

**TOWN COUNCIL MEETING  
May 5, 2014**

**I. ROLL CALL**

Town Council Members Present:

Kristine S. Trocki, President  
Mary E. Meagher, Vice President  
Thomas P. Tighe  
Eugene B. Mihaly  
Blake A. Dickinson

Also in Attendance:

Lisa Bryer, Town Planner  
Christina D. Collins, Finance Director  
Michael deAngeli, Harbor Commission Chair  
Joseph McGrady, Harbor Commission  
Michael Gray, Public Works Director  
Cathy Kaiser, School Committee Chair  
Edward A. Mello, Police Chief  
William Piva, Recreation Director  
Peter D. Ruggiero, Town Solicitor  
David R. Petrarca, Jr., Assistant Town Solicitor  
Cheryl A. Fernstrom, Town Clerk

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

Town Council President Trocki called the meeting of the Jamestown Town Council to order at 7:13 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and Councilor Dickinson led the Pledge of Allegiance.

**III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS,  
PRESENTATIONS AND RESOLUTIONS**

- A) Resolutions and Proclamations
- 1) No. 2014-05: "Jamestown Teacher Appreciation Week" May 5-9, 2014.  
President Trocki read the Resolution.

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve Proclamation No. 2014-05 "Jamestown Teacher Appreciation Week." President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**IV. PUBLIC HEARINGS, LICENSES AND PERMITS**

*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 Hearings:

- 1) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 78 Waterways Article II. Harbor Management Ordinance Sec. 78-21 through Sec. 78-22 through Sec. 78-27; duly advertised in the *Jamestown Press* March 27, 2014 edition; continued from April 7, 2014
- 2) Proposed Amendment of the Jamestown Comprehensive Harbor Management Plan Chapter I Introduction, Chapter II Jamestown (Conanicut Island) Description, and Chapter III Issues and Implementation, for CRMC compliance; duly advertised in the *Jamestown Press* March 27, 2014 edition; continued from April 7, 2014

Chief Mello noted this is a continuation of the April 7, 2014 public hearing for the duly advertised Harbor Ordinance and Harbor Management Plan. Harbor Commission Chair Michael deAngeli was in attendance. Recommended changes by the Harbor Commission, Town staff, and CRMC were incorporated. This should be the final version for the Ordinance, and the Plan needs to be brought in line with the Ordinance. Chief Mello asks the Council to continue the public hearings to the June 16, 2014 meeting so that final versions of the Ordinance and Plan can be brought into compliance and advertised for public hearing. Chief Mello noted that CRMC granted an extension of our conditional approval to the end of June to bring the Plan into compliance. The goal is to receive five-year approval from CRMC. This has been a combined 14-month process by the Harbor Commission, Town staff, CRMC, and our legal counsel. Chief Mello asked that the Ordinance be reviewed this evening.

President Trocki noted Council members want procedurally correct and proper legal re-advertisement and are in agreement with review and discussion of the Harbor Ordinance, re-advertising, and continuing the public hearings to June 16<sup>th</sup>.

Chief Mello reviewed ordinance revisions, including Definitions beginning on Page 2. Revisions include abandoned vessels, beach permit (defining the season 4/1 to 10/31), motorized vessel, private aids to navigation, and season (4/1 to 10/31 of each year).

Page 9 line 10 clarifies Mooring and outhaul regulations. The most cautiously debated area was definitions of Class 1 Riparian. Page 11 line 8 will now read “All moorings in this category shall be counted toward complying with the CRMC no greater than 3:1 resident to non-resident mooring allocation requirement.”

**A motion was made by Mary Meagher with second by Eugene Mihaly to table this item briefly to later in the agenda when clean copies of the ordinance document can be copied and distributed for items 1) and 2). President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 3) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 70 Traffic and Vehicles, Sec. 70-87 Prohibited or restricted parking on specified streets; duly advertised in the *Jamestown Press* April 24, 2014 edition

Chief Mello stated under the guidance of the Traffic Committee and vetted through the Council, the conclusion was to no longer require a resident sticker at West Ferry, with open parking, except for the 15 minute loading zone designated by signage at the west most portion of the wharf. The Mackerel Cove beach parking was omitted by oversight last May. This allows the Recreation Department to permit parking by a daily pass. These are the only two changes.

Council comments. None.

Public comments. None.

**A motion was made by Mary Meagher with second by Eugene Mihaly to adopt the amendment to Chapter 70 Traffic and Vehicles.**

Discussion. There was concern for changes at West Ferry with the requirement of a resident sticker and concern for outhaul users. The introduction of the loading zone will assist the outhaul users.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

B) Licenses and Permits

- 1) Applicant: Jamestown PTO  
Event: Drink & Dabble (to benefit Jamestown PTO)  
Date: June 6, 2014  
Location: Fort Getty Pavilion

**A motion was made by Blake Dickinson with second by Eugene Mihaly to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 2) Applicant: Central Baptist Church  
Event: Central Baptist Church June Festival  
Date: June 21, 2014  
Location: Town Parking Lot, Church and sidewalk

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 3) Applicant: Save The Bay  
Event: 38<sup>th</sup> Annual Save The Bay Swim  
Date: July 19, 2014  
Location: RI Turnpike & Bridge Authority Land & Potters Cove

Councilor Tighe asked if Save The Bay pays for the police detail. Police Chief Mello stated yes, they do.

**A motion was made by Thomas Tighe with second by Blake Dickinson to approve the license application with the condition they pay for the traffic detail. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 4) Applicant: Conanicut Island Art Association  
Event: CIAA Summer Craft Show  
Date: July 19, 2014  
Location: Jamestown Recreation Center

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 5) Applicant: Jamestown Historical Society  
Event: Windmill Day  
Date: July 19, 2014  
Location: Wind Mill, North Road

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 6) Applicant: Conanicut Island Art Association  
Event: CIAA Annual Art Exhibit  
Date: July 23 – July 27, 2014  
Location: Jamestown Recreation Center

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 7) Applicant: Jon Mistowski  
Event: Ocean State Parrot Head Club 13<sup>th</sup> Annual Golf Tournament  
Date: September 7, 2014  
Location: Jamestown Golf Course

**A motion was made by Mary Meagher with second by Blake Dickinson to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 8) Applicant: Jamestown Rotary Club  
Event: Jamestown Rotary Club May Community Picnic  
Date: May 24, 2014  
Location: Fort Getty Pavilion

**A motion was made by Eugene Mihaly with second by Mary Meagher to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 9) Applicant: Ilesh Patel  
Event: Indian Community Gathering  
Date: July 13, 2014  
Location: Fort Getty Pavilion

**A motion was made by Eugene Mihaly with second by Mary Meagher to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 10) Applicant: Michael Casey  
Event: RI Family Pig Roast  
Date: June 15, 2014  
Location: Fort Getty Pavilion

**A motion was made by Blake Dickinson with second by Mary Meagher to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 11) Applicant: Jamestown Chamber of Commerce  
Event: Chamber of Commerce Annual Fundraiser  
Date: August 16, 2014  
Location: Fort Getty Pavilion

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the license application. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

## **V. OPEN FORUM**

*Please note that, under scheduled requests to address, if the topic of the address is available to be put on the agenda, the Council may discuss the issue*

- A) Scheduled to address. None.
- B) Non-scheduled to address. None.

## **VI. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS**

A) Town Administrator's Report. Andrew E. Nota. Mr. Nota stated he hoped to report on the topic of the special meeting on April 29<sup>th</sup>, but we have not heard if the potential property has been secured for affordable housing. This will be reported on when there is confirmation the project is moving forward.

Mr. Nota congratulated Bill Munger, Conanicut Marine, Latitude Yacht Sales and others involved in the Boat Show. It was a very nice event, and they did a good job. President Trocki thanked Town Administrator Nota for coordinating efforts so that the event was respectful of the Veterans Square location.

Access Issues/ADA. Mr. Nota reported on recent conversations and his meeting today regarding access issues. He is coordinating with Town staff on what are legitimate concerns, what are technical issues, and where improvements at municipal buildings should be considered. A progress report will be provided to Council on the review of Town buildings in order to provide access to all citizens.

Golf Course Building. Mr. Nota and Town staff members met with Architect Bill Burgin to review the assessment of structures and the challenges faced at the golf course. After discussion it was realized we need to slow down. We thought there would be a model for Council review in a couple of weeks, with a referenda question for the golf course on the November ballot. The project is set to begin next fall, which gives us time to develop options and costs. Therefore, this is pushed back to the 2015 FTM. We are following the same time line, but this option gives more time to develop the plans and the project. Mr. Nota will contact Representative Ruggiero to inform her we are not moving forward during this legislative session. Council members agreed this is the appropriate action.

B) Conservation Commission Annual Report. Councilor Dickinson commented on the plastic bag legislation. He agreed with education and voluntary participation referenced in the report and that responsible people should be responsible with their trash. His concern is sub commissions that step beyond their charge. This type of issue should come to Council first, and all members of the commission should have attended the meeting for interaction with the Council, not lobbyists. As an advisory not regulatory commission, the report was inconsistent. President Trocki stated this is on the next agenda to give the Town Administrator more time to vet the issue. Vice President Meagher agreed how committees should develop their initiatives. This report covered the Conservation Commission's 2013 activities. Michael Brown's letter described the local effort by Jamestown businesses, which was interesting and informative. It never asked us to pass a resolution, but to support the legislation. President Trocki noted this is an issue

of procedure and substance. Discussion continued. Council should open communications, and perhaps liaison membership may be helpful.

Sav Rebecchi of Sail Street commented the letter from Conservation occurred because he suggested to them it was wrong to endorse the Plastic Bag legislation without first going to the Council. He does not believe an EPA issue is part of their purview. They would need their Committee Charge changed to continue in this direction.

Conservation Commission Chair Maureen Coleman apologized for missing the last meeting, referred back to their Committee Charge, and stated it is her opinion they are tasked with making recommendations to Town bodies by their Charge. The Commission asked the Council to support statewide legislation that benefits the town. Their charge encourages them to work with like-minded local groups, litter prevention and education is an appropriate task, and the plastic bag issue is part of that. Town Administrator Nota referenced missing information and what we can do in the future. Discussion continued. This will be continued to the May 19<sup>th</sup> agenda, and Ms. Coleman will provide additional information to Town Administrator Nota. Council members acknowledged the good work done by the Commission on behalf of the Town.

**A motion was made by Mary Meagher with second by Eugene Mihaly to accept the Conservation Commission Annual Report for 2013. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

**A motion was made by Mary Meagher with second by Blake Dickinson to go back to the public hearing on the Harbor Ordinance and Harbor Management Plan. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

- 1) Proposed Amendment of the Jamestown Code of Ordinances, Chapter 78 Waterways Article II. Harbor Management Ordinance Sec. 78-21 through Sec. 78-22 through Sec. 78-27; duly advertised in the *Jamestown Press* March 27, 2014 edition; continued from April 7, 2014
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Council members received the latest ordinance revision. Chief Mello referenced mooring allocations on Page 11, Class 1a and Class 1b mooring holders, which reads “All moorings in this category shall be counted toward complying with the CRMC no greater than 3:1 resident to non-resident mooring allocation requirement.” This goes to our total ratio. Lines 17 to 20 were referenced, “The Town shall provide delineation of mooring areas to contain all Class 1b moorings; Class 1b moorings existing as of April 22, 2014

Town Council Meeting 05.05.2014

shall be considered ‘grandfathered’. Each such mooring area is available to members of the general public. This does not imply any right to trespass on private property.” Lines 32 to 35 were referenced which contain the same language for Class 2a and 2b moorings. Per CRMC you are a riparian mooring holder or everybody else. The language is tailored as Jamestown is unique with public and private ROW’s that have created mooring areas and ensures public and private access. Page 12 lines 16-18 repeat previous language for Class 2a and 2b. This is the area of most debate.

Page 13 Class 3 Moorings Line 7 now reads “. . . a ratio of no greater than 3:1 of resident holders of private mooring permits to non-resident holders of mooring permits (riparian and commercial permits excluded) is attained, the Jamestown Harbor Commission shall establish guidelines to maintain the ratio at that level.” The intent is to meet and maintain that ratio (3:1). Page 14 Line 14 reads “The Army Corps of Engineers (ACOE) ‘open to all’ policy supersedes any Town or State regulation, policy, ordinance, or statute.” Line 17 reads “All moorings shall be located within mooring areas.”

Page 17 Transfer of moorings Line 7 now reads “Private mooring permits and permits for outhauls on Town owned property.” Line 23 now reads “Private mooring permits, permits for outhauls on Town owned property and wait list position transfer: No private mooring permit, outhaul space assignment or wait list position, shall be sold, assigned or transferred (unless it falls under Section 78-26(m), below) except on a one time only basis to an immediately family member – limited to sibling, parent, spouse, children or grandchildren. The immediate family member to whom the permit was transferred may, under no circumstances, subsequently transfer the permit.” This clarifies the language.

Page 18 clarifies that it is for outhauls on Town owned property. Page 24 covers outhauls on private property, which covers grandfathering; Line 13 reads “Outhauls on private property may not exist in conjunction with a residential boating facility on the same property. CRMC reserves the right to revoke any outhaul permit that is not issued according to RICRMP. Outhauls shall be grandfathered in their current location upon annual harbormaster documentation that such outhauls have been in continuous use at such location since 2004, and the contiguous property owners agree in writing such ‘grandfathering’ is extinguished whenever a recreational boating facility is approved at that location.” Line 22 reads “Placement of anchors for outhauls is subject to approval by the harbormaster.” Lines 26 to 28 read “Water-borne structures and anchors not specifically addressed herein, such as but not limited to anchors for breast lines, are subject to the approval of the harbormaster.” This language clarifies the authority of the harbormaster.

Page 26 Line 2 reads “Where significant shallow water habitat is identified, boating activities shall be restricted as necessary to decrease turbidity and physical destruction of such habitat.” The intent is to keep power watercraft out of conservation areas.

Page 28. Fines and fees, Line 18 brings this into alignment with other town fees “. . . if not paid within thirty (30) days” the fine is tripled; Line 21 Failure to answer also

references the thirty days like other town fees. Line 26 is revised to clarify the enforcement powers of the harbormaster. Page 29 Line 27 reads “Prepare a list of Town-owned waterfront facilities to which the Harbor Commission has the responsibility of maintenance”, adding the responsibility to prepare the list of facilities to the Harbor Commission. To clarify the composition of the Harbor Commission, Line 38 reads “to achieve diversity preference shall may be given to representatives of each of the following groups.” May replaces shall. Page 30 Line 2 clarifies that there are two representatives of the nonriparian recreational boating community. Under the Finance section Line 33 now includes the language “beach permit” as part of revenues.

Chief Mello stated the proposed language revisions represent a great deal of work by the Harbor Commission, Council, Town staff, and CRMC over a period of 14 months.

Harbor Commission Chair Mike deAngeli stated Chief Mello explained what Harbor is trying to do. CRMC requires defining of mooring areas, and moorings now have to be located in mooring fields. Per the harbormaster, currently there are no moorings available. The mooring season is now made more clear. Discussion continued.

Vice President Meagher asked if descriptions of new mooring areas will have to be added in. Mr. deAngeli stated yes, they will, as this is an expansion. President Trocki stated the Ordinance and Plan must be re-advertised, with a public hearing on June 16<sup>th</sup>.

Public comment.

Julio DiGiando of Clarke Street commented when the Harbor Plan was written, and he is glad the rewriting was done. He expressed concern for Page 21 of the Plan, under Commercial Boating Facilities, Lines 4, 5 and 6, as the language is open ended. It may be helpful to have that language more defined. President Trocki asked that this language be reviewed by Chief Mello.

Vice President Meagher referenced Page 29 of the Ordinance Line 27 (6) Prepare a list of Town-owned waterfront facilities as to which the Harbor Commission has the responsibility of maintenance, and asked if that should be defined as the adopted Harbor Commission’s Asset Inventory to refer to a specific document. Chief Mello agreed. Discussion ensued of finances. Mike deAngeli stated that is up to the Council. Vice President Meagher commented on the fine job done by the Harbor Commission and Mike Gray and others. Her effort is towards clarity and the Asset Inventory goes a long way. These facilities are owned by the taxpayers, and she would like the leased revenue from taxpayer-owned East Ferry, West Ferry and Fort Wetherill reflected by language to read “may be used to fund capital improvements to those leased properties and to waterfront facilities not described in the Harbor Commission’s Asset Inventory.” There should be support for the leased properties that generate revenues. Discussion ensued. Mike deAngeli explained his view of the issue. Long-term lease money goes to long-term infrastructure improvements. President Trocki would like a consensus between the two groups to provide clarity in the ordinance.

Vice President Meagher inquired about non-resident moorings and if the ratio is 3:1 as defined by CRMC. Chief Mello will find out and report back prior to June 16<sup>th</sup>.

Councilor Dickinson likes Vice President Meagher's ideas. He appreciates volunteers in Jamestown who serve on committees and Mary's approach. Councilor Mihaly agrees as well.

**VI. COUNCIL, ADMINISTRATOR, SOLICITOR.  
COMMISSION/COMMITTEE COMMENTS & REPORTS, continued**

C) Public Works Project Updates, Director Michael C. Gray. Mr. Gray wanted to bring the Council up to date on major projects.

Landfill Closure. Mr. Gray reported Public Works is back at the Landfill grading soil. The soil is low permeability (met spec), and coupled with heavy rains and a harsh winter, the areas that did not have good grass are being repaired, with a goal to Hydroseed by Memorial Day. After the FTM when funding is available they will be back to finish the paving and other tasks to complete the project.

Recreation Center Bathrooms. Last year the Town allocated funding to improve the bathrooms. Demolition has begun, with a complete upgrade of the men's and women's bathrooms similar to the outside bathrooms, including electrical, plumbing, flooring, and new stalls, using low maintenance materials.

Fort Wetherill/Highway Garage. The Town allocated funding to replace the windows and roof repairs. The eastern side was done with new framing for windows. Once Fort Getty is open, equipment can be moved out so the western side of the building can be accessed.

Paving. This winter was severe and spring rains were difficult on our roads. There is funding left in last year's budget, and DPW is working with Cardi Corporation to get additional work done. Cardi will hold to last year's contract price for this last project in order to complete miscellaneous paving to bridge the gap until we can get to full depth reconstruction of streets.

Road Maintenance. Road crews have been sweeping streets and will be mulching prior to the Memorial Day Parade. The Council thanks him for his efforts.

**VII. UNFINISHED BUSINESS**

None.

**VIII. NEW BUSINESS**

A) FTM Warrant for Affordable Housing. Town Administrator Nota explained the draft resolution prepared for approval at the FTM to establish an affordable housing plan. It requires a set dollar amount to provide funding outside of the regular annual allocation

so that the Town will have available funding for opportunities that may surface that require more than the annual allocation. Funding will not come from the general fund but undesignated reserve funds. Town Administrator Nota referenced language in the Resolution that outlines Town Council's administration of the program and the housing fund (1 through 6). The Resolution states "The Town Council may adopt rules and regulations to implement the use of funds placed in the Jamestown Housing Fund." Town Administrator Nota strongly recommends changing the word "may" to "shall" as guidelines and structure are needed. Town Planner Lisa Bryer and the Planning Commission have draft regulations that would be a good starting place.

Vice President Meagher stated as a community who contributes to affordable housing, we find that we need to be opportunistic when appropriate properties become available. Properties were lost because we did not have that available funding. We want to be able to borrow from the undesignated fund so that we can purchase such property, which can be sold to affordable housing developers for the benefit of folks who work and live here for affordable, workforce housing.

Councilor Dickinson stated he has an issue with the term grants in the phrase "loans and grants" and would like that word removed. He agrees with the premise of loans from the undesignated fund, but grants should be a separate process, as grants do not get paid back. Discussion involved background information. Solicitor Ruggiero stated this is the authorizing question, and it does not require that you have to do grants. There may be instances where grants are appropriate, and this language gives the Council the discretion to provide loans as well as grants. If the language is not there, you cannot do it. Councilor Mihaly feels the word grants should stay for flexibility. The annual affordable housing budget allocation was referenced. The rules and regulations would guide procedures. Lengthy discussion ensued.

Councilor Mihaly is in favor of the rules and regulations implementation. Discussion ensued of adoption of the Resolution. Solicitor Ruggiero stated the Council must decide to adopt or reject the Resolution this evening; if it is not approved tonight, it cannot be voted at the FTM, as it has to be advertised. The Council can determine how they want to dispense the funds as loans that are paid back or grants, it is a policy decision. Discussion continued. President Trocki stated she is comfortable keeping the word grants, we need an actual dollar amount, the word "may" needs to be changed to "shall", and funding will come from the undesignated reserve fund.

Town Planner Lisa Bryer gave the history of past properties that were lost. Town Administrator Nota and Planner Bryer recommended using \$400,000 as the amount. This may help us get closer to the 10% required affordable housing. Discussion continued. President Trocki stated this shows the Town's commitment to affordable housing and gives us an option if the right property becomes available. This gives the Town a unique opportunity, and the funding does not have to be used. This is not a Council decision, it is a community decision, as it will be made by vote of the citizens at the FTM. We need understandable language so that our citizens understand what we are trying to achieve.

Public Comment.

Sav Rebecchi of Sail Street stated this is a very significant project and he would like the citizens of Jamestown to have more time to make an informed decision. It is unknown how many voters will attend the FTM, and he would prefer such an issue go to the General Election not the FTM.

Vice President Meagher commented the FTM is the appropriate forum, as there can be a dialogue and open debate to help voters make an informed decision.

President Trocki noted the FTM is the place for it to be as this is when the people come out to debate this type of issue. Councilor Mihaly stated this enforces his opinion; people will come out and vote one way or the other.

Town Administrator Nota stated at an FTM community members can have a combined discussion on the \$75,000 allocation and the \$400,000 special funding, but the voters cannot have a discussion on both of them on a referendum. The FTM is the appropriate place for such a vote.

Councilor Dickinson stated with well restricted language he is in favor of it and would give swift support without the word “grants”. Councilor Mihaly noted the idea is to have a replenishing fund and distinction between grant and loan becomes less important. President Trocki prefers to have the option as opposed to restricting it. Councilor Dickinson stated it is his opinion there should be a different budgetary format. Vice President Meagher stated the option is significant as there may be a time when we need it, it is not hidden. Discussion ensued.

Tot Wright of Highland Drive commented that Sav is correct. The best discussions are in the letter section of the *Jamestown Press* not the FTM. Waiting until the General Election would give Council more time to review what they want and give the citizens more time to understand it.

Town Administrator Nota stated there is no guarantee it could get on the ballot for November. Vice President Meagher commented it would be a shame to let this go. Councilor Dickinson referenced the ballot question deadline in August and whether a citizen can sponsor such a referendum without the same deadline.

Sav Rebecchi of Sail Street stated he has seen this done before; it would be very difficult to get legislation passed in time for the November ballot. Town Administrator Nota stated the Legislature is expecting to close mid June as this is an election year. Solicitor Ruggiero noted the language of the Resolution can be modified at the FTM, but the amount cannot be changed by more than \$10,000. Discussion ensued of expending and replenishing the fund. There may be people who come before the Town who need affordable housing and will need grants, as traditional funding sources are not sufficient.

Finance Director Collins explained that the FTM booklet has to be to the *Press* this Friday. Solicitor Ruggiero commented the Resolution has to be approved now and can be edited at the FTM. Discussion continued.

Town Planner Bryer referenced past bond funding for the Town Hall and Highway Barn and the booklet produced for educational purposes circulated in the *Press*. We are trying to keep this as neutral as possible; this is a great goal for the Town to refuel the funding source. Lengthy discussion ensued.

**A motion was made by Eugene Mihaly with second by Mary Meagher to accept the language of the FTM Warrant for Affordable Housing with the following additions: insertion of \$400,000 to be sourced from the undesignated fund balance and from the last paragraph deletion of the word “may” and insertion of the word “shall” for the rules and regulations. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Nay.**

President Trocki asked for Town Planner Bryer’s assistance in preparing a brochure and getting the word out, and she agreed.

B) FTM Warrant: approval. Town Administrator Nota referenced the Warrant for the June 2, 2014 Financial Town Meeting. Finance Director Collins explained the four traditional Resolutions. No. 1 Sewer Line Frontage Tax Rate sets the rate at 68 cents per linear foot (unchanged). No. 2 Borrowing in Anticipation of Taxes. No. 3 Disposition of Collected Back Taxes, which says all taxes collected during the fiscal year are placed in the general fund. No. 4 Setting the Tax Rate was made more clear with verbiage in the last column explaining how interest rates are calculated. These are the same Resolutions used for the last 14 years, with the clarified language in the last column.

**A motion was made by Mary Meagher with second by Eugene Mihaly to approve the FTM Warrant. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

C) Performing Arts Facility Committee. Town Administrator Nota commented on the discussion at the last meeting and the process to move forward. This is a project of substance requiring serious consideration. The Collins Center study report requires a period of time to vet out the options, and he and staff members continue to review it. We have stepped back from the golf course building to give it the time it deserves, and the same could be said for the entire project. He asked that Town staff be given the time required to review the scope of issues before a committee is established. We are not delaying the process, but taking the time needed to organize it, and we ask that they be allowed to digest the information and formulate a structure, then talk about forming a committee. We also need to coordinate with the School Department on their facilities and costs. We need to step back and look at the long term, with guidance from the Council. After another month or two we will be in a better position to recommend a committee and structure to move this forward.

Public Comments.

B.J. Whitehouse of Steamboat Street stated his appreciation for the Council's and Administrator's statements. He suggested putting out a notice tomorrow asking for representatives from the various groups for a committee. They would be charged by the Council to seek funding sources and perform a feasibility study for a performing arts center. Using the expertise of town staff, but letting citizens do this, would alleviate Town officials. The Town could contact organizations to provide representatives for a committee to do the work with Town staff as a resource.

President Trocki asked if the performing arts groups could form their own committee. Mr. Whitehouse said they did and started meeting last summer, but it got confusing on their direction. If we had a sanctioned group it would work better. We are looking for a blessing from the Town Council to continue.

President Trocki stated they are putting the cart before the horse. Vice President Meagher stated it looks like you want a sanctioned group but lack direction. Town Administrator Nota commented time is needed to find that direction. Your group could continue meeting until the direction is determined. Mr. Whitehouse explained how their group first got together, then separated, and reorganized. He asked the Council to reach out to the performing arts groups to form one committee to be a feasibility study committee.

Mary Wright of Highland Drive stated she represents the community theater group and wondered if there could be a blended committee getting together so that there are not two entities. Everyone's heart is in the right place, and she would hate to see a committee, so separate, putting this together without guidelines.

President Trocki noted we don't know the guidelines yet, and ideas can be submitted to the Town Administrator. We want a joint partnership working together. Our Town Administrator is asking for more time to get ideas and information from the organizations and incorporate that with the information that came from the Collins Center Report and Town staff analysis.

Town Administrator Nota solicited ideas and suggestions from the organizations. There is so much information that needs to come forward and to be vetted out, including models, retrofitting of existing buildings, and public and/or private initiatives.

President Trocki commented on the extensive experience of our Town Administrator in this area. Councilor Mihaly stated we didn't have a Town Administrator with this type of background when this started, which has changed the process. He suggested B.J. and other representatives of organizations make time to get together and give input to our Town Administrator, which he can reflect on; then we can decide the right committee to form based on information and recommendations. President Trocki commented it is the Council's purview to set policy.

Sav Rebecchi of Sail Street referenced a past committee for renovating the Recreation Center called Friends of the Community Center. They fundraised, there was funding from the Twn, it worked, and this type of committee should be considered.

Vice President Meagher commented on representatives from various organizations who would be interested and could serve on the committee.

B. J. Whitehouse commented he is trying to get clarity on the issue. His goal is a performing arts center, and he asked the Council to form a committee to provide clarity on what the committee is to be doing. The Collins Center had some good information, and he wants to move along.

Mary Wright of Highland Drive would like open communication to let the groups know when this will be on an agenda.

Town Administrator Nota commented he, Town staff, and representatives of organizations will be meeting often to vet out the data and options. It will then be resubmitted back to the Council with findings, and then the Council can set the committee and direction.

Janet Grant of Pardon Tucker Place commented on the information turned in previously and asked if the Collins Center gave all reports back to the Town as well as the survey.

Town Administrator Nota stated we have all the raw data; we need to know what the groups need and want, and then develop next steps. It's going to be a community decision through the Council, working with Town Staff, based on community discussion. We can leap into the discussion, but it will require time to get organized; there can be parallel efforts and conversations.

President Trocki commented on future facilitated workshops or charrettes and that the Town's interests need to be defined prior to the formation of a committee. How to effectuate the next step is the key to making this work – a Town/community group to determine needs. Discussion continued.

A status report will be on the next agenda. President Trocki encouraged other groups to meet with the Town Administrator to provide background information.

## **IX. ORDINANCES AND APPOINTMENTS**

None.

## **X. CONSENT AGENDA**

*An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately.*

**A motion was made by Eugene Mihaly with second by Blake Dickinson to approve and accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Consent Agenda approved consists of the following:

- A) Adoption of Council Minutes
  - 1) April 7, 2014 (regular meeting)
  - 2) April 7, 2014 (executive session)
  - 3) April 7, 2014 (interview session)
  - 4) April 10, 2014 (budget work session)
  - 5) April 21, 2014 (regular meeting)
  - 6) April 21, 2014 (interview session)
  - 7) April 29, 2014 (special meeting)
  - 8) April 29, 2014 (executive session)
  - 9) April 29, 2014 (work session)
- B) Minutes from Boards, Commissions and Committees
  - 1) Jamestown Affordable Housing Committee (02/19/2014)
  - 2) Jamestown Harbor Commission (03/12/2014)
  - 3) Jamestown Philomenian Library Board of Trustees (03/11/2014)
  - 4) Jamestown Planning Commission (03/05/2014)
  - 5) Jamestown Planning Commission (03/19/2014)
- C) Resolutions and Proclamations from other Rhode Island cities and towns
  - 1) Burrillville Town Council Resolutions
    - a) Supporting Senate Bill 2032 and House Bill 7270 Acts Relating to Court and Civil Procedures
    - b) Supporting House Bill 7247 Acts Relating to Highways-Municipal Road and Bridge Revolving Fund
    - c) Supporting Senate Bill 2085 and House Bill 7628 Acts Relating to Towns and Cities-Low and Moderate Income Housing
    - d) Supporting Senate Bill 2104 and House Bill 7126 Acts Relating to Towns and Cities-General Powers-Background Checks
    - e) Supporting Senate Bill 2018 and House Bill 7430 Acts Relating to Taxation-Levy and Assessment of Local Taxes
    - f) Supporting House Bill 7747 An Act Relating to Education-Education, Equity and Property Tax Relief Act
    - g) Resolution Opposing Senate Bill 2593 An Act Relating to Parks & Recreation-Public Use of Private Lands-Liability Limitations
  - 2) North Kingstown School Committee Resolution Opposing House Bill 7465 and Senate Bill 2411 Contract Continuation
  - 3) North Kingstown Town Council Resolution Supporting Elimination of the Straight Party Vote Option on Election Ballots
  - 4) Smithfield School Committee Resolution Opposing mandated Contract Continuation
- D) Abatements/Addenda of Taxes

## XI. COMMUNICATIONS AND PETITIONS

The following Communication was removed by request for discussion: 3) Letter of Thomas Ginnerty. This letter should go to the Traffic Committee for their review and recommendation, then go to Police Chief Mello and the Council.

**A motion was made by Mary Meagher with second by Blake Dickinson to accept the Communications. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.**

The Communications accepted consist of the following:

- C) Communications
- 1) Letter of Attorney General Peter Kilmartin, State Police Colonel Steven O'Donnell, RIDOT Director Michael Lewis, RITBA Director Buddy Croft and AT&T Vice President Patricia Jacobs requesting Jamestown join the "It Can Wait" campaign and pledge not to text while driving
  - 2) Letter of the Rotary Club of Jamestown inviting Council Members to the Rotary Club's Community Picnic Saturday, May 24<sup>th</sup>, noon to 3:00 pm, Fort Getty Pavilion
  - 3) Letter of Thomas F. Ginnerty re: Request for Helm Street Stop Sign
  - 4) Jamestown Historical Society invitation to the new Town Hall Front Stairwell Exhibit on Monday, May 19, 5:30-7:30 p.m.
  - 5) Letter of CRMC providing interim approval for the Jamestown Comprehensive Harbor Management Plan as adopted December 5, 2011 and the Harbor Management Ordinance as adopted December 12, 2011
  - 6) Invitation of Arts & Cultural Alliance of Newport County Board of Directors to their 22<sup>nd</sup> Annual Meeting in celebration of the City of Newport's 375<sup>th</sup> Birthday, Monday, May 12, 2014, 6:00 – 8:00 p.m., Newport Art Museum
  - 7) Letter of Robert Oberg to Governor Chafee regarding bridge safety, need for a median barrier on the Newport Pell Bridge, and RI Turnpike and Bridge Authority leadership

## XII. EXECUTIVE SESSION

*The Town Council may seek to go into Executive Session to discuss the following items:*

- A) Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining (IBPO Contract); discussion and/or potential action and/or vote in executive session and/or open session

**A motion was made by Mary Meagher with second by Blake Dickinson to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining.**

**Pursuant to RIGL §42-46-5(a) Subsection (2) the following vote was taken by the Jamestown Town Council to enter into Executive Session: President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

A five minute recess was called (9:39 p.m.).

The Jamestown Town Council reconvened the regular meeting at 9:59 p.m. President Trocki announced that no votes were taken in the Executive Session.

**A motion was made by Thomas Tighe with second by Blake Dickinson to seal the Minutes of the Executive Session. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

### **XIII. ADJOURNMENT**

**A motion was made by Thomas Tighe with second by Mary Meagher to adjourn the meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; and Councilor Dickinson, Aye.**

The regular meeting was adjourned at 10:00 p.m.

Attest:

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Cheryl A. Fernstrom, CMC, Town Clerk

Copies to:     Town Council (5)  
                  Town Administrator  
                  Finance Director  
                  Town Solicitor