

## TOWN COUNCIL MEETING

April 26, 2004

(as amended May 10, 2004)

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Philomenian Library, 26 North Road, at 7:13 PM by Council President Kenneth G. Littman. The following members were present:

Julio J. DiGiando

Guy J. Settipane

Claire M. Ferguson

Absent: David J. Long, Vice President

also present:

Maryanne Crawford, CPA, Town Administrator

J. William W. Harsch, Town Solicitor

Arlene D. Petit, Town Clerk

Thomas P. Tighe, Chief of Police

Richard Condon, Harbor Management Commission

Christopher Powell, Conservation Commission Chair

### AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

- 1) Proclamation 04-009P Teacher Appreciation Week

It was moved by Councilor Settipane, seconded by Councilor Ferguson to adopt Proclamation 04-009 P in honor of Teacher Appreciation Week. So unanimously voted.

- 2) Resolution 04-008R Rhode Island for Health Care

It was moved by Councilor Settipane, seconded Councilor Ferguson to adopt Resolution 04-008R. So unanimously voted.

- 3) Eagle Scout Project
  - a) Presentation from Zachary Volpe re: construction of kayak/dinghy rack at the beach area north of Memorial Square and south of the boat ramp on the eastern shore of Jamestown (this project is sponsored by the Jamestown Conservation Commission)
  - b) Request for letter of approval from Jamestown Town Council

Christopher Powell, Conservation Commission Chair introduced Zachary Volpe to present his Eagle Scout project for the construction of a kayak/dinghy rack at the eastern shore of Jamestown. Mr. Powell informed the Council that this project is supported by the Conservation Commission and the Harbor Management Commission.

Following the presentation, Zachary Volpe asked for questions from the Council.

Councilor Settipane asked if the rack could be lowered so that it would not obstruct views. Mr. Volpe stated that he would lower the rack.

Mr. Powell noted that Zachary would be applying for a grant in the amount of \$1,100.00 to help cover the cost of the kayak/dinghy rack. Mr. Powell also noted that after speaking with some of the neighbors, the rack has been moved so as not to interfere with their view. Mr. Powell stated that CRMC would also be sending out a notice to the Town prior to issuing any assent.

It as moved by Councilor Settipane, seconded by Councilor Ferguson to instruct the Town Clerk to prepare a letter in support of the Eagle Scout project presented by Zachary Volpe subject to final approval from the Harbor Management Commission addressing such vista issues as height and or length. So unanimously voted.

#### SITTING AS ALCOHOLIC BEVERAGE LICENSING COMMISSION

None

#### CONSENT AGENDA

It was requested that items # 1 (a) 3 (e) and 3 (g) be removed from the Consent Agenda. It was moved by Councilor DiGiando, seconded by Councilor Ferguson to approve the Consent Agenda as amended. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
  - a)
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
  - a) Planning Commission (02/18/2004, 03/03/2004, 03/17/2004)
  - b) Affordable Housing Committee (01/26/2004, 02/24/2004)
  - c) Conservation Commission (03/09/2004)
  - d) Jamestown Housing Authority (03/03/2004)
  - e)
  - f) Tree Preservation and Protection Committee (03/16/2004)
  - g)
- 4) CRMC Notices:
  - a) Meeting notice re: RIDOT demolition of the old Jamestown Bridge
  - b) Stephen & Linda Mecca, 5 Aquidneck Ct. re: installation of a seasonal, aluminum, boat ramp system on a rocky beach located at Plat 2 Lot 247; said location
- 5) Statewide Planning Council Notices:
  - a) Proposed amendment to the Transportation Improvement Program (TIP)
  - b) Public Hearing re: proposed amendment to "Handbook on the Local Comprehensive Plan"; May 20<sup>th</sup> at 4:00 PM
- 6) Proclamations & Resolutions from other Rhode Island cities and towns
  - a) Town of Barrington

- i) Resolution re: 2004 Open Space and Recreation Bond
- 7) Naval Station Newport Restoration Advisory Board:
  - a) Letter re: meeting on April 21, 2004
  - b) Minutes from March 17, 2004
- 8) National Arbor Day Foundation re: 2003 Tree City USA and Growth Award recipient
- 9) Abatements/Addenda of Taxes



- 1) Adoption of Council minutes:
  - a) 04/12/2004 Regular Meeting

Councilor Settupane requested that item #7 referencing changes to the police contract be corrected as follows:

- third bullet changed to state *increase in co-payment from \$2.00 to \$5.00 for prescriptions*
- fourth bullet to be deleted

Councilor DiGiando noted a typographical error on item #2 on the first page. The word mobbed should be changed to moved.

It was moved by Councilor Settupane, seconded by Councilor Ferguson to adopt the minutes as amended. So unanimously voted.

- 3) Minutes from Boards, Commissions and Committees:
  - e) Personnel Board (03/11/2004)

Councilor DiGiando asked if the Personnel Board should be the body responsible for holding an Open Meeting Law workshop or would it be better accomplished through the Town Clerk's office.

The Town Clerk suggested that she discuss this with the Personnel Board for the best way to ensure that the requirements of the Open Meeting Law are met.

It was moved by Councilor DiGiando, seconded by Councilor Ferguson to accept the minutes from the Personnel Board. So unanimously voted.

- g) Water Resources Protection Committee (03/24/2004)

~~Councilor DiGiando~~ Council President Littman requested that the minutes for the Water Resources Protection Committee be corrected to indicate whether Mr. Hubbard was present or absent. It was the consensus of the Council to continue these minutes for clarification to the Council meeting on May 10, 2004.

#### EXECUTIVE SESSION ANNOUNCEMENT

- 1) Pursuant to RIGL 42-46-5 (a) (2) regarding litigation

Council President Littman announced that there would be an executive session held later in the evening, pursuant to RIGL 42-46-5 (a) (2) regarding litigation.

Councilor Settupane inquired what the subject matter of the executive session would be.

The Town Solicitor indicated that the subject matter is regarding the resolution or non-resolution of a prior contract.

#### PUBLIC HEARING

- 1) **Proposed Harbor Management Ordinance (cont. from 04/15/2004 for date selection)** to consider the repeal of Chapter 78 of the Code of Ordinances of the Town of Jamestown entitled "Waterways" and the adoption of the "Town of Jamestown Harbor Management Ordinance"
  - a) **Available dates:** Thursday, May 13 or Thursday, June 10

It was the consensus of the Council to schedule the public hearing relating to the proposed Harbor Management Ordinance for May 27, 2004 at 7:00 PM at the Jamestown Philomenian Library.

- 2) Proposed amendment to the Zoning Ordinance re: Section 82-1204 Parking Standards and 1205 Shared Parking; duly advertised in the Jamestown Press on April 8<sup>th</sup>, 15<sup>th</sup> and 22<sup>nd</sup>

Council President Littman opened the public hearing and reviewed the Zoning Ordinance relating to the parking standards in Section 82-1204 and shared parking in 82-1205 as submitted.

Planning Commission Chair Gary Girard noted that the amendments would assist with some relief for the business district.

Council President Littman called for public comment.

Michael Swistak, President of the Jamestown Chamber of Commerce, informed the Council that the Chamber of Commerce endorses the changes as submitted.

There being no further public comment, it was moved by Councilor Settupane, seconded by Councilor Ferguson to close the public hearing. So unanimously voted.

It was moved by Councilor Settupane, seconded by Councilor Ferguson to adopt the changes as proposed in the amendment to the parking standards in Section 82-1204 and shared parking in Section 82-1205 of the Jamestown Zoning Ordinance. So unanimously voted.

#### OPEN FORUM

- 1) Scheduled request to address

- a) Richard Hines re: request for a resolution in opposition to casino gambling in the State of Rhode Island (copy submitted for agenda)

Richard Hines requested the Council's adoption of a resolution in opposition to gambling in West Warwick and the City of Providence.

Councilor DiGiando commented that this might be beyond the purview of the Council and suggested that it be continued to the next Council meeting on May 10, 2004.

Councilor Settupane requested that the resolution be continued to May 10, 2004.

- 2) Non-scheduled request to address

Mary Webster, Mount Hope Avenue encouraged the Council to deal with resolutions in a timely manner.

Norma Willis, North Main Road, informed the Council that several of the wells at the former landfill have been destroyed and are not being monitored. Ms. Willis suggested that these wells be repaired so that the monitoring would not be interrupted.

William Munger, Cole Street, asked if the change in contractor for the sewer pipes would reduce the overall cost of the project.

President Littman stated that the contract is being negotiated through the attorneys for all parties and until there is a resolution it is not appropriate to make further comment.

Valerie Molloy, Columbia Avenue, requested meeting information regarding the Affordable Housing Committee and the Building and Facilities Committee

President Littman noted that the minutes of committee meetings are available at the Town Clerk's office.

Representative Bruce Long informed the Council that the Governor will hold his next town meeting in North Kingstown at the Hamilton School. Representative Long also noted that he is in the process of scheduling a meeting regarding the plans for the Liquefied Natural Gas facility.

#### REPORTS OF BOARDS, COMMITTEES AND TOWN OFFICIALS

- 1) Town Administrator's report (attached)

Councilor Settupane requested that the contract negotiation process be put on the Council agenda for May 24, 2004.

In reviewing the salary and longevity comparison chart prepared by the Town Administrator, Councilor Settupane expressed his concern over the high longevity payments. Councilor Settupane referenced a 1995 memorandum from the Personnel

Board recommending against these generous increases in longevity.

Councilor Settupane asked that following documents be included for the Council meeting on May 24, 2004:

- 1995 Memorandum from the Personnel Board
- Policy and Procedures Manual for Department Heads
- Town Administrator's Contract

Councilor DiGiando pointed out that as employees retire the longevity impact on the budget will be reduced.

It was the consensus of the Council that the Town Administrator invite a representative from the office of the Mayor of Fall River and a representative from Representative David Sullivan's office to give the Council an overview of the Weaver Cove proposal.

Arthur Christman, Assistant Deputy Fire Marshall, suggested that the Council have someone address the off-loading of fuel in the harbor.

Councilor Settupane expressed his concern that the Town has received a second notice regarding fire safety code violations.

The Town Administrator informed the Council that arrangements have been made to have an electrician begin the installation of the exit signs in May.

- a) Request for bid awards
  - i) Tennis Court Fence; award to D & D Fence in an amount not to exceed \$14,885.00

It was moved by Councilor Settupane, seconded by Councilor DiGiando to award the bid for the tennis court fencing to D&D Fence in an amount not to exceed \$14,885.00. So unanimously voted.

- ii) Tennis Court Paving; award to Narragansett Improvements in an amount not to exceed \$48,200.00

It was moved by Councilor Settupane, seconded by Councilor DiGiando to award the bid for the tennis court paving to Narragansett Improvements in an amount not to exceed \$48,200.00. So unanimously voted.

- 2) Harbor Management Commission
  - a) Four (4) vacancies exist on the Harbor Management Commission for one (1) Riparian Property Resident (coastal waters) Representative, term ending 12/31/2006; one (1) Commercial Fishing Industry Representative, term ending 12/31/2005; and two (2) Non-Riparian Recreational Boating Community

Representatives, term ending 12/31/2005 and 12/31/2006 (duly advertised and interviews complete). If favorable:

- i) Requesting Reappointment:
  - David Laurie (Riparian Property Resident (coastal waters) Representative and Commercial Fishing Industry Representative
  - Daniel Lilly (Riparian Property Resident Representative; unavailable for interview)
- ii) Letters of Interest:
  - Jerome Scott (Non-Riparian Recreational Boating Community Representative)
  - Rick Anderson (Non-Riparian Recreational Boating Community Representative)
  - Sandra “Bunny” Wayt (Non-Riparian Recreational Boating Community Representative)
  - Gregory Murphy (Commercial Fishing Industry Representative)
  - Michael de Angeli (Non-Riparian Recreational Boating Community Representative)

Paula Swistak, Harbor Clerk, noted that she had received an email from Daniel Lilly requesting that his name be removed for the list of candidates.

It was moved by Councilor DiGiando, seconded by Councilor Ferguson to appoint Richard Anderson as the Non-Riparian Recreational Boating Community Representative with a term ending 12/31/2006, Gregory Murphy as the Commercial Fishing Industry Representative with a term ending 12/31/2005, David Laurie, *in lieu of the fact that there is no coastal waters representative available*, as the Riparian Property Resident (coastal waters) Representative with a term ending 12/31/2006 and Michael de Angeli as the Non-Riparian Recreational Boating Community Representative with a term ending 12/31/2005. So unanimously voted.

- 3) Jamestown Housing Authority
  - a) Letter from Chair re: reappointment of Ralph Misto, Jr.
  - b) Letter from J. Peter McGuirl re: Ralph Misto, Jr. and Isabelle Verducci
  - c) Two (2) vacancies exist, terms ending 12/31/2004 and 12/31/2006; duly advertised and interviews complete. If favorable:
    - i) Letters of Interest:
      - Isabelle Verducci
      - Ralph Misto, Jr.
      - Valerie Topp
      - Russell Benjamin

It was moved by Council President Littman, seconded by Councilor DiGiando to accept the letters from Ernest Anthony and J. Peter McGuirl. So unanimously voted.

It was moved by Councilor DiGiando, seconded by Councilor Settiane to appoint Ralph Misto, Jr. to the Jamestown Housing Authority for a term ending 12/31/2006 and Valerie Topp for a term ending 12/31/2004. So unanimously voted.

- 4) Beavertail State Park Advisory Committee
  - a) One (1) vacancy exists, term ending 12/31/2006; duly advertised and interviews complete. If favorable:
    - i) Seeking Reappointment:
      - Agnes Rarity Curtis
    - ii) Letters of Interest:
      - Hazel Turley

It was moved by Councilor Settiane, seconded by Councilor DiGiando to appoint Hazel Turley to the Beavertail State Park Advisory Committee for a term ending 12/31/2006. So unanimously voted.

- 5) Tree Warden
  - a) DEM request for Tree Warden appointment 2004

It was moved by Council President Littman, seconded by Councilor DiGiando to accept the notice from the Department of Environmental Management regarding the appointment of Tree Warden. So unanimously voted.

- b) Letter from Vice Chair of the Tree Preservation and Protection Committee re: reappointment of David Nickerson

It was moved by Council President Littman, seconded by Councilor DiGiando to accept the letter from the Tree Preservation and Protection Committee Chair supporting the appointment of David Nickerson. So unanimously voted.

It was moved by Council President Littman, seconded by Councilor Ferguson to reappoint David Nickerson as the Tree Warden for the year 2004. So unanimously voted.

- 6) Zoning Board of Review
  - a) Letter from Kathleen Managhan (alternate #1) re: resignation; if favorable, order advertising

It was moved by Councilor Settiane, seconded by Councilor Ferguson to accept the letter of resignation from Kathleen Managhan. So unanimously voted.

It was the consensus of the Council to have the Town Clerk advertise the vacancy on the Zoning Board of Review.

#### UNFINISHED BUSINESS

- 1) Touch & Go Dock at East Ferry (cont. from 04/12/2004)
  - a) Draft of proposed ordinance

It was the consensus of the Council to advertise the proposed ordinance relating to the Jamestown Code of Ordinance, Chapter 78-72 Use of East Ferry Touch and Go Docks for hearing on May 24, 2004.

- 2) Harbor Management Commission (cont. from 04/12/2004)
  - a) Town Solicitor opinion on quorum re: minutes from February 11, 2004

Councilor Settipane requested that committee quorum be put on the May 24, 2004 Council agenda to determine the status of a quorum for each committee.

- 3) Highway Barn Facility (cont. from 04/12/2004)
  - a) Establish budget (*per Councilor Settipane*)

Previously discussed at the Board of Water and Sewer Commissioners meeting on April 19, 2004.

- 4) Liquefied Natural Gas (LNG) Facility (cont. from 04/12/2004)

Previously discussed.

- 5) Letter from Dennis Webster re: proposal to help provide funding for affordable housing and the preservation of open space and request to refer to the Town Administrator, Planning and the Town Solicitor for legislation (cont. from 04/12/2004)

Dennis Webster presented a plan to address proposed funding for the present needs of affordable housing and the protection of open space. Mr. Webster suggested instituting a real estate transfer tax similar to the one in existence in Block Island and Little Compton. Mr. Webster's proposal would establish an upper limit of two percent, with the actual amount of the tax set by the voters of Jamestown. Mr. Webster recommended that the Council vote to prepare enabling legislation to be sent to the General Assembly.

The Council discussed the procedure and timetable for sending proposed legislation to the General Assembly.

Nick Robertson of the Affordable Housing Committee and Ellicott Wright of the Water Resource Protection Committee spoke in favor of the proposal.

The Town Solicitor suggested that Representative Long bring the concept to the legislative counsel to draft legislation for the Jamestown Town Council's approval and to be included on the November or May election ballot.

The Council discussed the possibility of sending this proposal to Senator Paiva-Weed and Representative Long with a request to have the legislative counsel review and propose language for enabling legislation for the Council's review and consideration.

It was moved by Councilor Ferguson, seconded by Councilor DiGiando to refer the real estate transfer tax proposal to Senator Paiva-Weed and Representative Long and request that they present the proposal to the legislative counsel to provide the Jamestown Town Council with language for their consideration. So unanimously voted.

- 6) RIDEM Fish & Wildlife (cont. from 03/22/2004)
  - a) Report from Town hired consultant Victor Calabretta
  - b) Letter from Robert Sutton re: DEM Ft. Wetherill Facility

Victor Calabretta, McGuire Group, engineering consultant for the Town of Jamestown regarding the RIDEM marina proposal at Fort Wetherill stated that he met with the State regarding their proposal as well as the Fort Wetherill Boat Owners Association, the Harbor Management Commission and Town Officials to determine satisfactory dimensions and configurations for all parties concerned; those being reflected in the letter and drawings presented to the Council by Robert W. Sutton, Jr., Chief of Planning and Development of RIDEM. Mr. Calabretta noted that as presented, it seems like an acceptable compromise to all parties involved.

Councilor Settiane inquired how many feet of new dockage has been proposed and if public access has been considered by the State. Mr. Calabretta stated that there are approximately 210 feet of new dockage. The north side of the pier as well as the entire peripheral bulkhead facing East Passage is available for fishing. Mr. Callabretta also noted that the State would install ladders.

The Town Administrator recommended that the letter as submitted by Mr. Sutton be included in the assent for the marina perimeter being issued by CRMC. In regards to the touch and go dock, the State is providing ladders and fender piers on the north and east bulkheads to facilitate drop-offs (item number 4 – conclusions).

Councilor Settiane requested that item number 4 specifically mention *public access*. Councilor Settiane also stated that RIDEM needs the Town's permission and assent to make any changes at Fort Wetherill. There are ancillary issues to the marina perimeter that should be discussed at this time, such as parking and the possibility of a tie-in to the States septic system.

There was Council discussion on whether this is the proper time to be addressing these additional requests.

Councilor DiGiando expressed his concern that additional public access might cause a problem for the boats presently docked at Fort Wetherill and their ability to maneuver out of their dockage.

Mr. Calabretta noted that the marina perimeter is ten feet outside of the fixed structures. There is a common perimeter along the bulkhead adjacent to Forth Wetherill property. During discussions, Mr. Calabretta stated that public access inside the harbor was an issue for the Fort Wetherill Boat Owners Association; however the public access that is being offered is outside of the harbor and not inside where there are dimensional issues.

Joseph Medeiros, Fort Wetherill Boat Owners Association representative, expressed his concern that the size and number of RIDEM boats could change without further permission from the Town. Also, Mr. Medeiros asked who would be in charge of enforcing any stipulations set by the Town.

Mr. Calabretta stated that Jamestown's perimeter would not be changing. Mr. Calabretta reviewed the dimensions as presented in the marina plan.

Richard Condon, Harbor Management Commission, stated that the letter from Mr. Sutton should be included with the assent.

Councilor Settiane suggested that the following issues be addressed:

- “not to exceed” boat size clause to be included
- public access language to be added
- acknowledgement clause regarding ownership of the bulkhead should be looked at (page 2 – DEM recognizes that the ownership of the bulkhead is not an issue...)
- tie-in to State's septic system

Councilor DiGiando suggested inviting Mr. Sutton to a Town Council meeting to discuss the items mentioned by Councilor Settiane.

The Town Solicitor suggested submitting the letter with the public access change into the Coastal Council process and then, if the Council wishes, raise Mr. Settiane's other points.

Councilor Settiane suggested that the Town issue a conditional approval which would assist DEM, but would also give the Town an opportunity to address some of these issues that are not directly related to the perimeter basin.

It was moved by Councilor Settiane, seconded by Councilor Ferguson that we give conditional approval to the Department of Environmental Management concerning the Fort Wetherill marina perimeter plan so that it can move forward before CRMC and reserve any change pursuant to the Memorandum of Understanding to the Town Council for its final approval following CRMC permitting. It was voted, Councilor Settiane, aye; Councilor Ferguson, aye; Councilor Littman, aye; Councilor DiGiando, nay. The motion passed with three in favor and one opposed.

- 7) Town Election re: date change
  - a) Legal opinion on procedure from the Town Solicitor

The Town Solicitor noted that it would not be necessary to form a Charter Review Committee to make a change to the Town Charter. The Council has the power to propose

an amendment pursuant to the provisions of Article XIII of the Rhode Island Constitution and Article XII of the Town Charter.

Councilor Settupane stated that if the Council is going to make any changes to the charter, it might be a good time to clean up some other areas in the charter.

Councilor Settupane requested that a broader charter review be put on the June 14, 2004 Town Council meeting.

## COMMUNICATIONS

- 1) Letter from Barbara Lundy re: disrepair of public buildings

It was moved by Council President Littman, seconded by Councilor Ferguson to accept the letter from Barbara Lundy and to refer it to the Building and Facilities Committee. So unanimously voted.

- 2) Letter from the Honorable Donald L. Carcieri, Governor re: invitation to a regional town meeting on April 28 at 7:00 pm. at Hamilton Elementary School, North Kingstown

It was moved by Council President Littman, seconded by Councilor Ferguson to accept the invitation from the Honorable Donald L. Carcieri. So unanimously voted.

## NEW BUSINESS

- 1) One Day Peddler License Application
  - a) Humane Society of Jamestown, Inc. to sell cookbooks, t-shirts and canvass bags and waive \$5.00 application fee along Narragansett Avenue during the May 31<sup>st</sup> Memorial Day parade from 9:00 AM to 1:00 PM

It was moved by Councilor Settupane, seconded by Councilor Ferguson to approve the One Day Peddler License for the Humane Society of Jamestown, Inc to sell cookbooks, t-shirts and canvass bags along Narragansett Avenue on May 31, 2004 from 9:00 AM to 1:00 PM and to waive the fee. So unanimously voted.

- b) Jamestown Fire Department to hold a bake sale and waive \$5.00 application fee at the fire museum on May 2<sup>nd</sup> from 11 AM to 3 PM

It was moved by Councilor Settupane, seconded by Councilor Ferguson to approve the One Day Peddler License for the Jamestown Fire Department to hold a bake sale at the fire museum on May 2, 2004 from 11:00 AM to 3:00 PM and to waive the fee. So unanimously voted.

- 2) Event Application

- a) Jamestown Rotary Club to hold a bicycle/wheelchair road race on Columbus Day, October 11, 2004; island wide from 7:00 AM to 3:00 PM

It was the consensus of the Council that upon the request of the Town Administrator the Jamestown Rotary Club Event Application would be continued to the May 10, 2004 Town Council meeting.

- 3) Sunday Sales Renewal Application
  - a) Ocean State Scuba, Inc. dba: Ocean State Scuba  
79 North Road

It was moved by Councilor Settipane, seconded by Councilor Ferguson to approve the Sunday Sales License for Ocean State Scuba, Inc. d/b/a Ocean State Scuba, subject to the resolution of debts, taxes and appropriate signatures. So unanimously voted.

- 4) Letter and request from Thomas D. Chadronet, 119<sup>th</sup> Military Police Company, Camp Cavallaro, Bagdad, Iraq re: flag to fly at Veteran's Memorial Square on Memorial Day

It was the consensus of the Council to accept the American flag as requested by Thomas D. Chadronet and request that the American Legion fly the flag at Veteran's Memorial Square on Memorial Day.

- 5) Letter from David A. Thibeault re: Proposed kayak storage rack at East Ferry Landing

It was moved by Council President Littman, seconded by Councilor DiGiando to accept the letter from David A. Thibeault. So unanimously voted.

- 6) Letter from Brenda C. Bennett re: parking issues on North Main Road

Brenda Bennett appeared before the Council to request that no parking signs be erected on North Road from Valley Street to Luther Street.

It was moved by Councilor Settipane, seconded by Councilor Littman to petition the State Traffic Commission to prohibit parking on the east side of North Main Road across and adjacent to the Cumberland Farms, subject to the boundaries as recommended and determined by the Chief of Police. So unanimously voted.

- 7) Letter from the Women's Resource Center of Newport County
  - a) Request for funds 2003-2004
  - b) Request for funds 2004-2005

The Town Clerk noted that the communications from the Women's Resource Center of Newport County were letters expressing their appreciation for funds donated by the Town of Jamestown.

- 8) Letter from Seasha Scribner request to hold wedding on Mackerel Cove Beach on September 24, 2004 at 4:30 PM

It was moved by Councilor Settipane, seconded by Council President Littman to refer the request from Seasha Scribner to the Town Administrator. So unanimously voted.

#### EXECUTIVE SESSION

Prior to the Council entering into executive session, Councilor Settipane recused from participating in the executive session and left the meeting.

It was moved by Council President Littman, seconded by Councilor DiGiando to enter into executive session at 11:10 PM pursuant to RIGL 42-46-5 (a) (2) regarding litigation. It was voted Councilor DiGiando, aye; Councilor Ferguson, aye; Council President Littman, aye. The motion passed with three in favor and Councilor Settipane recusing.

The Council returned from executive session at 11:40 PM. It was moved by Council President Littman, seconded by Councilor DiGiando to seal the minutes of the executive session to the public. It was voted, Councilor DiGiando, aye; Councilor Ferguson, aye; Council President Littman, aye. The motion passed with three in favor.

There being no further business before the Council, it was moved by Councilor Ferguson, seconded by Council President Littman to adjourn the meeting at 11:42 PM. So voted.

Attest:

Arlene D. Petit  
Town Clerk