for any person or group, such as The Friends of Jamestown ROWs, who have interest in maintaining and preserving the Town’s public ROWs.

### **The Role of an Adopter of an ROW**

As stated under this Policies Procedure, section D, Maintenance Responsibilities, “The intent of Adopt-A-ROW program is to maintain the ROW being adopted at its current condition when adopted”. **The adopter of an ROW shall only perform the Maintenance Responsibilities explicitly listed in section D of this policy. The Adopter of an ROW shall not perform any other actions such as cutting down trees, creating stairways to the shore, or any other actions outside of those listed in section D without first consulting with the Conservation Commission and if necessary, receiving a CRMC assent permit.**

## **IV. PROCEDURE**

### **A. The Application Process**

For an entity to adopt a ROW in Jamestown, they shall fill out and submit an application to the Jamestown Conservation Commission. The application form to apply to the Adopt-A-ROW program is contained in Appendix 1. The Conservation Commission shall consider all applications for the Adopt-A-ROW program on an individual basis using the following guidelines:

#### **Conservation Commission Guidelines for the Application Process**

1. **Evaluation of the ROW being adopted.** The ROW being adopted shall be evaluated as to its suitability to be included in the program. Factors such as the current condition of the ROW, the benefit to the public in placing the ROW under adoption, and the benefit to the town of placing the ROW under adoption shall be considered.
2. **Evaluation of the adopting entity.** Each adopting entity shall be evaluated as to their suitability to be included in the program. Entities adopting a ROW can be an organization,

company, group, or individual. Preference shall be given to organizations whose missions are in line with the preservation of public access to the shoreline. The Conservation Commission shall also consider the motivation of the entity in applying to the program. Factors such as any benefit that the entity may derive from maintaining the ROW that is not in line with the public access to the ROW shall be considered.

3. **Ability to perform the maintenance.** Each adopting entity shall be evaluated as to its ability to perform the maintenance on the ROW being adopted. Factors such as physical distance from the ROW of the entity performing the work, access to proper tools, and the amount of work required to maintain the ROW shall be considered.
4. **Alignment with program purpose.** Each application shall be evaluated in its entirety as to its fit with the program's purpose of protecting and maintaining the shoreline resources and preserving the natural esthetic areas within Jamestown

## **B. The Approval Process**

After applications are reviewed, the Conservation Commission will make a recommendation to the Town Council as to whether to approve the application. The Town Council will discuss the application and will have the final say in the approval or denial of the application.

Upon the successful completion of the application process, the entity adopting the ROW shall complete and sign the release from liability form and the appropriate Memorandum of Understanding (MOU) depending on the type of ROW being adopted.

**CRMC Designated ROWs.** For CRMC designated ROWs, the entity adopting the ROW and the Town of Jamestown, serving as ROW Proprietor, shall use the CRMC Adopt-an-Access Program MOU. The template for the CRMC MOU is contained in Appendix 2.

**Town Designated ROWs.** For Town designated ROWs, the entity adopting the ROW and the Town of Jamestown shall use the Town of Jamestown MOU. The template for the Town of Jamestown MOU is contained in Appendix 3.

## **C. Training**

Once an application for Jamestown Adopt-A-ROW program has been approved by the Town Council, the adopter of the ROW shall go through a training session conducted by a member of the Conservation Commission or by persons designated by the Conservation Commission to conduct the training. No maintenance on the adopted ROW shall be performed by the adopter of the ROW until the training session has been successfully completed.

## **D. Maintenance Responsibilities**

The intent of Adopt-A-ROW program is to maintain the ROW being adopted at its current condition when adopted. Any improvements or other activity that is not consistent with the maintenance responsibilities defined in this section are considered out of scope of this program and shall not be performed unless given permission by the CRMC and the Town of Jamestown.

The Town of Jamestown defines the maintenance responsibilities for the entity adopting the ROW as follows:

- Clean up and removal of trash.
- Clean up and removal of small natural debris such as fallen tree limbs and leaves.
- Clean up and removal of storm damage that does not require anything beyond hand tools.
- Mowing of grass in already established lawn areas.
- Trimming of bushes, shrubs, and trees that does not require anything beyond hand tools.

All maintenance work performed at the ROW being adopted shall be in compliance with CRMC regulations. If an activity outside the defined maintenance responsibilities for the ROW is proposed, it is normally done so through the submission of an assent application request to the CRMC.

Generally, a CRMC assent permit is required for any construction or alteration on a [coastal feature](#) (e.g., coastal beach, barrier, dune, coastal wetlands, headlands, bluffs and cliffs, rocky shores, and manmade shorelines,) or within 200 feet of a coastal feature or tidal waters, including salt ponds, of Rhode Island. Also, permits are required for work that has a reasonable probability of conflicting with CRMC goals, management plans or programs; and have the potential to change the environment of the coastal region due to those inland activities described in [Section 1.3.3 of the Red Book](#) (650-RICR-20-00-1).

#### **E. The Termination Process**

Once an entity has adopted a ROW in Jamestown, the expectation is that the entity will maintain the ROW until such a time that either the Town of Jamestown or the entity deems that it is no longer appropriate. Either the entity adopting the ROW or the Town of Jamestown may terminate the agreement at any time. Any entity that has been terminated from the Adopt-A-ROW program may not re-apply for the program for a period of 1 year from the date of termination. In order to terminate the agreement, the party requesting the Termination shall notify the other party in writing of the desire to terminate the agreement including the reason for termination.



**Appendix 1 Town of Jamestown Adopt-A-ROW program Application Form****Town of Jamestown Right of Way (ROW) Adoption Application Form**

APPLICANT OR ENTITY NAME \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

CONTACT PHONE NO. \_\_\_\_\_

ROW NAME &amp; NO BEING ADOPTED (SEE CURRENT ROW MAP) \_\_\_\_\_

*(NOTE: ROWS INDICATED AS A POTENTIAL SITE ARE NOT ELIGIBLE TO BE ADOPTED)*

As the Conservation Commission and the Town council considers you application, understanding the “why” you want to adopt this ROW will help us make an informed decision. Please be as thorough as possible describing your reason for wanting to adopt this ROW and attach it to this application.

As the above-named applicant, I hereby state that I have read and fully understand the responsibilities of the Town of Jamestown Adopt-A-ROW program and apply to adopt the ROW stated above. I also agree that if accepted, I am agreeing to perform the ROW maintenance as stated in the Town of Jamestown Adopt-A-ROW policy until such a time that the agreement is terminated.

I also hereby state that I fully understand the CRMC regulations as they apply to the maintenance of this ROW and that I will perform no improvements or other work outside the scope of the Town of Jamestown Adopt-A-ROW program.

I have attached my reason for wanting to adopt this ROW to this application

\_\_\_\_\_  
(Signature)\_\_\_\_\_  
(Date)\_\_\_\_\_  
(Printed Name of Adopting Entity)

**Please Submit this completed form, an attachment documenting your reason for wanting to adopt this ROW and the completed release of liability form to the Jamestown Conservation Commission. Although not required, it is encouraged that the applicant schedule a time to meet with the Conservation Commission to discuss this application.**

Appendix 2 CRMC Memorandum of Understanding Template



REGARDING THE COASTAL RESOURCES MANGEMENT COUNCIL ADOPT-AN-  
ACCESS PROGRAM

A MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE COASTAL RESOURCES MANAGEMENT COUNCIL AND  
*(INSERT NAME OF ROW PROPRIETOR)* AND  
*(INSERT NAME OF ADOPTING ENTITY)*

SECTION I

The Rhode Island Coastal Resources Management Council (CRMC), the *(insert name of ROW proprietor)*, and the *(insert name of Adopting Entity)* (“the “Parties” or “a Party” as applicable) agree to cooperate in the implementation of the CRMC Adopt-An-Access Program (“Program”). The Program shall be implemented in accordance with RI General Law Chapter 46-23 and the Rhode Island Coastal Resources Management Program (RICRMP). The Parties agree to fulfill their responsibilities under this Memorandum of Understanding (MOU) to the Adopt-An-Access site(s) (“Site(s)”) indicated herein:

<u>CRMC ROW Designation Number</u>	<u>Street Location</u>
------------------------------------	------------------------

SECTION II

The CRMC agrees to assume primary responsibility for the implementation and operation of the Program, including but not limited to serving as the Program Administrator. As per RIGL Chapter 46-23-7.4 the CRMC shall assume primary responsibility to prosecute violations related to blocking or posting at CRMC designated rights-of-way. The *(insert name of ROW proprietor)* Town of Westerly agrees to assume primary responsibility for the Sites’ maintenance, including designating tasks necessary to ensure continuous and safe public access to the shore to the *(insert name of adopting entity)*, according to each Site’s conditions. The *(insert name of ROW proprietor)* shall assume the primary

responsibility for installing signage as specified under the CRMC Letter of Permission associated with this MOU. In the case of replacing damaged or lost signage, a Party shall only be responsible to replace signage as specified in the Letter of Permission associated with this MOU. The ***(insert name of ROW proprietor)*** shall be covered by the limited liability protections of RIGL Chapter 32-6-5(b) regarding public use of private lands. The ***(insert name of adopting entity)*** agrees to conduct the following task(s): ***(insert description of task(s) the adopting entity commits to conducting)***.

### SECTION III

It is the understanding of all Parties that this Memorandum of Understanding may be amended or modified at any time if mutually agreed to in writing by the Parties. Such written amendments or modifications shall be deemed to be incorporated in this Memorandum of Understanding and shall be executed by the Parties in the same manner as set forth below. Notwithstanding anything herein to the contrary, this Agreement may be terminated by any Party upon six months notice to the other Parties hereto. Notwithstanding anything herein to the contrary, this Memorandum of Understanding may be terminated by any Party upon six months notice to the other Parties hereto.

\_\_\_\_\_  
***(insert name)***, CRMC Executive Director  
 Coastal Resources Management Council

\_\_\_\_\_  
 Date

\_\_\_\_\_  
***(insert name and title of signatory)***  
***(insert name of ROW proprietor)***

\_\_\_\_\_  
 Date

\_\_\_\_\_  
***(insert name and title of signatory)***  
***(insert name of adopting entity)***

\_\_\_\_\_  
 Date

## Appendix 3 Town of Jamestown Memorandum of Understanding Template



### REGARDING THE TOWN OF JAMESTOWN ADOPT-A-ROW PROGRAM

**A MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE TOWN OF JAMESTOWN AND  
(INSERT NAME OF ADOPTING ENTITY)**

#### SECTION I

The town of Jamestown RI and the (*insert name of Adopting Entity*) (“the “Parties” or “a Party” as applicable) agree to cooperate in the implementation of the Town of Jamestown Adopt-A-ROW Program (“Program”). The Program shall be implemented in accordance with RI General Law Chapter 46-23 and the Rhode Island Coastal Resources Management Program (RICRMP). The Parties agree to fulfill their responsibilities under this Memorandum of Understanding (MOU) to the Adopt-A-ROW site(s) (“Site(s)”) indicated herein:

<u>ROW Designation Number</u>	<u>Street Location</u>
-------------------------------	------------------------

#### SECTION II

The Town of Jamestown agrees to assume primary responsibility for the implementation and operation of the Program, including but not limited to serving as the Program Administrator. The Town of Jamestown agrees to delegate the primary responsibility for the maintenance tasks listed in the program to (*insert name of adopting entity*), according to each Site’s conditions. (*insert name of adopting entity*) agrees to perform the tasks necessary to ensure continuous and safe public access to the shore. The Town of Jamestown shall be covered by the limited liability protections of RIGL Chapter 32-6-5(b) regarding public use of private lands and by the Waiver and Release from Liability for Public Property ROW Maintenance form.

**SECTION III**

It is the understanding of all Parties that this Memorandum of Understanding may be amended or modified at any time if mutually agreed to in writing by the Parties. Such written amendments or modifications shall be deemed to be incorporated in this Memorandum of Understanding and shall be executed by the Parties in the same manner as set forth below. Notwithstanding anything herein to the contrary, this Agreement may be terminated by any Party upon notice to the other Parties hereto. Notwithstanding anything herein to the contrary, this Memorandum of Understanding may be terminated by any Party upon notice to the other Parties hereto.

\_\_\_\_\_  
*(Signature of Town of Jamestown Administrator)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Signature of Adopting Entity)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Printed Name of Adopting Entity)*





**TOWN OF JAMESTOWN**  
P.O. Box 377  
93 Narragansett Ave.  
JAMESTOWN, RHODE ISLAND 02835

Planning Office (401) 423-7210

Approved as written

**Jamestown Affordable Housing Committee Minutes**

December 18, 2024 at 5:00pm

Small Conference Room

93 Narragansett Avenue, Jamestown, RI 02835

**I. Call to Order**

The meeting was called to order at 5:00pm and the following members were present: Bob Plain, Fred Pease, Job Toll, Susan Gorelick, Dave Pritchard, Mary Meagher, Lisa Bryer, and Quaker Case  
Not present: Wayne Moore  
Also present: Carrie Kolb

**II. Approval of Minutes**

a. November 20, 2024 - review, discussion and/or action and/or vote

A motion was moved by Susan Gorelick and seconded by Fred Pease to approve the minutes from November 20, 2024 as written. All in favor.

**III. Public Comment - none**

**IV. 2025 Comprehensive Plan - review, discussion and/or action and/or vote**

- a. 2015 Comprehensive Plan review and update of Housing Element
- b. Review and update Housing Action Plan

This item did not need to be further discussed. Two members were absent at the meeting where this was discussed and the Town Planner will gather their input.

**V. 2025-26 Town Budget - review, discussion and/or action and/or vote**

- 1. Memo to Town Council dated December 4, 2024

Discussion ensued regarding the draft memo. Toll said it is what we have been discussing for a while. Pritchard asked if this budget request is independent of the bond? Meagher said yes. Plain asked if the Town Council will give more than last year in the budget? Meagher said it is unlikely but the Jamestown Affordable Housing Committee still needs to ask. Plain indicated that Housing Works define an affordable housing trust fund as a dedicated fund. In Jamestown, the Town Council makes the decision each year and it is not dedicated so it is technically not a Trust Fund. Meagher said to ask to make it a dedicated source of funding. Bryer said to ask for consistent dedication of funding. Enterprise fund has a source of funds – RI Real estate conveyance tax. A push for a bond is needed. This memo will go to Town Council for January 6, 2025 meeting. Other ideas that have been discussed are to: 1) create an impact fee on building permits over \$1million (or \$2 million) and 2) create a tax abatement for “affordable” Accessory

Affordable Housing Committee Minutes  
December 18, 2024  
Page 2 of 2

Dwelling Units, similar to what was done in South Kingstown, which is an abatement for 40 years, not permanent.

**VI. RI Housing Fact Book 2024 -**

[https://d337wih8hx5yft.cloudfront.net/images/Publications/HWRI\\_HFB24.pdf](https://d337wih8hx5yft.cloudfront.net/images/Publications/HWRI_HFB24.pdf)

Discussion of the publication of the RI Housing Fact Book 2024 ensued. Job Toll said that Jamestown is in the middle of meeting the State's 10% mandate for affordable housing units at almost 5%. Two towns that have very little affordable housing close to Jamestown are Portsmouth and Little Compton. Newport, Providence, Block Island and Central Falls have all met 10% affordable housing mandate. Bryer explained that Block Island went through a process to find out what their percentage of year-round residents are. Block Island was given a piece of land that they built affordable housing units on and that helped them meet their 10%.

**VII. Member Reports (5 min) - review, discussion, and/or action and/or vote**

Bryer reported that the CDBG applications are moving forward. Town Council approved both the Affordable Lot Program and Sustainable Resident Program and authorized Purchase and sales agreements between owners and the Town. They have not been drafted or signed yet.

**VIII. Future Meetings and agenda items of Affordable Housing Committee - review, discussion and/or action and/or vote (5 min)**

Next meeting January 15, 2024 at 5:00pm

**IX. Adjournment**

A motion to adjourn at 6:11pm was moved by Fred Pease and seconded by Susan Gorelick. All in favor.

Attest:

Carrie Kolb





## TOWN OF JAMESTOWN

P.O. Box 377  
93 Narragansett Ave.  
JAMESTOWN, RHODE ISLAND 02835

Approved as written

Planning Office (401) 423-7210

### Jamestown Affordable Housing Committee Minutes

January 15, 2025 at 5:00pm

Small Conference Room

93 Narragansett Avenue, Jamestown, RI 02835

#### I. Call to Order

The meeting was called to order at 5:00pm and the following members were present: Bob Plain, Job Toll, Susan Gorelick, Dave Pritchard, Lisa Bryer, and Quaker Case  
Not present: Wayne Moore, Fred Pease

#### II. Approval of Minutes

a. December 18, 2024 - review, discussion and/or action and/or vote

A motion was moved by Susan Gorelick and seconded by Job Toll to approve the minutes from December 18, 2024 as written. All in favor.

#### III. Public Comment - None

##### I. 2025 Comprehensive Plan - review, discussion and/or action and/or vote

a. 2015 Comprehensive Plan review and update of Housing Element

The Committee reviewed the draft element and suggested changes:

There needs to be more of a tone of urgency in the introduction. There is a housing crisis and that needs to be related in this element. Address tear downs, there have been a lot and it impacts affordability of housing when new larger houses are built. Question about median rents and how they are tracked. They seem very low. Questioned if it includes Section 8 rent values. Questioned the difference between Service Industry Workers and Tourism Workers.

##### II. 2025-26 Town Budget - review, discussion and/or action and/or vote

1. Memo to Town Council dated December 4, 2024

Chair Bob Plain will be at the meeting to discuss this Memo. He mentioned that the Governor gave accolades to the Portsmouth Senior Center project in his State of the State address.

##### III. Member Reports (5 min) - review, discussion, and/or action and/or vote

Susan Gorelick is holding a sustainability meeting at the library on March 15, 10am-12pm. She discussed her initiative to bring sustainability to locals.

##### IV. Future Meetings and agenda items of Affordable Housing Committee - review, discussion and/or action and/or vote (5 min)

Next meeting February 19, 2025 at 5:00pm

Topics for discussion include Impact Fee legislation including existing legislation.

##### V. Adjournment - Motion to adjourn at 5:45pm by Quaker Case, seconded by Job Toll. All in favor.

Attest: Lisa Bryer

**JAMESTOWN BOARD OF CANVASSERS MEETING MINUTES**  
**WEDNESDAY, JANUARY 15, 2025**  
**2:30 P.M.**

**I. CALL TO ORDER; ROLL CALL**

A meeting of the Board of Canvassers was called to order at 2:40 P.M. at 93 Narragansett Ave in the Rosamond A. Tefft Council Chambers. Board of Canvassers Members present were as follows: Mr. Kenneth Newman, and Mr. Hugh Murphy. Absent from the meeting was Ms. Katherine Wineberg and Ms. Jennifer Thran.

Also in attendance was Keith Ford, Deputy Town Clerk/Clerk to the Board of Canvassers. Ms. Laura Goldstein, Ms. Daphne Meredith and Ms. Nancy Beye from the Elections Training and Advisory Committee.

Mr. Murphy made a motion to move agenda item IV. New Business Section forward in the meeting to review and/or taken action on this item with a second from Mr. Newman. Vote: Mr. Newman, Aye; and Mr. Murphy, Aye. Vote Passed unanimously.

**IV. NEW BUSINESS**

A) Review, Discussion, and/or Action, and/or Vote: Status of Jamestown Elections Training and Advisory Committee.

1) Recommendation to Town Council: Full Committee, Ad Hoc or Dissolution.

Mr. Newman opened this agenda item commenting that he is the liaison to the committee. This committee has been noticed statewide, moving other cities and towns to move in the same direction. The Board of Elections and Secretary of States Office has taken notice to the work completed there, a

s well as a statewide working group of board of canvassers members. This committee was a six (6) month ad hoc committee which term ended in September and the ad hoc status was extended, however with all the ad hoc committees end at the start of a new council. The committee could request an extension of the ad hoc status for a set period. This would allow the committee to continue its work without the need for reorganization, keeping its temporary status in place. Another option would be to ask the Town Council to elevate the committee to a full, permanent standing committee. The third option is to dissolved the committee altogether. Mr. Newman thanked Ms. Beye as the liaison to the Town Council for her participation.

Mr. Newman opened the discussion to the floor and asked for recommendations from the committee members present. Ms. Meredith commented that they have unfinished business on the committee and to accomplish the charge of the committee her opinion is that they need reappointment by the Town Council for a period of six (6) months with the possibility to extend it longer and ask the Town Council for the committee to be reconstituted on an as needed basis nearer election cycles. Ms. Goldstein commented that the committee had created a presentation and report which has not had the opportunity to be been shown. She would like to keep the committee moving forward for another year to get their information out and track changes.

*Ms. Wineberg entered the meeting at 2:46 P.M.*

Mr. Newman commented that one thing that came up in the committee was the notion of a virtuous feedback loop. As the Board and poll workers deal with the problem in house then the Board of Elections responds. However, we never find out what caused the issue. For instance, with the Presidential Preference Primary receiving the incorrect ballots, we never found out how that happened or if another town received out ballots. *A Discussion ensued.* Ms. Goldstein commented that she would like to see the Board of Elections have more feedback and more training for poll workers with real world problems. In her opinion she would like to have a full standing committee. Ms. Beye inquired about what other communities have other committees similar to ours. Mr. Newman commented that there are a few Rhode Island committees in the process of being created as well as one that is a standing committee.

Mr. Murphy made a motion to recommend to the Town Council to have the Election Training and Advisory Committee to a full standing committee with a second by Ms. Wineberg. Vote: Mr. Newman, Aye; Mr. Murphy, Aye; and Ms. Wineberg, Aye. Vote Passed unanimously.

## II. MINUTES

- A) Approval of Minutes; Review, Discussion, and/or Action and/or Vote:  
 1) Board of Canvassers meeting of December 18, 2024.

Mr. Newman opened the agenda item for the above minutes. Mr. Murphy made a motion to accept the meeting minutes presented with a second by Ms. Wineberg. Vote: Mr. Newman, Aye; Mr. Murphy, Aye; and Ms. Wineberg, Aye. Vote Passed unanimously.

## III. UNFINISHED BUSINESS

- A) Review, Discussion, and/or Action and/or Vote: 2025-2026 Budget discussions.  
 1) Board of Canvassers Stipend Increase  
 2) Poll Worker Pay Increase.

Mr. Newman opened this agenda item and turned it over to Mr. Murphy who had completed figures for the 2025-26 FY Budget. Mr. Murphy commented that he has completed an analysis for the poll workers and Board of Canvassers. Mr. Murphy put together a presentation that gives a background and reasons for an increase. Mr. Murphy made the presentation to the Board which was a PowerPoint that was included in the packet. Mr. Murphy requested that the Supervisors pay increased from \$125 for election day to \$225, which would be equal to \$15 an hour and Moderators and Clerks moved from \$150 for election day to \$240 which would be equal to \$16 an hour. Mr. Goldstein commented that she would also like to see a separate training compensation as required by law. Mr. Ford commented that it is included in the election day poll worker rate as of right now. Mr. Murphy and Mr. Ford also added an additional \$25 training fee into the calculations for those poll workers who take the training and are selected to work. *A Lengthy Discussion Ensued.* Mr. Murphy made a motion to approve the increase in poll worker pay within the budget and also as to be heard during a budget workshop with the Town Administration with a second by Ms. Wineberg. Vote: Mr. Newman, Aye; Mr. Murphy, Aye; and Ms. Wineberg, Aye. Vote Passed unanimously.

Mr. Murphy made the presentation to the Board which was a Power Point that included a description of the duties of the Board and was included in the packet. Mr. Murphy requested that the Board of Canvassers receive an increase in the stipend. Mr. Newman commented that with the upcoming change of election official certification program that has begun, each Board member will have additional duties including training to fill in for any poll worker position and complete the certification program. Mr. Murphy commented that pre COVID-19 the Board worked an average of 63 hours a year, post COVID-19 it is up to 96-100 hours a year not including training. *A Lengthy Discussion Ensued.* Mr. Murphy commented that the Chairperson of the Board receives a stipend of \$1,456 a year while the two full members receive \$1,260 and the alternates each receive \$630 a year. Mr. Murphy made a motion to increase the stipend of each Board member to \$2,000 a year with a total budget item increasing \$10,000 with a second by Ms. Wineberg. Vote: Mr. Newman, Aye; Mr. Murphy, Aye; and Ms. Wineberg, Aye. Vote Passed unanimously. Mr. Ford commented that the Town Administrator has requested a memorandum of justification any budget increase over 2.5%. Mr. Murphy commented that he will complete that form and submit it to Mr. Ford.

- A) Review, Discussion, and/or Action and/or Vote: Re-Districting Voting Districts into three (3) Districts.

Mr. Newman opened this agenda item of re-districting and commenting that this was Ms. Nelson-Lee's request. Right now, we have two (2) districts and right now climate change and sea level rise could cause issues with voters access to polling locations. Main areas of concern are Mackerel Cove and the Great Creek "Zeek's' Creek." The Board is not ready yet to consider redistricting. At this stage of this we do not were not able to come up with compelling evidence to entertain these issues. Mr. Newman would like to table this until more information is obtained. Ms. Wineberg made a motion to table the discussions to retrace our precincts with a second by Mr. Murphy. Mr. Goldstein inquired if there has been any discussions about leaving the districts the same as the expense to research this is high and move to pushing mail ballots to those who may be affected. Mr. Newman commented this needs to be discussed before going to re-districting, prior to the expense of re-districting finding alternatives to voting day. Vote: Mr. Newman, Aye; Mr. Murphy, Aye; and Ms. Wineberg, Aye. Vote Passed unanimously.

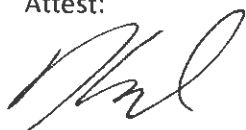
## V. Open Forum

Mr. Ford commented that Financial Town Meeting will be on Monday, June 2<sup>nd</sup> at 7:00 PM at the Lawn Ave School. Also, upcoming meetings for the next few months will be on the third Wednesday of the month. They Board can decide if they would like to move the May meeting earlier in the month to be able to cover the Final Canvass.

**VI. ADJOURNMENT**

Ms. Wineberg made a motion to adjourn with a second by Mr. Murphy. Vote: Mr. Newman, Aye; Mr. Murphy, Aye; and Ms. Wineberg, Aye. Vote Passed unanimously. Meeting was adjourned at 3:49 P.M.

Attest:



Keith Ford  
Deputy Town Clerk/Clerk to the Board of Canvassers

CC: Town Council Members (5)  
Board of Canvassers (4)  
Roberta Fagan, Town Clerk

**JAMESTOWN ZONING BOARD OF REVIEW**

**Minutes of the January 28, 2025 Meeting**

A regular meeting of the Jamestown Zoning Board of Review was held at the Jamestown Town Hall, 93 Narragansett Avenue. The Acting Chairman called the meeting to order at 7:00 p.m. The Clerk called the roll and noted the following members present:

Dean Wagner, Acting Chair  
Terence Livingston, Member  
James King, Member  
James Sisson, Member  
Robert Maccini, 2<sup>nd</sup> Alternate

Also present: Wyatt Brochu, Counsel  
Dennis Begin, Zoning Officer  
Suzanne Enser, Clerk  
Alesha Cerrito, Stenographer

Absent: Jane Bentley, Member  
John Shekarchi, 1<sup>st</sup> Alternate

**NOMINATION AND SELECTION OF NEW ZONING BOARD OF REVIEW CHAIRPERSON & VICE CHAIRPERSON**

A motion was made by Terence Livingston and seconded by James King to nominate Dean Wagner as Chair.

A motion was made by Dean Wagner and seconded by James Sisson to nominate Terence Livingston as Vice Chair.

Dean Wagner, Terence Livingston, James King, James Sisson and Robert Maccini voted in favor of the motion.

The motion carried by a vote of 5 – 0.

**APPROVAL OF MINUTES**

A motion was made by Terry Livingston and seconded by James Sisson to accept the minutes of the December 17, 2024 meeting as presented.

The motion carried by a vote of 5 – 0.

Dean Wagner, Terence Livingston, James King, James Sisson and Robert Maccini voted in favor of the motion.

#### **UNFINISHED BUSINESS**

We have 4 applications that were voted on and approved last month but the decision forms were unavailable. The decisions were drafted in the Small, Gorelick, and Levesque (2) applications.

A motion to submit the decisions into the record and waive reading was made by James Sisson and seconded by Terence Livingston.

The motion carried by a vote of 5 – 0.

Dean Wagner, Terence Livingston, James King, James Sisson and Robert Maccini voted in favor of the motion.

#### **CORRESPONDENCE**

All correspondence was in reference to New Business on the agenda.

#### **NEW BUSINESS**

**Application of 121 Walcott LLC** whose property is located at 121 Walcott Avenue, Jamestown, RI 02835, and further identified as Tax Assessor's Plat 9, Lot 339 for a Variance granted under Article 3, Special Use Permits and Variances, Section 305, 306, and 307. This application is made pursuant to the provisions of Article 6 section 82-602, Table 6-2, District Dimensional Regulations for the R40 Zoning District of the zoning ordinance. The Applicant seeks an accessory front yard setback of 13.3 feet where 40 feet is required and side yard setback relief of 10.0 feet where 15.0 feet is required in order to construct a small two car garage and accessory dwelling unit. Said property is located in a R40 zone and contains +/- 40,001 square feet.

The applicant needs to receive approval from the Town of Jamestown Technical Review Committee before moving forward with this board.

A motion was made by Terence Livingston and seconded by Dean Wagner to continue to the next ZBR meeting on 25 February 2025 Zoning Board of Review meeting.

The motion carried by a vote of 4 – 0. James King recused himself from the vote.

Dean Wagner, Terence Livingston, James Sisson and Robert Maccini voted in favor of the motion.

**Application of Andrew and Jessica Green** whose property is located at 63 Whale Rock Road, and further identified as Tax Assessor's Plat 12, Lot 192 for a Variance from Article 6, Section 82-602, District dimensional regulations, Table 6.2. To construct a concrete pad to place 4 HVAC condensers 12'-6" where 30 feet is required from the north property line and a generator 10'-0" where 30 feet is required from the north property line. Said property is located in a R-40 zone and contains 23,714 square feet.

A representative for the applicant, Joseph Babcock Jr., who is the project manager and designer of the construction project was present.

Because this is a quasi-judicial board, a non-attorney cannot represent a party before this board if the applicant is not present. Further, the application is signed by a non-property owner. The application needs to be amended to include the plans for the generator and condensing unit.

A motion was made by Terence Livingston and seconded by James King to continue to the 25 February 2025 Zoning Board of Review meeting.

The motion carried by a vote of 5 – 0.

Dean Wagner, Terence Livingston, James King, James Sisson and Robert Maccini voted in favor of the motion.

#### **ADJOURNMENT**

A motion was made Terence Livingston and seconded Dean Wagner to adjourn at 7:22 p.m.

The motion carried unanimously.

*Respectfully submitted by: Suzanne Enser, Clerk Building/Zoning*







E. F. Fox  
 Est. 1670  
 994 Ft. Getty Road  
 Jamestown, RI 02835

**DATE:** 2/11/2025

**TO:** Nancy Beye - President - Jamestown Town Council  
 Erik Brine - Vice President - Jamestown Town Council  
 Mary Meagher - Member - Jamestown Town Council  
 Mary Glackin - Member - Jamestown Town Council  
 Edward Ross - Member - Jamestown Town Council

**FROM:** Abby Jenkins and Jeff Boal  
 994 Ft Getty Road  
 Jamestown, RI

**RE:** Ft Getty Park – Park & Rec Utility Garage/Shed

Abby and I wanted to express our appreciation to each of you for agreeing to seek input from town residents regarding Ft Getty Park's long-term usage. As one of the only two direct abutters to the park we look forward to participating in the conversation and hopefully the town can have steer clear of the "third rail" and establish clarity on what the future holds for the park.

During the February 3<sup>rd</sup> Town Council Meeting the Town Administrator outlined "necessary" infrastructure upgrades required for the park to remain a functioning RV facility. During this discussion I was struck by the addition of a utility garage to this list.

I am writing to you today to express my opposition, regardless of the park's destiny, to adding a utility garage/shed at the entrance to the park. My rationale is as follows:

**What's the Need?** - It was not made clear what the critical need is that a utility garage solves. If the goal is to create a seasonal storage for items things like lifeguard stands, tractors, trucks and platforms it seems like an extravagant misuse of taxpayer funds given that most if not all of those items do not require indoor storage. If the goal of the building is for repair and service of equipment and tractors... Surely it would be more efficient to maintain and service them at town facilities currently set up to perform that maintenance. The need for a garage just doesn't seem significant enough to warrant the expense of a new building.

**Convenience vs Nature** - The town has spent hundreds of thousands of dollars improving Ft Getty Park making changes to the landscaping, the pavilion, improving the gatehouse as well as the approaches to the park. These improvements have helped to lift the park up, making it a more attractive place to visit. Locating a large municipal garage at its entrance diminishes the natural beauty and environment that surrounds the park it is a step backwards and trades away an area of natural beauty for convenience and utility.

Thank you for your attention and consideration.

**Roberta Fagan**

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**From:** Edward Mello  
**Date:** Monday, February 24, 2025 8:42 AM  
**To:** Peter Sarto gadoury  
**Cc:** Roberta Fagan  
**Subject:** RE: Mental Health Awareness Month

Good morning Peter;

Your email will be presented to the TC on March 3 and I suspect that they will support a Town Council resolution declaring May as Mental Health Awareness Month.

In the meantime, I will look at ways that we can support the awareness campaign and promote it through the Town.

Thank you

Ed

**From:** Peter Sarto gadoury [REDACTED]  
**Sent:** Friday, February 21, 2025 5:22 PM  
**To:** Edward Mello <emello@jamestownri.net>  
**Subject:** Mental Health Awareness Month

**CAUTION:** This email originated from outside the Jamestown email system. Please do not click links or open attachments unless you recognize the sender and determine the content is safe.

Dear Mr Mello:

This is Peter Gadoury from the bead shop downtown. My friend, Ruth Scott is working on promoting Mental Health Awareness. As you know my son Eli, who you see around town, has an Serious Mental Illness (SMI). Ruth is always looking for ways to help the cause. I am copying an email she sent me, any help you can offer is greatly appreciated. Could we get parts of the town buildings lit green? It would get people talking about this important subject. Below I have included the email my friend Ruth sent me.

**I have great news. Newport City, and the new Mayor Holder, will AGAIN, declare May as Mental Health Month.** In addition, they have obliged my request to "light" the city green in support of mental health awareness and those most vulnerable to SMI. As such, the dome at City Hall will be lighted green. Additionally, Newport Mental Health is helping me reach out to greater Rhode Island to get the bridges in our state lit green. (This won't be easy but we are going to try, and I am meeting with their marketing team early March to discuss details.)

I am one of the NAMI (National Alliance for Mental Illness [www.nami.org](http://www.nami.org)) Aquidneck Island educators, and support group facilitators serving the community and city residents of Newport, RI. I am also the RI State Policy Director for the National Shattering the Silence Coalition, a volunteer for MLK Center, a member of Johnny's Ambassadors and many other non-profit associations all seeking greater humanity in support of those living with mental illnesses. On a more personal note, I am also a military spouse of an active duty NAVY JAG LCDR, mother, yogi, birder and long term resident of Newport, RI. I spend much of my free time

Page 93 of 118  
volunteering, and preparing meals, hygiene product drop offs, warm jackets, clothing donations and more for those unhomed in Newport.



largest grassroots mental health organization dedi..

By shining a light on mental illness and severe brain diseases people will begin to understand the root cause; how the illness inflicts, how those with mental illnesses become vulnerable to homelessness, substance abuse - and most important -- how to be compassionate to our community of mentally ill persons (the way first responders in our city are each, and every day!!!)

I look forward to the council members supporting our goal to "light the city green." Our vision is that the rest of the county and residents will follow their lead; with businesses and homes lighting their porches/porches green during the month of May, 2025. In addition to this, educational materials, news articles and flyers will inform, educate and spread important information throughout the month of May --all in an effort to "shine a light on mental illness" , while making sure those seeking support know how to get it!

Ruth is a dynamic ball of energy and very passionate as you can tell. Our hope is to spread this beyond Newport. I told her I would reach out to you. I'm also going to email state Rep Alex Finkelman and Jamestown Press.

You can reach Ruth at her Shattering Silence email for more info, she's always open to ideas. [rinsscdirector@gmail.com](mailto:rinsscdirector@gmail.com)

Thank you,  
Peter





**AN UPDATE**

**Remote Access to  
Public Meetings Post-Covid:  
A Review of Rhode Island City and Town  
Councils and School Committees**

**February 2025**

**ACLU**

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Rhode Island

## **Remote Access to Public Meetings Post-Covid:**

A Review of Rhode Island City and Town Councils and School Committees

**AN UPDATE**

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## Introduction

Remote access by the public to state and local government meetings became essential during the COVID pandemic. For the first two years of the disease's presence, Gubernatorial executive orders required public bodies to arrange to have their meetings livestreamed and to provide for remote public participation for any instance when in-person testimony would have been heard. In 2025, remote access remains an extremely valuable vehicle to ensure that public bodies are including as many people as possible in the oversight of their government. But since mid-2022, public bodies have been left on their own to determine the extent to which they will make their meetings open virtually.

In May 2023, in recognition of that discretion, the ACLU of Rhode Island released a report reviewing the post-COVID remote meeting practices of two of the most important public bodies in every Rhode Island municipality – city and town councils and school committees. We looked at four particular aspects of their public meeting practices in this regard:

- **Did they livestream their meetings?**
- **Did they record their meetings and provide a video archive of them for future reference?**
- **Did they provide links to agenda item documents online?**
- **Did they allow remote participation by the public?**

The results were encouraging in some respects, but they also demonstrated significant room for improvement. In 2023, only eleven city/town councils and one school committee employed all four of the constituent-friendly practices noted above. Three councils and four school committees engaged in none of those practices.

In late 2024, we decided to reexamine those practices to see whether, and how, public bodies had improved the public's ability to watch and participate in their meetings remotely since our first report.<sup>1</sup> This report is the result of that reexamination.

**While a handful of public bodies have improved their practices to ensure better public access, some of the least transparent public bodies have remained that way.**

On the positive side, one town council – Charlestown – has now joined 11 other municipal councils in meeting all four criteria examined in our report. Three school committees – East Greenwich, Little Compton, and Scituate – have joined Barrington as school committees that meet all four standards.

But the fact that only four school committees have reached that threshold, and fewer than half the municipal councils have done so, reflect the reality that there has been less progress since mid-2023 in making meetings more accessible to the public than we would have hoped for. Our latest analysis has found that while a handful of public bodies have improved their practices to ensure better public access, some of the least transparent public bodies have remained that way. However, we believe that 2025 provides an opportunity for progress.

As a result of elections in November 2024, there have been changes in the membership of many of these public bodies, and we believe it presents an opportune time for those entities to reexamine their remote access policies. Our hope is that the councils and school committees that are not currently providing the public with maximum access to their meetings in the four ways noted above will take steps forward this year to join the 16 public bodies that now do so.

<sup>1</sup> The determinations of their policies were made by examining each public body's website, posted agendas, and related documents. When a practice was unclear, we sought clarifying information from municipal clerks. As with our last report, we welcome updates and corrections to the information provided.

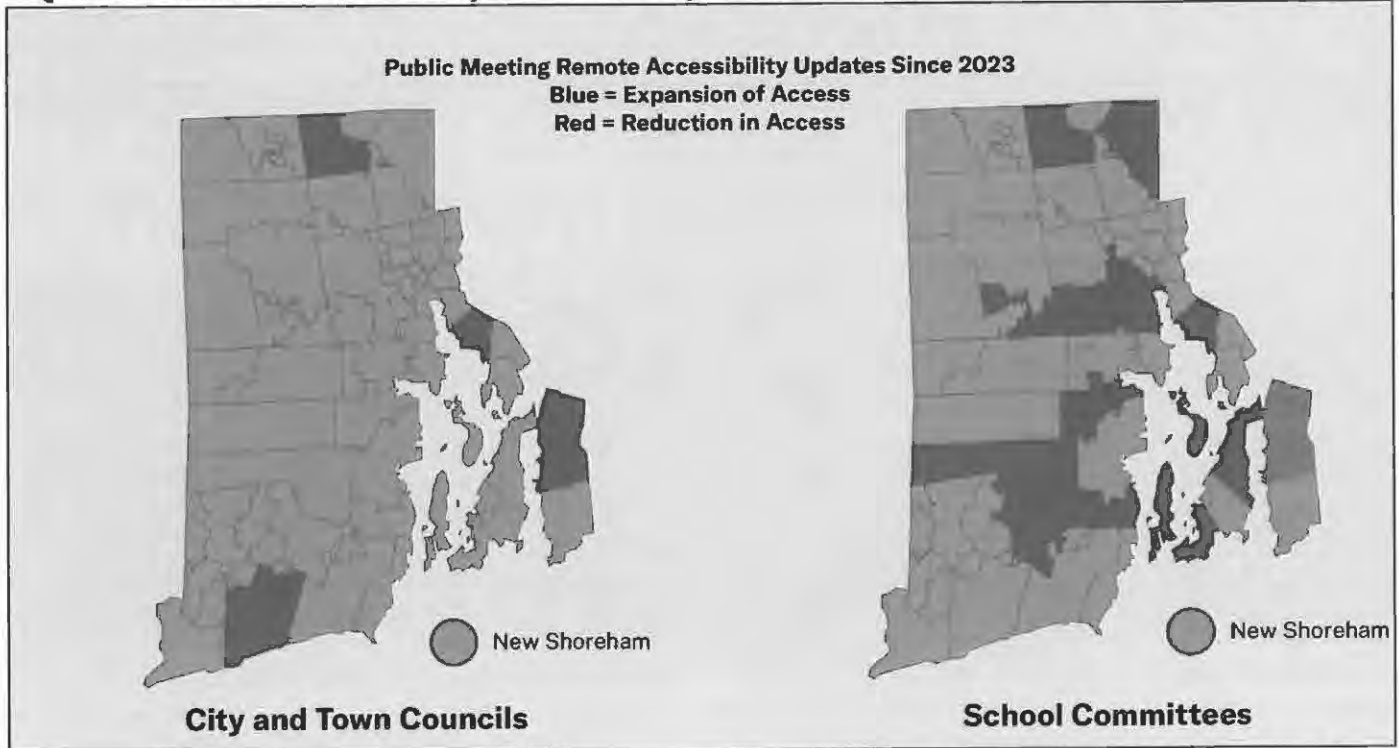
That list of standard-bearers includes public bodies large and small, urban and rural, and thus clearly demonstrates that this goal is within the reach of every municipal council and school committee.

As we noted in our 2023 report, the meeting practices adopted during the pandemic greatly expanded the opportunity for civic engagement by removing longstanding barriers to monitoring, and involvement in, public meetings for residents with disabilities, seniors, and people with limited access to transportation. It was also an important tool for individuals who had work or family obligations that otherwise prevented them from attending meetings in person or that made it extremely burdensome to do so. That opportunity remains as important as ever in promoting greater transparency and accountability.

The following pages provide an update to our 2023 report and note the changes that more than a dozen public bodies have made in the last year-and-a-half to better promote remote public access to their meetings. We encourage those public bodies that are lagging to follow the lead of the communities that engage in best practices governing remote access, and we urge residents of those lagging communities to press their public officials to do the right thing.



## Quick-Glance Charts: Updates to Open Meeting Policies in Rhode Island



### Best: Fully Remotely Accessible

City and Town Councils
Charlestown*
Coventry
Cranston
Cumberland
East Greenwich
Lincoln
Middletown
Pawtucket
Portsmouth
Richmond
Scituate
West Warwick

School Committees
Barrington
East Greenwich*
Little Compton*
Scituate*

### Worst: Not At All Remotely Accessible

City and Town Councils
Exeter
Foster
West Greenwich

School Committees
Foster-Glocester
Johnston
New Shoreham

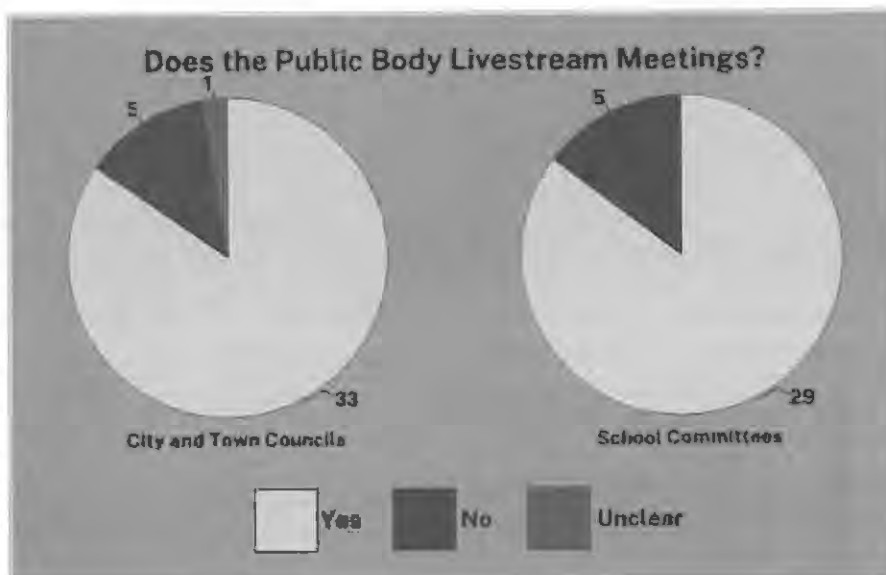
*\* indicates new fully accessible councils or committees, as compared to the 2023 report.*

## Livestreaming

One of the simplest ways for public bodies to promote greater accessibility is to livestream their meetings as they did during the pandemic.

In 2023, we found that 32 of the 39 city and town councils continued to livestream their meetings, through Zoom, YouTube, Clerkbase or public access channels, and sometimes through more than one method. Since that report, only one municipality – Barrington – has been added to that list. The six municipalities that still do not appear to allow their constituents to watch their meetings remotely in real time are: Burrillville, Central Falls,<sup>2</sup> Exeter, Foster, Johnston, and West Greenwich.

Presently, 29 of the 34 school committees livestream their meetings through one or more methods cited above. This includes four school committees – Exeter-West Greenwich, Middletown, Newport, and Scituate – that had not been offering this opportunity in 2023. The five school committees that still fail to provide an opportunity for their constituents to watch their meetings remotely in real time are: Foster-Glocester, Johnston, New Shoreham, Smithfield, and West Warwick.



## Remote Participation

A major benefit of the pandemic protocol was that many public bodies had to find ways to allow the public to not only view meetings, but also to participate in them. As we acknowledged in our 2023 report, that is admittedly done more easily when both the public and the public body are meeting virtually, but any technological issues are easily overcome in creating hybrid meetings where the public can participate both in-person and remotely, as demonstrated by the public bodies that do so.

That being said, only a small subset of public bodies continues to provide for remote public participation. In 2023, only 12 of the 39 municipal councils allowed for some kind of hybrid participation option with either a Zoom link or telephone call-in information, and only one council – Charlestown – has since joined them. Besides Charlestown, the other municipalities authorizing public participation are: Coventry, Cranston, Cumberland, East Greenwich, Hopkinton,

**In 2023, only the Barrington school committee had been allowing regular public participation remotely, so there has been relatively considerable improvement by school districts in the past year.**

<sup>2</sup> Videos of Central Falls' City Council meetings are available on YouTube and indicate that they have been streamed, but links on the meeting agenda only take one to a recording of a since-concluded meeting. It is not terribly useful if one has to navigate on one's own to YouTube on the meeting date in order to be able to watch it live.

Lincoln,<sup>3</sup> Middletown, Pawtucket, Portsmouth, Richmond, Scituate, and West Warwick.

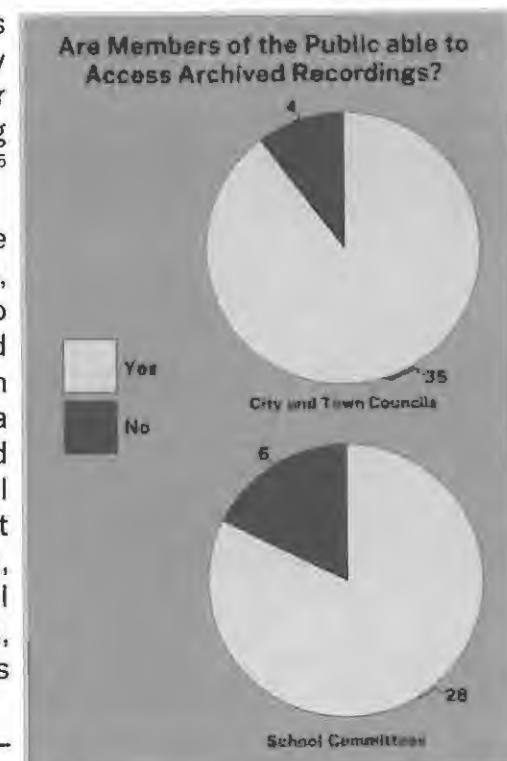
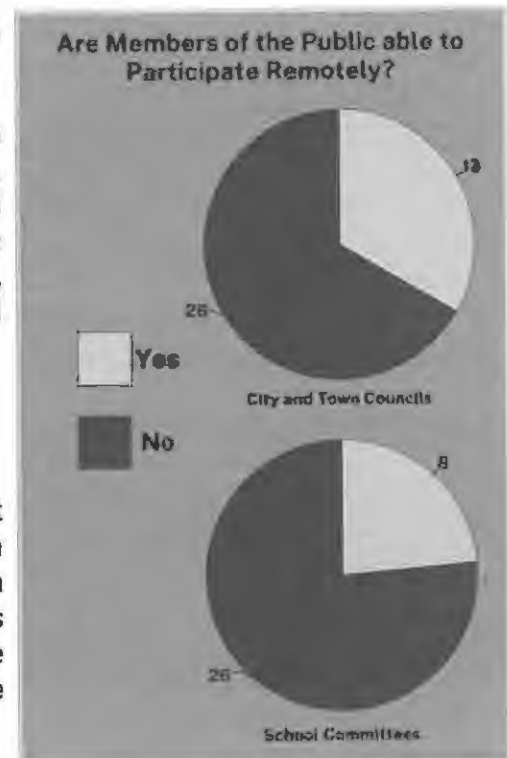
Presently, eight school committees offer a hybrid participation option via Zoom or phone: Barrington, Cranston, East Greenwich, Jamestown, Little Compton, North Smithfield, Portsmouth, and Scituate. As meager as this list is, in 2023 only the Barrington school committee had been allowing regular public participation, so there has been relatively considerable improvement by school districts in the past year in providing this opportunity.<sup>4</sup>

## Meeting Archives

With so many public bodies livestreaming their meetings, it is only a short step to recording them and maintaining them online so the public can view them after the fact. This is a straightforward way of not only preserving a record of meetings for future reference, but of accommodating members of the public who, for many understandable reasons, may not be able to view a meeting at the time it takes place.

Our 2023 review found that 35 of 39 city and town councils had easily accessible archive links to watch previously recorded meetings, but that number has not changed. The four municipalities that continue to resist recording and archiving their meetings are Exeter, Foster, Johnston, and West Greenwich.<sup>5</sup>

On the school committee side, there has been only one change in recording practices since our last study. Altogether in 2023, 27 of 34 school districts had easily accessible archive links to watch previously recorded meetings. Middletown has now joined those school districts. Concerningly, Exeter-West Greenwich does archive and host videos for viewing, but requires that a form be filled out and submitted prior to receiving a password to view the livestream or recorded videos.<sup>6</sup> The five school districts that continue not to make meetings accessible sat all for later viewing are Cranston, Foster-Glocester, Johnston, New Shoreham, and West Warwick. While the Smithfield school committee records its meetings, it does not livestream them, and a link to that town's Vimeo account indicates that videos are available for viewing within three days after the meeting.



<sup>3</sup> Lincoln holds hybrid meetings where the public can watch a livestream and contemporaneously email comments to the Town Council for consideration.

<sup>4</sup> Our 2023 report labeled Central Falls' practice as "unclear," but it has since been determined that the school committee does not provide for remote participation.

<sup>5</sup> For unknown reasons, it appears that the Burrillville Town Council records meetings for future viewing but does not livestream them.

<sup>6</sup> As we noted in our 2023 report, Exeter-West Greenwich requires individuals to obtain a password from the school district to view recently uploaded videos. The form, which includes requesting name, email, zip code, and relation to the school committee, is antithetical to open meeting practices, and raises concerns for government transparency.

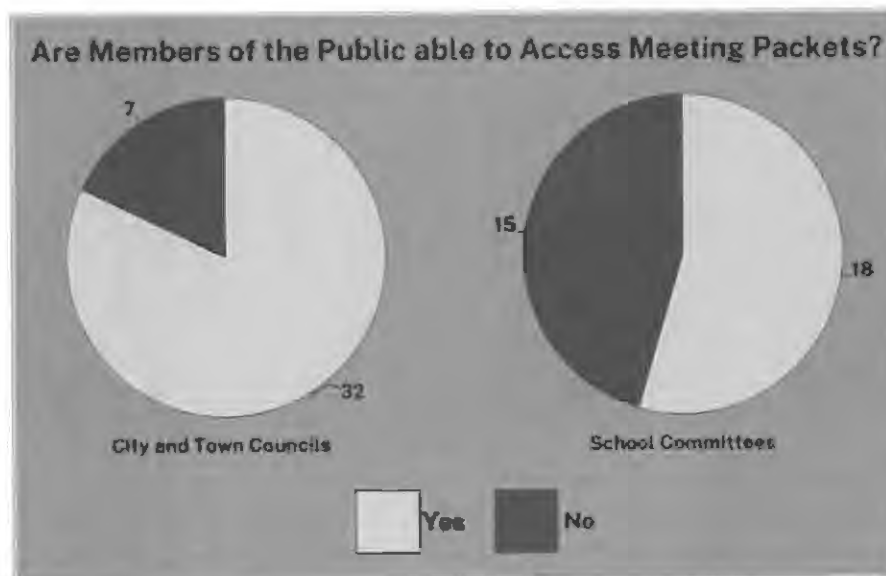
## Agenda Packets

As we pointed out in our 2023 report, an extremely frustrating aspect of remote viewing is when the public body fails to make accessible to the public the documents that form the basis for its agenda discussions. Providing links to agenda papers directly from the online published agenda ensures that the public – whether watching in person or remotely – can meaningfully follow the public body’s discussion and debate. The availability of central document housing platforms, such as BoardDocs or Clerkbase, makes it extremely easy for public bodies to post and share their meeting documents.

However, seven town councils still fail to include with their posted notices an online link to an agenda packet or to the documents being discussed at the meeting. Those town councils are: Burrillville, Central Falls, Exeter, Foster, Gloucester, Hopkinton, and West Greenwich.<sup>7</sup>

Unfortunately, while a significant majority of city and town councils make their agenda packets available online, the same cannot be said about school committees, where only about half of them regularly include a link to their agenda packet or documents. Those school committees routinely offering the public this information online are: Barrington, Bristol-Warren, Chariho, Cumberland, East Greenwich, Little Compton, Middletown, Newport, North Kingstown, Providence, Scituate, South Kingstown, Warwick, West Warwick, Westerly, and Woonsocket.<sup>8</sup> Two more – Narragansett and North Providence – provide more limited access, explained in the footnote below.<sup>9</sup> On the other hand, it appears that one school committee that had been posting its agenda packet online in 2023 – Tiverton – has taken a step backward and no longer does so.

**It appears that one school committee that had been posting its agenda packet online in 2023 – Tiverton – has taken a step backward and no longer does so.**



<sup>7</sup> The only change from 2023 is that the North Smithfield Town Council has begun making its agenda packet available, although it is posted only at 10 AM the day of the meeting.

<sup>8</sup> The two school committees that have begun including their packet online since the 2023 report are Cumberland and West Warwick. However, Cumberland does not post the packet online until noon on the day of the meeting.

<sup>9</sup> The Narragansett school committee makes agenda packets available only for their current/upcoming meetings “as soon as available on day of next scheduled meeting,” with past meetings containing just the agenda for review. North Providence includes a link under “District Policies” to find policies currently being written and worked on at the next meeting, but there is no direct link in the agenda packet to documents being considered.



## Recommendations and Conclusion

The importance of remote access to the meetings of major public bodies like city and town councils and school committees cannot be overstated. As our 2023 report pointed out:

As a result of the open meetings lessons spurred by the pandemic, more parents were able to monitor school board meetings without having to find childcare; elderly residents could watch evening town council meetings without having to drive in the dark; and harried individuals with two jobs often had an opportunity to watch an important governmental meeting on their own schedule.

The ACLU of Rhode Island strongly supports the passage of legislation that would require city and town councils and school committees to provide for remote attendance by the public; remote participation to the extent that in-person participation is allowed; the recording and prompt posting online of meetings; and the electronic posting of agenda packets with their agendas. The fact that sixteen of these public bodies currently engage in all of these practices demonstrates that these are very feasible goals. Although legislation to codify these requirements has been introduced in the past, those bills have not passed.<sup>10</sup>

In the meantime, however, nothing prevents public bodies from voluntarily adopting these best practices in order to promote more meaningful transparency and accountability in their deliberations. We call upon every city and town council and school committee that has not yet implemented these four practices to begin doing so.

Our 2023 report concluded by noting:

Access to the democratic process should no longer hinge on a person's physical mobility or their ability to afford a car, get time off work, or find a childcare provider. If municipal councils and school committees positively address the access issues analyzed in this report, they will be taking important steps in further promoting the Open Meetings Act's goal of having "public business be performed in an open and public manner."

We hope that this updated review – and the evidence it presents on the reasonableness and practicability of greater remote public access to meetings – will encourage public bodies to move fully into the post-COVID 21st Century and adopt these important features promoting greater transparency.<sup>11</sup>

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<sup>10</sup> See, e.g., 23-S 815 and 24-S 2256/24-H 7181.

<sup>11</sup> This report was prepared by ACLU of Rhode Island staff members Megan Khatchadourian and Zoe Chakoian.



# Appendices

## Appendix A – City and Town Councils

City/Town Council	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
Barrington	Yes	No	Yes	Yes	
Bristol	Yes	No	Yes	Yes	
Burrillville	No	No	Yes	No	
Central Falls	Unclear*	No	Yes	No	* Videos of recent meetings are available, but it is unclear if they are livestreamed or posted after conclusion of the meeting.
Charlestown	Yes	Yes	Yes	Yes	
Coventry	Yes	Yes	Yes	Yes	
Cranston	Yes	Yes	Yes	Yes	
Cumberland	Yes	Yes	Yes	Yes	
East Greenwich	Yes	Yes	Yes	Yes	
East Providence	Yes	No	Yes	Yes	
Exeter	No	No	No	No	
Foster	No	No	No	No	
Glocester	Yes	No	Yes	No	
Hopkinton	Yes	Yes	Yes	No	
Jamestown	Yes	No	Yes	Yes	
Johnston	No	No	No	Yes	
Lincoln	Yes	Yes*	Yes	Yes	* Individuals watching by livestream can email comments to meeting@lincolnri.org while the meeting is taking place.
Little Compton	Yes	No	Yes	Yes	
Middletown	Yes	Yes	Yes	Yes	
Narragansett	Yes	No	Yes	Yes	
New Shoreham	Yes	No	Yes	Yes	
Newport	Yes	No	Yes	Yes	
North Kingstown	Yes	No	Yes	Yes	



City/Town Council	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
North Providence	Yes	<b>No</b>	Yes	Yes	
North Smithfield	Yes	<b>No</b>	Yes	Yes*	* Meeting packet is now only made available 10am on the day of meeting.
Pawtucket	Yes	Yes	Yes	Yes	
Portsmouth	Yes	Yes	Yes	Yes	
Providence	Yes	<b>No</b>	Yes	Yes	
Richmond	Yes	Yes	Yes	Yes	
Scituate	Yes	Yes*	Yes	Yes	* People watching via livestreaming can offer public comment remotely on non-agenda items, but not for public hearings.
Smithfield	Yes	<b>No</b>	Yes	Yes	
South Kingstown	Yes	<b>No</b>	Yes	Yes	
Tiverton	Yes	<b>No</b>	Yes	Yes*	* Most recent two meeting packets are available under "Town Council Agenda"; rest of agendas found under "Agenda Archive."
Warren	Yes	<b>No</b>	Yes	Yes	
Warwick	Yes	<b>No</b>	Yes	Yes	
West Greenwich	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	
West Warwick	Yes	Yes	Yes	Yes	
Westerly	Yes	<b>No</b>	Yes	Yes	
Woonsocket	Yes	<b>No</b>	Yes	Yes	

A total of 12 municipalities offer all four aspects of remote public meeting access and participation: Charlestown, Coventry, Cranston, Cumberland, East Greenwich, Lincoln, Middletown, Pawtucket, Portsmouth, Richmond, Scituate, and West Warwick.

Three municipalities offer no remote public meeting access in any capacity: Exeter, Foster, and West Greenwich.

Yellow highlighted cells indicate a change in practice as compared to our review in 2023.

## Appendix B – School Committees

School Committee	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
Barrington	Yes	Yes	Yes	Yes	
Bristol-Warren	Yes	No	Yes	Yes	
Burrillville	Yes	No	Yes	No	
Central Falls	Yes	No	Yes	No	
Chariho	Yes	No	Yes	Yes	
Coventry	Yes	No	Yes	No	
Cranston	Yes	Yes	No	No	
Cumberland	Yes	No	Yes	Yes*	* Meeting packet is now only made available 12pm on the day of meeting.
East Greenwich	Yes	Yes	Yes	Yes	
East Providence	Yes	No*	Yes	No	* The agenda specifies that a provided link allows individuals to “attend” the meeting. There is no reference to participation.
Exeter-West Greenwich	Yes	No*	No*	No	* Must complete form to obtain a password to view the livestream and archived videos.
Foster-Glocester	No	No	No	No	
Jamestown	Yes	Yes	Yes	No	
Johnston	No	No	No	No	
Lincoln	Yes	No	Yes	No	
Little Compton	Yes	Yes*	Yes	Yes	* When available, public comment will be held via Zoom at a link in meeting agendas.
Middletown	Yes*	No	Yes	Yes**	* Livestream available on YouTube, but it is not indicated on the website or documents that the meeting is livestreamed. ** Supporting documents are not available from the school committee website, but can only be found through the Town Council website after clicking on some non-obvious links there.

School Committee	Watch Livestream	Remote Participation	Video Archived	Packet Online	Notes
Narragansett	Yes	No	Yes	Yes*	* It appears that the packet is only available on the day of the meeting. The documents are then removed, and only the agenda is linked.
New Shoreham	No	No	No	No	
Newport	Yes*	No	Yes	Yes	* Livestream available on YouTube, linked only on a Newport Public School page, and not indicated on the school committee's Board Docs website, meeting agendas, or other documents.
North Kingstown	Yes	No	Yes	Yes	
North Providence	Yes	No	Yes	Yes*	* Agendas have a link to "view revised and new policies" that are listed on the agenda for "discussion and/or approval."
North Smithfield	Yes	Yes	Yes	No	
Pawtucket	Yes	No	Yes	No	
Portsmouth	Yes	Yes*	Yes	No	* Participation is only available for people who join via Zoom; participation not possible through Youtube livestream.
Providence	Yes	No	Yes	Yes	
Scituate	Yes	Yes*	Yes	Yes	* Only available if individuals log in on Zoom.
Smithfield	No	No	Yes*	No	* A link to the Town's Vimeo account indicates that videos are available for viewing within 3 days after the meeting.
South Kingstown	Yes	No	Yes	Yes	
Tiverton	Yes	No	Yes	No	
Warwick	Yes	No	Yes	Yes	
West Warwick	No	No	No	Yes	
Westerly	Yes	No	Yes	Yes	
Woonsocket	Yes	No	Yes	Yes	

Barrington, East Greenwich, Little Compton, and Scituate are the only school committees that offer all four aspects of remote public meeting access and participation.

Three school committees offer no remote public meeting access in any capacity: Foster-Glocester, Johnston, New Shoreham.

Yellow highlighted cells indicate a change in practice as compared to our review in 2023.



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