# **TOWN COUNCIL MEETING**

# **May 2, 2016**

# **ROLL CALL**

Town Council Members present:

Kristine S. Trocki, President

Mary E. Meagher, Vice President

Blake A. Dickinson

Michael G. White

Thomas P. Tighe

Also in attendance:

Andrew E. Nota, Town Administrator

Christina D. Collins, Finance Director

Michael Gray, Public Works Director

Lisa Bryer, Town Planner

Michael Swistak, Planning Commission Chair

Kenneth Gray, Tax Assessor

Cathy Kaiser, School Committee Chair

Andrew Wade, Parks & Recreation Director

Peter D. Ruggiero, Town Solicitor

Cheryl A. Fernstrom, Town Clerk

# **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:36 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue, and Councilor Dickinson led the Pledge of Allegiance.

# **ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS RESOLUTIONS AND PROCLAMATIONS**

## Presentations

1. Eagle Scout Service Project Presentation by Josh Neronha, Troop 1 Jamestown: Erosion Control at Conanicut Battery; request for Town approval to proceed with proposed project; review and discussion and/or potential action and/or vote

#### Jamestown Historical Society Letter of Support

Josh Neronha presented his proposed Eagle Scout project, Erosion Control at the Conanicut Battery, seeking Council permission to proceed. He proposes to control erosion by digging a small drainage ditch and installing two water burrows and three French drains across the trail in several segments using PVC pipe to bring the water that collects into the ditch and off the trail, preventing the erosion. Work will begin in July and funding will come from a RIDEM and RIDOT Recreation Trails Program Grant in the amount of $876, to cover the cost of supplies and equipment rental. Council members commented Eagle Scout Ryan Geib’s project worked well and the Council looks forward to Josh’s project and the resulting improvements. Council members comment favorably on the project and note Dennis Webster and Larry McDonald from the Historical Society in attendance in support of the project.

**A motion was made by Vice President Meagher with second by Councilor White to approve Mr. Neronha’s Eagle Scout Service Project, Erosion Control at the Conanicut Battery. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

President Trocki states the Council appreciates this project and the letter of support from the Historical Society, and this will benefit the town and residents.

**A motion was made by Vice President Meagher with second by Councilor White to move up VIII. New Business A) Approval of the Recreation Trails Program Grant request for Big Boulder Trail Rehabilitation at the Conanicut Battery in the agenda to be addressed now. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**VIII. New Business**

1. Approval of Recreation Trails Grant Program request for Big Boulder Trail Rehabilitation at Conanicut Battery and Authorization for signing by Town Council President Trocki; review and discussion and/or potential action and/or voted

Historical Society member Dennis Webster of Mt. Hope Avenue explained the supplies and equipment needed for the project at a total estimated cost of $876. An application for grant funding will be forwarded to RIDEM, which requires Town Council approval and signing by the Town Council President.

**A motion was made by Vice President Meagher with second by Councilor White to approve the Recreation Trails Grant Program request and authorize signing by the Town Council President. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Council thanked all for their efforts on the project.

## B) Resolutions and Proclamations; review and discussion and/or potential action and/or vote

### No. 2016-05 Septic Loan Program

Town Administrator Nota explained the Resolution for funding for the septic system loan program previously approved. (reading of the Resolution waived)

**A motion was made by Vice President Meagher with second by Councilor White to approve Resolution No. 2016-05. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

### No. 2016-06 Teacher Appreciation Week

The Resolution was read by President Trocki.

**A motion was made by Vice President Meagher with second by Councilor White to approve Proclamation No. 2016-06 Teacher Appreciation Week. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

# **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 motion was made by Vice President Meagher with second by Councilor White to convene as the Alcoholic Beverage Licensing Board for the Town of Jamestown at 7:48 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Town Council Sitting as the Alcoholic Beverage Licensing Board

### **NOTICE** is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3 Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended, that the following **NEW** license application has been received by the Town Council under aid Act, for the period May 2, 2016 to November 30, 2016 (duly advertised in the *Jamestown Press* April 14th and April 21st editions):

**CLASS BT (TAVERN) LICENSE**

Bay Voyage, LLC

dba: Bay Voyage

150 Conanicus Avenue

Jamestown, RI 02835

Town Council comments.

President Trocki noted requirements that must be met prior to issuing the Liquor License: Department of Health Certificate, RI Sales Tax Permit, and proof of insurance.

Applicant’s comments.

Attorney Infantolino on behalf of Bay Voyage, LLC stated application was made to the Division of Taxation for the Sales Tax Permit, it is registered, Bay Voyage is able to make sales, but the actual permit has not been received. The Department of Health Certificate has not been received but will be forthcoming, as the property was transferred to Mr. Sullivan as of last Friday. All Water and Sewer taxes were paid at the closing. The Liquor License was signed by the Fire Marshall as all requirements specified by the fire inspection were taken care of and the property is now in compliance.

Mr. Nota stated he believes all requirements will be taken care of, but the license should be approved subject to meeting all requirements, if the Council is comfortable. The Multi- License (Victualing and Entertainment) and Holiday License applications have not been signed by the Fire Marshall, but the BT Liquor License has all required signatures.

Discussion ensued of the license cap, which Solicitor Ruggiero confirmed would have to be raised; the BT is the proper liquor license for an establishment with lodging. President Trocki read the Police Chief’s recommendations for the BT License as follows:

1. Alcohol service be allowed inside the restaurant area
2. Alcohol service be allowed on the deck area
3. Alcohol service be allowed in plastic ware in fenced pool area
4. Alcohol consumption be allowed on grass area
5. Signage “NO ALCOHOL BEYOND THIS POINT” be installed at east end of sidewalk of front lawn
6. Applicant to provide a detailed floor/exterior plan indicating alcohol service area, proposed bars (permanent and temporary) and alcohol storage area
7. Any outside special events i.e. wedding, music or entertainment would require a special event license (issued by the Town).

Mr. Sullivan agreed the Police Chief’s recommendations are acceptable to him and he will abide by them.

Public comments.

Mary Lou Sanborn of Bay View Drive as an abutting property owner expressed concern for the noise level, asked that hours of service and operation be identified, and asked if there would be regular outside entertainment. The previous licensee had applied for this license and she addressed service on the grassy corner and the difficulty in seeing at that time, and it is her concern patrons would not see the signage and not comply. Mr. Infantolino stated Bay Voyage will have to follow all condo regulations as well as Town ordinances, and if a band plays for a wedding the bylaws regulate the activity. Ms. Sanborn thought the noise ordinance specified 10:00 p.m. Council members note this requires further review. Mr. Infantolino stated bands and events would not play outside but would be inside. Discussion ensued whether the condo rules supersede the Town ordinances re: noise. Mr. Sullivan stated it is not his intention to have outside entertainment. President Trocki commented on the Police Chief’s recommendations that any special activities and events on the lawn come before the Town Council for special permission. Mr. Nota commented the Noise ordinance is also under review by the Ordinance Review Committee and will be back before Council. Ms. Sanborn commented on the south lawn area and traffic issues at the location and her concerns, especially with the Yacht Club operating during the summer months.

#### Police Chief Mello’s recommendations; review and discussion and/or potential action and/or vote

#### Approval of the liquor license for a **NEW CLASS BT (TAVERN) LICENSE;** review and discussion and/or potential action and/or vote

**A motion was made by Vice President Meagher with second by Councilor White to approve the new Class BT (Tavern) Liquor License for the new restaurant at the Bay Voyage with the stipulations as provided by the Chief of Police outlined in his memorandum dated March 31, 2016. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

#### Approval to raise the **CLASS BT (TAVERN) LICENSE** Capto One (1) [Present Cap 0] and set the **CLASS BT (TAVERN) LICENSE** Cap at One (1); review and discussion and/or potential action and/or vote

**A motion was made by Vice President Meagher with second by Councilor White to raise the BT (Tavern) Liquor License Cap to One (1) and set the Class BT (Tavern) License Cap at One (1). President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

#### Approval to raise the total number of **LIQUOR LICENSES** in the Town of Jamestown to TWELVE (12) from ELEVEN (11); review and discussion and/or potential action and/or vote

**A motion was made by Vice President Meagher with second by Councilor White to raise the total number of Liquor Licenses in the Town of Jamestown to Twelve (12) from Eleven (11). President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

President Trocki noted all approvals are subject to compliance with all requirements prior to issuance of any licenses.

**A motion was made by Vice President Meagher with second by Councilor White to adjourn as the Alcoholic Beverage License Board and close the public hearing at 8:03 p.m. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

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## Licenses and Permits; review and discussion and/or potential action and/or vote

### Multi-License Application (new)

Victualing and Entertainment

#### Bay Voyage, LLC dba: Bay Voyage

### Location: 150 Conanicus Avenue

**A motion was made by Vice President Meagher with second by Councilor White to approve the Multi-License Application for the Bay Voyage, LLC dba: Bay Voyage pending the Fire Chief’s inspection and signature. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

### Holiday License Application (new)

### Bay Voyage, LLC dba: Bay Voyage

Location: 150 Conanicus Avenue

**A motion was made by Vice President Meagher with second by Councilor White to approve the Holiday License Application for the Bay Voyage LLC dba: Bay Voyage pending the Fire Chief’s inspection and signature. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

### Event/Entertainment License application

#### Applicant: Boy Scout Troop 1, Jamestown

#### Event: Weekly Boy Scout Meetings – Summer

#### Dates: Thursdays, 7–8 pm, June – August

### Location: Fort Getty Pavilion

**Additional Request for: Waiver of Pavilion Rental Fee**

Elena McCarthy of Walcott Avenue is in attendance on behalf of the Boy Scouts to request approval of the Event/Entertainment License and waiver of the Pavilion rental fee.

**A motion was made by Vice President Meagher with second by Councilor White to approve the Event/Entertainment License Application for Boy Scout Troop 1 Jamestown and approve the request for waiver of the Pavilion Rental Fee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

# **OPEN FORUM**

## Scheduled to address. None.

## Non-scheduled to address. None.

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

## Administrator’s Report: Town Administrator Andrew E. Nota

### Fire Station Project.

### America Way House Fire. Mr. Nota reported on the house fire Friday morning at 3:00 a.m., and the Town could not be more pleased with the response of the Jamestown Volunteer Fire Department. Over 40 Fire and Rescue personnel responded, as well as four additional communities – Middletown, Exeter, North Kingstown, and Richmond/Carolina – providing water and backup support, and Chief Bryer sent them personal thanks. The owners of the home, the Campbell’s, had working fire smoke detectors and vacated the fully-involved fire, and all came through the fire safe. The JFD did a fine job preserving the main portion of the home and possessions of the Campbell’s. Town Administrator Nota thanked the Fire Department and EMS Division for the fine job done, and we couldn’t be more proud and neither could Chief Bryer. The Town Council gave kudos to the JFD and remarked they are happy to hear no one was injured. It is important to note this is not a normal occurrence and our volunteers were able to exercise the thorough training they receive.

Fire Station Project Update. The Committee has been busy. A public bid opening was held March 28th with five eligible companies bidding, ranging from $2,569,000 to $2,974,000 for the bonding authorization approved last year for $2,200,000 for the building component and $300,000 for replacement of a pumper truck. There were six alternates in the bids; each company fluctuating differently from $50,000 to $100,000. Following the bid, the Committee organized - Chief Bryer, Public Works Director Gray, representation from Aharonian & Associates, and Town Administrator Nota - and met to formulate interviews with the five companies. All information gathered is being combined and an addendum formulated to be reissued to the five bidders. Most are value engineering revisions and would not make a difference in the building appearance or programs. Through the addendum process we hope to have results to bring us within budget and back before the Council for consideration. If not, it will be brought back to the Council to review next steps in the process. This has been a very involved process, we are cautiously optimistic, and should have substantive information to share in late May. It is not believed the major elements will be affected. Discussion continued.

*Jamestown Press* Article last week “Fire town officials differ on status of department at private meeting.” Mr. Nota commented on Executive Sessions between the Town Council and Fire Department, and an unfortunate event that occurred that prompted the article referenced. What has not occurred in the decades that JFD has existed, the relationship has changed and morphed over the past 100 years. In his two-year tenure we seem to have all of the pieces in place – an open-minded Council and Board of Fire Wardens - to memorialize what this relationship means to the community and an administration and staff working together to this end. All sessions cannot be public initially, and a series of Executive Sessions were held to work out the institutional and historical issues that exist. Those discussions were excellent and moved forward with an open dialogue and made progress. This is being brought up as the confidential Executive Session Minutes for a meeting were accidently released for a few days in the electronic public packet. It was immediately withdrawn, although the confidential information was released. Neither the Town Council nor the Board of Fire Wardens had any involvement in releasing this information. This was entirely an error on the part of Town staff. Mr. Nota wants to ensure the public, to maintain the integrity of the positive ongoing discussions between the Council, Administration, Town staff and Board of Fire Wardens, so that the process continues. There is significant meaning to establishing and memorializing the relationship between the Town and the Jamestown Fire Department. As Town Administrator he wants the community to understand what occurred, how it occurred, why it occurred, and that he is working with Town staff to put additional checks and balances in place to protect us from that type of release of information in the future. President Trocki thanked Mr. Nota for the very thorough explanation. The Town and Fire Department have been working very well together, she foresees that will continue and we will come to an understanding soon and it will be made public at that time.

2) Coyote Population

Town Administrator Nota referenced a recent *Jamestown Press* article on interactions with the local coyote population. The websites [www.theconservationagency.org/coyote and coyotesmarts.org](http://www.theconservationagency.org/coyote%20%20and%20coyotesmarts.org) demonstrate how residents should engage with the coyote population (it appears Jamestown has two groups of coyotes). Vice President Meagher has been in contact with Numi Mitchell at The Conservation Agency who forwarded the Middletown Ordinance on feeding wildlife and perhaps the Ordinance Review Committee may wish to review this and the *Press* may want to do an article on this topic. Town Administrator Nota has a copy of the ordinance and will put it on a future ORC agenda. President Trocki commented on the danger created by feeding coyotes and other wild animals. Councilor Dickinson asked the *Press* to do an article on the detriments of feeding wild animals, which is against the law and is unethical, and interrupts migratory birds and disrupts other wild life.

### Bond Refunding

### Finance Director Christina Collins reported on the bond refunding. The town sold $4,830,000 general obligation bonds on April 20th that will refund a portion of the Town’s 2007 and 2008 bonds. The refunding generated a gross budgetary debt service savings of $677,125 over the remaining life of the bonds, better than predicted. Nine bids were received between 1.59% and 1.75% and the winning bid is from the firm of Sun Trust Robinson Humphrey at a true cost of 1.59% (current 2007 and 2008 bonds ranged from 3.75% to 4.25%). The favorable rate is attributed to the Moody’s Investors Service recent upgrade to the very favorable rating of Aa1 for Jamestown. Finance Director Collins was commended for a job well done.

### Revaluation

Tax Assessor Ken Gray gave an update on the revaluation process, which is near completion. The spreadsheet distributed was referenced showing valuations and appeals, and review of the revaluation at December 31, 2015 and May 2, 2016. The Total New Assessed Valuation at December 31, 2016 was $2,402,735,800, an increase of $85,923,700. 55% of the properties assessed have increased values, 6% of the properties assessed had no increases, and 39% of the properties had a decrease in valuation. The appeal process continued and values were revised and the Total Assessed Valuation at May 2, 2016 was reduced by $4,911,200 to $2,397,824,600, a total assessment increase of $81,012,500 or 3.5%. Appeals are an ongoing process and heard throughout the year. As soon as the new tax bills go out (in July) and until December 12th, taxpayers can appeal their tax assessment. Values are set for the purposes of this year’s upcoming proposed budget.

Councilor Dickinson commented on the tax rate potential tax increases. The rate proposed is $8.58, a 20 cent decrease; depending on the new valuations the tax may decrease for 45% of the town and may go up for 55% of the town. Jamestown’s valuations are higher than other communities. Tax Assessor Gray noted the tax distribution is based on the new valuations. Discussion continued.

# **UNFINISHED BUSINESS**

## Request for Town Council Support for House Bill 7243 Relating to Criminal Offenses – Weapons by Robert Rodgers; review and discussion and/or potential action and/or vote

Mr. Rogers is unable to attend this evening. This item was continued, and is supported by the Jamestown School Committee. The request is for Town Council support for House Bill 7243 in the form of a Resolution to revise RIGL §11-47-60 Possession of firearms on school grounds governing the carrying of concealed weapons on school properties. If enacted, the current law would be revised to provide that “. . .only peace officers and persons approved by the school authorities for the purposes of educational instruction may carry firearms or other weapons on school grounds.” Councilor Dickinson referenced his conversation with Representative Ruggeiro who commented the Speaker is not addressing this issue as it is very volatile. He asked that this issue be continued until such time as it is addressed by the Legislature.

**A motion was made by Councilor Dickinson with second by Councilor Tighe to continue this issue until such time as it is addressed by the Legislature.**

Discussion. Vice President Meagher would like to support the School Committee by approving a resolution. Councilor White commented on current State law that allows concealed weapon carry permits holders to enter school grounds with a weapon. The proposed legislation would tighten the law to prohibit weapons on school grounds by excluding all CCW permit holders except police officers. President Trocki opened the discussion to the members of the public or School Committee.

School Committee Chair Cathy Kaiser addressed Councilor Dickinson’s reasonable suggestion. As someone who goes to the State House, when an issue it comes up past resolutions will be reviewed and it would be good to get in on file now. School Committee Member BJ Whitehouse stated he is most concerned with the safety of school children and doesn’t believe anyone other than a police officer should be on school grounds with a weapon. He encourages the Council to adopt the Resolution in favor of House Bill 7243 to keep it alive.

Frank Saccoccio, Johnston resident, City Solicitor for the Town of Johnston, and President of the RI 2nd Amendment Coalition (NRA State Association) is here to oppose House Bill 7243. The legislation is a step backwards for RI and cities and towns and the security of children in our K-12 schools, as it tries to implement a gun free zone, and he would like to give the other side of the story. The Bill introduced last session restricted not only CCW holders but all off-duty police officers, sheriffs, constables, and capital police. If they were to pick up their children from school after leaving work, still possessing their weapon, they would be committing a felony. The Police Chiefs Association was opposed last session, as well as individuals from Sandy Hook, CT, and it did not make it out of Committee. The revised version removed retired police chiefs, who would now have to obtain a CCW permit from the State Police. The exemption was put into law by the Attorney General in 1990, and for 26 years there have been no problems. CCW holders are citizens who need a CCW permit for their employment. Last session and this session not one school committee asked for the other side of the story.

There are 3800 CCW permit holders in RI, less than 4/10 of 1% of the RI population; they are law-abiding citizens and are not the problem. The media likes to publicize mass shootings rather than a CCW holder who prevents a shooting. The Aurora theater shooter passed by several theaters until he chose one that was a gun-free zone, as such people seek out places with no opposition. Our children deserve better than this bill, and that is why it is not out of committee. Last session our Legislature listened and passed legislation allowing campus police to be armed so they can respond to an active shooter incident; but there is nothing to protect our K-12 schools. This is a terrible bill, and the rest of the country is moving away from gun free zones. There are ten states that allow CCW permit holders on school grounds, including RI. This bill does not improve the safety of our children; we need to add more security at our schools. Little Compton, Cranston, Glocester, and Johnston tabled this legislation; it failed in Middletown. Mr. Saccoccio thanked the Council for their time and consideration.

Michael O’Neill of Warwick, Vice President of the RI 2nd Amendment Coalition, is here to oppose Bill 7243. There are 118,000,000 gun owners and 12.5 to 13.5 million CCW permit holders in the US. There are 2,500,000 incidents per year where CCW permit holders prevent shootings. Studies conducted reveal that most mass shootings were over when the police got there, as they happen within minutes. In RI there are CCW holders who are teachers and principals in RI. Missouri and California passed legislation to arm and train teachers and principals to carry weapons. The statistics are there. This legislation is going backwards, and he requests the Council to reconsider any action. Any Resolution passed this evening would not carry over to next year. Mr. O’Neill thanked the Council for their time and consideration.

Peter Ruggiero stated if the same exact bill will not be considered in the next session, the Council will have to adopt a new resolution. At this time we do not know if it will be the same.

Nick Robertson of Carr Lane commented the statements made by the two gentlemen make sense and the Council shouldn’t rush into passing a resolution based on the information provided. As an NRA member, such shootings are by unsound individuals, not legal licensed gun owners.

Discussion ensued of legislation introduced by Attorney General Pine (prior to becoming Attorney General) for the possibility of a private security force for schools. Discussion continued. President Trocki commented we cannot conceive of a private security force in Jamestown for our K-8 schools. It is an academic exercise discussing a bill that has no traction. Her personal view is she fears any guns on school grounds carried by individuals other than police officers and she wants to support the school committee in their decisions as they know best.

Councilor Dickinson stated his respect for the school committee and safety in our schools. It is every citizen’s responsibility to protect children and other people’s children. It would be prudent to wait and see what the State is going to do and we shouldn’t do a resolution that has nothing to apply it to. Councilor White stated he agrees somewhat. It is creepy to allow a private force to carry weapons onto school grounds. A significant number of persons who say they can save others have never been shot at or have shot at another person. He doesn’t object to weapons, doesn’t think they need to carry them on school grounds, and doesn’t understand why a retired police chief would want to carry a weapon onto school property. He is not sure we should approach this as it appears the bill is dead. He doesn’t want an untrained private force protecting his grandchildren but rather a professional trained force.

Vice President Meagher commented we are enamored with the story of a hero coming through and saving the day. Unfortunately what happens with guns is that accidents happen and mistakes are made. A CCW permit requires a license and proficiency with weapons. But accidents happen. She supports the school committee, recognizes the law has improved, other councils have not supported this, but she is supporting the resolution and our school committee. Councilor Dickinson understands the sentiment and recognizes the concern, and wants to keep children safe, but we should wait and see what the State is going to do. Councilor Tighe would like to table the motion, as it would send a message that this legislation needs work. As a former police chief he has a right to carry, and he often picks up his grandchildren at school, and he hates to think he would be locked up and be a felon after 44 years on the police force. He would like to continue until there is a better version of the bill.

The motion on the floor was referenced (A motion was made by Councilor Tighe with second by Councilor Dickinson to continue the matter until such time as it is addressed by the Legislature).

Discussion, continued. Councilor White asked if a Resolution could be adopted in support of a revised version of this bill in the future, as the bill needs work. Do we want to support the bill or support keeping concealed weapons off school grounds? President Trocki stated you are not a felon until there is a conviction, and she is uncomfortable with that premise. Other communities may feel differently from the citizens of Jamestown, and she appreciates the comments made this evening, and she supports the school committee decision.

Back to the vote on the motion. **President Trocki, Nay; Vice President Meagher, Nay; Councilor Dickinson, Aye; Councilor White, Nay; Councilor Tighe, Aye; Motion fails by a majority vote in the negative.**

**A motion was made by Vice President Meagher with second by Councilor White to support the Resolution as written.**

Discussion. President Trocki noted she would rather adopt another resolution based on a potential better version. Councilor Dickinson recognizes support for our school committee but would rather continue until there is better legislation. Vice President Meagher commented if the Legislature does not pay attention to conversations in their communities they are fools and she hopes they pay attention to the comments and create a better bill.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Nay; Councilor White, Aye; Councilor Tighe, Nay. Motion passes by a majority vote in the affirmative.**

9:20 pm

# **NEW BUSINESS**

## Approval of Recreation Trails Program Grant request for Big Boulder Trail Rehabilitation at Conanicut Battery and Authorization for signing by Town Council President Trocki; review and discussion and/or potential action and/or vote. Addressed previously.

## OPEB (Other Post Employment Benefits) Revocable Trust through RI Interlocal Risk Management Trust (The Trust); review and discussion and/or potential action and/or vote

### Adoption of Authorizing Resolution: No. 2016-07

Town Administrator Nota explained the Town has the IBPO contract with other post employment benefits, as does the School Department, and carry liabilities in the amount of $2.6 or $2.7 million for the Town and just under $6 million for the School Department. The program offered by The Trust is comprehensive in nature, affordable, and provides an entry level way to manage OPEB expenses. Participation is noted in our bond rating and there is no financial obligation at this time. The Resolution was read by President Trocki.

**A motion was made by Vice President Meagher with second by Councilor White to adopt Authorizing Resolution No. 2016-07. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## RI Department of Environmental Management Grants – Town Council Approval and Authorization to apply; review and discussion and/or potential action and/or vote

1. Large Recreation Development Project – Lawn Avenue Complex in the amount of $400,000
2. Small Recreation Development Project – Community Playground on North Road in the amount of $100,000

#### Adoption of Authorizing Resolution: No. 2016-08

This has been addressed previously by the Town Administrator and Parks and Recreation Director, and it a requirement for submittal that Council authorization is obtained. The Resolution was read by President Trocki.

**A motion was made by Vice President Meagher with second by Councilor White to adopt the Authorizing Resolution No. 2016-08. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Community Development Block Grant Program 2016 Application in the amount of $150,000; review and discussion and/or potential action and/or vote

### Approval of 2016 Priority List

### Adoption of Authorizing Resolution

Vice President Meagher asked for clarification of the “undetermined future housing development funds.” Town Planner Bryer explained the maximum amount has been reduced over the years due to Federal funds reduction and some of the funds are reserved as set asides. If towns have housing or economic development projects during the program year, they are encouraged to make it part of the application and a dollar amount does not have to be assigned, and it reserves the right to apply for funding later in the year.

**A motion was made by Vice President Meagher with second by Councilor White to approve the 2016 Community Development Block Grant Program Application and Priority List, and adopt the Authorizing Resolution described in the packet. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## 2016 Financial Town Meeting Warrant: Approval of language; review and discussion and/or potential action and/or vote

The Town Solicitor, Finance Director and Town Administrator have reviewed and approved of the FTM Warrant language. It is standard language from year-to-year.

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

## Jamestown Harbor Master: Town Administrator’s Recommendation to the Town Council; review and discussion and/or potential action and/or vote

Town Administrator Nota put forward candidate Mark John Campbell for the Harbor Master position. He referenced the Search Committee of Police Chief Mello, Harbor Commission Chair David Cain, and himself who reviewed the 19 applications (with a large number of qualified candidates) and interviewed 7, the top 3 candidates interviewed 3 times. Mark is over-qualified with extensive education, years of experience within the field, on the water, shoreline, in the military, with the Coast Guard, and as a maritime instructor. Mark is looking to serve in a capacity to give back to the community. Assistant Harbor Master John Recca will be working during the transition, other applicants will serve as Assistant Harbor Master initially, and we may have to re-advertise for the assistant position. President Trocki comments on the credentials of Mr. Campbell.

**A motion was made by Vice President Meagher with second by Councilor White to approve the Town Administrator’s recommendation of Mark Campbell as the new Harbor Master. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

Mr. Campbell will be before the Council at a future meeting. The Council welcomes him aboard.

# **ORDINANCES AND APPOINTMENTS AND VACANCIES**

## Appointments & Vacancies; review and discussion and/or potential action and/or vote

### Jamestown Juvenile Hearing Board – Alternate (One vacancy with a two-year term ending date of December 31, 2016); duly advertised; interviews conducted

#### Letters of interest

##### Judith DiBello

##### Susan Heffner

President Trocki noted both candidates are most qualified, had excellent interviews, and it is difficult as there aren’t two vacancies. They are both passionate about this type of work and it is most difficult to choose. Discussion continued.

**A motion was made by Councilor Dickinson with second by Vice President Meagher to appoint Susan Heffner to the Juvenile Hearing Board as an Alternate.**

Discussion. Council members have difficulty deciding. Judith’s warmth was outstanding and Susan’s extensive resume was impressive, and either would be terrific.

Back to the vote on the motion. **President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Abstain (was unable to be present for interviews). Motion carries by a majority vote in the affirmative.**

Judith DiBello’s application will be held for future reference.

### Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016); duly advertised (no applicants)

Advertising will continue.

# **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 Vice President Meagher with second by Councilor White to approve and accept the Consent Agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Consent Agenda approved consists of the following:

## Adoption of Council Minutes

### April 12, 2016 (special meeting)

### April 14, 2016 (budget work session)

### April 19, 2016 (special meeting)

### April 19, 2016 (executive session)

### April 19, 2016 (regular meeting)

## Minutes from Boards, Commissions and Committees

#### Jamestown Traffic Committee (03/17/2016)

#### Jamestown Zoning Board of Review (02/23/2016)

## Abatements/Addenda of Taxes

Total Abatements: $15,906.87 Total Addenda: $15,906.87

### Properties – Abatements to 2015 Tax Roll

**Account/Abatement Amount**

#### 01-0001-59 $ 5,811.33

#### 01-0001-59 $ 3,308.11

#### 14-0046-05 $ 4,908.70

#### 19-0168-10 $ 1,878.73

### Properties – Addenda to 2015 Tax Roll

**Account/Addenda Amount**

#### 01-0697-55 $ 5,811.33

#### 01-0697.55 $ 3,308.11

#### 03-1154-00 $ 4,908.70

#### 07-0894-04 $ 1,878.73

## Holiday License Renewal Application

### Deb’s Beads/The Purple Door

47 Conanicus Avenue

## One Day Event/Entertainment License Applications

### Applicant: Kayla Shelley

Event: Shelley-Darrin Wedding

Date: September 17, 2016

Location: Fort Getty Pavilion

# **XI. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS**

*Approval of the Communications, Petitions, an9:50 d Proclamations and Resolutions from other Rhode Island Cities and Towns shall be equivalent to approval of each item as if it had been acted upon separately.*

**A motion was made by Vice President Meagher with second by Councilor White to accept the Communications, Petitions, and Proclamations and Resolutions from other RI Cities and Towns. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Communications, Petitions, Proclamations and Resolutions received consists of the following:

## Communications

### Memorandum of Jamestown Conservation Chair Coleman to Harbor Commission re: Conservation Zones of the Jamestown Harbor Management Plan

### Letter of Jamestown Conservation Commission Chair Coleman to CRMC re: Application File Number 2015-09-105 (aquaculture project)

### Letter of Jamestown Conservation Commission Chair Coleman to CRMC re: Application File Number 2014-12-056 (Modification of Assent)

### Letter of Jamestown Conservation Commission Chair Coleman to

### CRMC re: Application File Number 2015-11-032 (aquaculture project)

## Resolutions and Proclamations of other Rhode Island cities and towns

### Resolution of the East Greenwich Town Council Opposing Senate Bill 2263 and House Bill 8080 Relating to Elections - School Closings

### Resolution of the Smithfield School Committee on Gun Free Schools

### **AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS**

None.

# **XIII. EXECUTIVE SESSION**

## Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Town Administrator’s review process and timeline); review and discussion and/or potential action and/or vote in executive session and/or open session

**A motion was made by Vice President Meagher with second by Councilor White to enter into Executive Session pursuant to RIGL §42-46-5(a) Subsection (1) Personnel at 9:51 p.m.**

**Pursuant to RIGL §42-46-5(a) Subsection (1) the following vote was taken: President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The Jamestown Town Council reconvened the regular meeting at 11:21 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

# **ADJOURNMENT**

**A motion was made by Councilor Tighe with second by Councilor Dickinson to adjourn. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

The regular meeting was adjourned at 11:22 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Town Solicitor

Finance Director