

TOWN COUNCIL MEETING

May 18, 2009

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Town Hall, 93 Narragansett Avenue in the Rosamond A. Tefft Council Chambers at 7:00 PM by Council President Julio J. DiGiando. The following members were present:

Michael G. White, Vice President

William A. Kelly

Robert W. Sutton, Jr.

Barbara A. Szepatowski

also present:

Bruce R. Keiser, Town Administrator

Peter D. Ruggiero Town Solicitor

Arlene D. Petit, Town Clerk

present from the Town Charter Review Committee:

Sav Rebecchi

Robert Ullrich

Susan Little

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

None

COUNCIL SITTING AS ALCOHOLIC BEVERAGE LICENSING BOARD

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.

None

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.

It was requested that items # 2 and 3(e) be removed from the Consent Agenda. It was moved by Councilor Szepatowski, seconded by Councilor White to accept the consent agenda as amended. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
 - a) May 4, 2009 (regular session)
 - b) May 4, 2009 (executive session)
- 2)
- 3) Minutes from Boards, Commissions and Committees:
 - a) Beavertail State Park Advisory Committee (10/15/2008 draft)
 - b) Jamestown Conservation Commission (03/10/2009)
 - c) Bike Path Design committee (04/01/2009)
 - d) Library Board of Trustees (04/07/2009)

- e)
- 4) CRMC Notices:
 - a) May 2009 Calendar
 - b) May 12, 2009 Agenda, Full Council
 - c) Cease and Desist Order
 - i) Ernest Pullano, Plat 14, Lot 8, Seaside Drive re: clearing within 200 ft. of a coastal feature
 - ii) Marcia Glassie, Plat 9 Lot 296, 7 High Street re: cutting and dumping of vegetation on a coastal feature and installation of a boat skids
 - d) Public Notices re: applications for assent
 - i) Fowler's Rocks, LLC, 340 East Shore Road, Plat 4, Lot 10 to install a 1200 lb capacity boat lift at the terminus of an existing dock
 - ii) Thomas Monroe, 40 Bonwood Road, Needham, MA, property location at 15 Seaside Drive, Plat 15, Lot 18 to install a 1200lb capacity boat lift at the terminus of the existing dock
- 5) DEM Notices:
 - a) Notice of Proposed Rule-Making & Public Workshop, May 21, 2009
- 6) Proclamations & Resolutions from other Rhode Island cities and towns
 - a) Town of Charlestown re: urging opposition to any and all efforts to undo the U.S. Supreme Court Opinion in *Carcieri v. Salazar*
- 7) Abatements/Addenda of Taxes

2) Bills and Payroll

Councilor Kelly reviewed the following expenses:

Legal A/C #70050.201 \$6,537.50

The Town Administrator noted that the legal expenses are on target. It is expected that there will be a small reserve in this account.

Personnel A/C# 70090.901 \$2,649.17

The Town Administrator stated that this payment is for a partial payment for the Town's general liability insurance through the Rhode Island Interlocal Risk. The annual payment is approximately \$80,000.00 and is paid quarterly. Councilor Kelly asked the Town Administrator to inquire why this payment is different than the quarterly payment.

Public Buildings A/C# 70490.309 \$2015.73

The Town Administrator noted that this payment is for the telephone lines for the new highway garage. The telephone expenses for the highway garage could not be covered under the bid because of the tight budget for the project, and therefore, has been included as a telephone expense under Town buildings. The Town Administrator also noted that the expenses for lockers and furnishings were not included in the construction budget.

Debt Service A/C#70900.505 \$104,558.13

Councilor Kelly asked if the Finance Director would include in the Bills and Payroll Report exactly what debt service payments are being made.

Water Resource Protection Committee A/C# N/A \$8,392.00

Councilor Kelly asked the Town Administrator to provide a report on the expenses incurred in the acquisition of property through this account and the number of properties acquired.

The Town Administrator informed the Council that he has had a request to purchase a lot acquired by the Town from an abutting property owner.

The Council discussed the possibility of offering some of the acquired lots for sale to abutting owners, with restrictions and covenants on the use. Council members were not in agreement as to whether these lots should be offered for sale. There was continued discussion on why the lots were actually purchased; that being, for the protection of sensitive recharge areas.

The Town Solicitor cautioned that although the Council would have absolute control over the restrictions to be placed on the property, another Council would have the ability to make changes.

The Town Administrator was instructed to provide the Council with information regarding the potential sale of any properties acquired through the rights of redemption for a Council agenda in June or July.

3) Minutes from Boards, Commissions and Committees:

e) Jamestown Traffic Commission (02/19/2009, 05/11/2009 final)

Councilor Sutton noted that in February minutes of the Jamestown Traffic Committee, there was mention of the concern and disappointment by the Chamber of Commerce on the disbanding of the Traffic Committee as presently constituted because it was believed that a vital community voice would be eliminated.

The Town Administrator assured the Council that the public would be invited to the newly restructured committee meetings to comment on issues relating to traffic and parking.

It was moved by Councilor Kelly, seconded by Councilor White to accept items #2 and 3(e) on the consent agenda. So unanimously voted.

EXECUTIVE SESSION ANNOUNCEMENT

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

None

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

- 1) Town Administrator Report (as follows)

To: *Honorable Town Council*
From: *Bruce R. Keiser, Town Administrator*
Date: *May 18, 2009*
Subject: *Town Administrator's Report*

Financial Town Meeting

Please be reminded that the Financial Town Meeting will be held on Monday, June 1st at 7:00 pm at the Lawn Avenue School. No petitions have been filed to change the Recommended Budget.

Since this date coincides with the regularly scheduled Town Council meeting, I would suggest the following options: a) meet as needed prior to the FTM to address only pressing business; b) hold a meeting on June 2; or c) defer business until the next regularly scheduled meeting on June 15.

Tax Levy Comparison

The RI Office of Municipal Affairs has released a preliminary report of tax levy changes among cities and towns. As the attached table shows, Jamestown's proposed levy increase of 0.98% is x lowest among all of the communities.

Municipal Budget Initiatives

I have provided a report compiled by the RI League of Cities and Towns summarizing the actions adopted by member communities to deal with the recession-driven fiscal crisis. The report shows the significant steps that municipalities have taken to cut or reduce spending in order to restrain tax increases.

Watson Avenue

The Town Traffic Committee met on Watson Avenue to discuss alternative parking regulations that will improve pedestrian safety and reduce congestion. Before making a recommendation to the Town Council, we will invite residents and property owners to a meeting to gain their input and observations.

Tree City USA

The Arbor Day Foundation has designated Jamestown as Tree City USA for the seventh consecutive year in recognition of the stewardship the Town has provided over its forestry. There will be a formal award ceremony in front of Town Hall on Tuesday, May 19th at 10 am.

Additional comments on the Town Administrator's report:

Town Council Meeting Date:

The regularly scheduled Town Council meeting for June 1 will be cancelled because of the Financial Town Meeting on that date. If necessary, any urgent business will be handled at a special meeting to be scheduled.

Tree City USA:

There will be a ceremony held at the Town Hall on May 19 at 10 a.m. to recognize Jamestown as a Tree City USA and to hold an Arbor Day Celebration with the dedication of the Magnolia tree in front of the Town Hall.

JEMS Memorandum Of Understanding:

Councilor Sutton stated that it is necessary to reaffirm the Council's commitment to the JEMS organization and the Volunteer Fire Department. The Town Administrator noted that he and the Town Solicitor are reviewing the MOU for legal form. As soon as the review is complete the MOU will be brought before the Council.

2) Town Clerk Memorandum re: committee interview dates

It was the consensus of the Council to hold committee interviews on Thursday, May 28, 2009 from 4:00 p.m. to 5:30 p.m.

PUBLIC HEARING

None

ORDINANCES AND RESOLUTIONS

- 1) Proposed amendments to Article IV. Stopping, Standing and Parking of the Code of Ordinance as submitted by the Jamestown Traffic Committee;
if favorable order advertisement for hearing
 - a) Sec 70-87 Prohibited or restricted parking on specified streets
 - i) Watson Avenue
 - ii) Avenue B

The Town Administrator noted that the information regarding parking on Watson Avenue was addressed by the Traffic Committee prior to the expansion of the bakery on Watson Avenue. The newly established Traffic Committee recently met on-site to view the safety concerns and will invite neighboring residents to attend the next meeting to request their input prior to making a recommendation to the Council.

It was the consensus of the Council to revisit proposed amendments to Sec. 70-87 when all of the proposed amendments are ready for consideration.

COMMUNICATIONS AND PETITIONS

- 1) Copy of letter from Harry Wright re: in support of Town Council terms remaining two years

It was moved by Councilor Kelly, seconded by Councilor Sutton to accept the letter from Harry Wright. So unanimously voted.

- 2) State of Rhode Island Department of Revenue re: approval of "Notice of Proposed Property Tax Rate Change"

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the notice from the State of Rhode Island Department of Revenue. So unanimously voted.

- 3) Rhode Island Society of Certified Public Accountants re: Seminar on Fiscal Controls

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the communication from the Rhode Island Society of Certified Public Accountants. So unanimously voted.

- 4) Letter from Richard Allphin re: elimination of straight party ticket

The Town Administrator noted that there was additional information to be handed out as provided by Mr. Allphin, which further explains the legislation to eliminate straight party voting. This legislation endorsed by the Board of Elections would prevent the use of party lever, which have become obsolete with the new optical scan voting. The Town Administrator further explained that presently if a voter filled in the straight party option and also chose to vote for a candidate in another party, the only vote to count would be the candidate in the other party. The elimination of the party lever would resolve this confusion.

Council President DiGiando requested that this information be put on the next Council agenda to be discussed.

LICENSES & 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.

- 1) **Exhibition License with Vendor's Application**

- a) Applicant: Central Baptist Church
Event: June Festival
Date: Saturday, June 20, 2009 at 9 a.m. to 1:30 p.m.
Place: 99 Narragansett Avenue **and** Town Hall parking lot
- b) Applicant: St. Matthew's Church
Event: Annual Festival
Date: Saturday, July 18, 2009 at 9 a.m. to 1 p.m.
Place: St. Matthew's Church, 87 Narragansett Avenue

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to approve the Exhibition License with Vendor's Permit for Central Baptist Church for their June Festival on Saturday, June 20 from 9 a.m. to 1:30 p.m. and to approve the Exhibition License with Vendor's Permit for St. Matthew's Church for their Annual Festival on Saturday, July 18, 2009 from 9 a.m. to 1 p.m. So unanimously voted.

2) **One Day Entertainment License Application**

- a) Applicant: Jon Mistowski d/b/a Jamestown Golf Course
Address: 245 Conanicus Avenue
Date: Sunday, September 13, 2009 at 12 Noon to 4 p.m.
Entertainment: Keyboard player and vocalist with amplified sound

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to approve the One Day Entertainment License for Jon Mistowski d/b/a Jamestown Golf Course for Sunday, September 13 from 12 Noon to 4 p.m. So unanimously voted.

3) **Holiday License Renewal Application**

- a) Portuguese American Citizens Club d/b/a Portuguese American Citizens Club
11 Pemberton Avenue

It was moved by Councilor Kelly, seconded by Councilor White to issue the Holiday License Renewal to the Portuguese American Citizens Club, subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.. So unanimously voted.

- b) Hina Enterprise, Inc. d/b/a Jamestown Mobil
35 Narragansett Avenue

It was moved by Councilor Kelly, seconded by Councilor White to issue the Holiday License Renewal to Hina Enterprise, Inc. d/b/a Jamestown Mobil, subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.

Councilor Szepatowski addressed some concerns relating to incidents at the Jamestown Mobil store. It was the consensus of the Council that these issues may be police matters and should be pursued with the Police Department.

It was voted four in favor and Councilor Szepatowski opposed. The motion passed.

4) **One Day Peddler License Application**

- a) Applicant: Gregg Charest for Jamestown Rocket 'hogs
Date: May 25, 2009 at 9 a.m. to 1 p.m.
Place: Fire Station Museum (in front of)
Selling: T-shirts

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to approve the One Day Peddler License for the Jamestown Rocket 'hogs to sell t-shirts in front of the Fire Station Museum on May 25, 2009 at 9 a.m. to 1 p.m. So unanimously voted.

OPEN FORUM

- 1) Scheduled request to address
2) Non-scheduled request to address

William Munger, Cole Street, addressed the Council regarding the proposed charter amendments. Mr. Munger proposed that users be represented on the Water Sewer Board. Mr. Munger cited the accomplishments of the Water Study Committee and suggested that

a group organized similar to this it would give the users more fiscal representation and allow for more public discussion.

Charlotte Zarlango, Seaside Drive, expressed her concern that the Council would consider selling any lots that were acquired by the town for the protection of our water supply.

Councilors Kelly and Szepatowski spoke in favor of allowing the sale of lots acquired through the right of redemption, with strict restrictions being placed on them to prevent any development.

Sav Rebecchi, Sail Street, stated that the last Charter Review Committee was in favor of a Water Sewer Facilities Committee and he suggested that such a Committee could be set up through the Code of Ordinance rather than through the Charter. Mr. Rebecchi further stated that residents of the entire island pay taxes that support the Water / Sewer facility, as all water and sewer charges to the municipal buildings are paid by taxpayers.

Councilor Sutton stated that the Water Sewer Commission was abandoned when the Town adopted the first Charter. Ms. Sutton further stated that although he recognizes that there needs to be public involvement, he cannot support a separate Water Sewer Commission.

APPOINTMENTS AND RESIGNATIONS

- 1) JEMS Compensation Committee
 - a) Two (2) vacancies exist on the JEMS Compensation Committee, terms ending May 31, 2012. One (1) vacancy for a representative of JEMS and one (1) for a Citizen-at-Large; *if favorable appoint:*
 - i) Request for reappointment:
 - Rick Hodges (representative)
 - Wendy Harvey (citizen-at-large)

It was moved by Councilor Szepatowski, seconded by Councilor Kelly to reappoint Rick Hodges as JEMS representative and Wendy Harvey as a citizen-at-large to the JEMS Compensation Committee for terms ending May 31, 2012. So unanimously voted.

- 2) Fire Department Compensation Committee
 - a) Two (2) vacancies exist on the Fire Department Compensation Committee, terms ending May 31, 2012 for representatives of the Jamestown Fire Department; *if favorable appoint:*
 - i) Request for reappointment:
 - William Murphy (representative)
 - Paul Balzer (representative)
 - ii) Letter of recommendation from Fire Chief

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to reappoint William Murphy and Paul Balzer as Fire Department representatives on the Fire Department Compensation Committee for terms ending May 31, 2012. So unanimously voted.

b) Letter of resignation from Dan Shapiro – Citizen-at-Large
It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter of resignation from Dan Shapiro. So unanimously voted.

- 3) Tree Preservation and Protection Committee
- a) One (1) vacancy exists on the Tree Preservation and Protection Committee for a term ending December 31, 2011; if favorable appoint:
- i) Request for reappointment:
- Emmet Turley
- ii) Letter of recommendation from Chair

It was moved by Councilor Szepatowski, seconded by Councilor White to reappoint Emmet Turley to the Tree Preservation and Protection Committee for a term ending December 31, 2011. So unanimously voted.

- 4) Coastal Resources Management Council
- a) One (1) vacancy exists for a Jamestown representative on the Coastal Resources Management Council for a term ending May 31, 2011; *if favorable appoint:*
- i) Request for reappointment:
- Emmet Turley

It was moved by Councilor Sutton, seconded by Councilor Szepatowski to reappoint Emmet Turley as Jamestown representative on the Coastal Resources Management Council for a term ending May 31, 2011. So unanimously voted.

- 5) Planning Commission
- a) Letter of resignation from Alexandra Nickol

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the resignation from Alexandra Nikol. So unanimously voted.

- 6) Personnel Board
- a) Letter of resignation from Nancy Kolman Ventrone

It was moved by Councilor Kelly, seconded by Councilor White to accept the letter of resignation from Nancy Kolman Ventrone. So unanimously voted.

UNFINISHED BUSINESS

- 1) Caruolo Act (continued from May 4, 2009)

The Town Administrator noted that there is present legislation in the general assembly to eliminate the Caruolo Act by replacing it with a three member arbitration panel. The elimination of this Act would prevent School Committees from suing their local municipality in the event that funding was not adequate to meet the school's budget.

The Town Administrator informed the Council that the League of Cities and Towns is requesting support of the legislation to eliminate the Caruolo Act and support for the replacement of the alternate procedure.

In answer to Council questions, Catherine Kaiser, School Committee Chair, indicated that it is her opinion that although it is the intent of the Caroulo Act to ensure that schools are adequately funded, she felt that it would be unlikely that Jamestown would be involved in this kind of a suit. Ms. Kaiser also indicated that there are several school committees invoking the Caroulo Act because their curriculum is underfunded.

The Town Solicitor noted that the Caroulo Act is only for those occasions where the School Committee alleges that the budget approved by either the voters or Council was grossly inadequate to operate the school system.

Following a discussion on the alternate process, it was moved by Councilor Szepatowski, seconded by Councilor White that it be hereby resolved that the legislature look at a different way to finance education other than through property taxes. So unanimously voted.

- 2) Jamestown Town Charter (continued from May 4, 2009)
 - a) Proposed amendments as provided by the Town Charter Committee; *if favorable, to be included on November election ballot*

Council President DiGiando invited public comment on the proposed amendments to the Jamestown Town Charter.

Sav Rebecchi, Sail Street
Sec. 403. Town clerk.

Mr. Rebecchi stated that the Town Clerk, as clerk to the Council, should be under the direction of the Council. Mr. Rebecchi indicated that Sec. 210. Interference with administration, notes the exception from the town administrator when the Clerk is performing duties as the Clerk of the Council.

You could repeat the language from Sec. 403 if you wanted to make it clearer.

When asked about direction by the Council, the Town Clerk answered that there has not been any issues with any direction by the Council.

The Council was in agreement that there should be no interference by Council members in the performance of duties of town employees under the supervision of the Town Administrator

The Town Solicitor stated that the intent is very clear as presently stated in the Town Charter Sec. 403.

The Council discussed the difference in their relationship with the Town Clerk, as that position is also clerk to the Council and as such, receives direction from the Council.

Mr. Rebecchi suggested that when direction is given to the Town Administrator, it should be in the form of a motion, rather than consensus, or by the direction of an individual Council member.

Mr. Rebecchi stated that he was in favor of keeping Council election terms to two years and keeping the election dates to off-years.

Sec. 1102. Recommended budget.

Mr. Rebecchi suggested adding language to this section that would ensure a specific time for residents to make comments and ask questions.

Susan Little, North Main Road
Financial Town Meeting

Ms. Little suggested the Council consider changing the structure of the Financial Town meeting to one that allows vote by ballot, or an all-day vote. Ms. Little stated that people are too intimidated to stand up and give input into the budget.

There being no further public input, Council President DiGiando asked for Council comment.

Clerk's Note: Comments have been compiled by order of Section numbering.

Sec. 201. Number, selection term.

Councilor White stated that he while he supported two year terms for the Council, he would consider staggered terms.

Councilor Kelly stated he was in favor of two-year term with an election occurring in even numbered years

Councilor Sutton supported odd-year elections.

Council President DiGiando supported an even-year election.

The Council discussed how to accomplish an even-year election. The following was discussed:

- Council three-year term, School Committee five-year term, or
- Council one-year term, School Committee three-year term

Sec. 204. Council president.

Councilor Szepatowski inquired why the Vice President was not mentioned in the Town Charter. The Town Solicitor answered that the Council has adopted Robert Rules of Order which addresses the duties of the Vice President.

Sec. 210. Interference with administration.

Council President DiGiando encouraged the strengthening of this language.

There was general discussion on whether or not this has been a problem in the past or may be in the future.

Sec. 303. Absence.

Councilor Szepatowski suggested that the Chief of Police be designated as the administrative officer to perform the duties of the Town Administrator upon his absence from the Town.

There was a lengthy discussion on who should be the designee to perform the duties of the Town Administrator in his absence. It was noted that by State law, when an emergency is declared, the Council President automatically assumes a much greater responsibility for the direction of the Town.

Sec. 305. Powers and duties of the town administrator.

Council Sutton stated that there should be a consistency in the language on the hiring and firing of employees. If the decision is to require Council approval for either, it must be for both. Likewise if Council approval is not required, it must not be required for both.

Council President DiGiando supported the hiring and removal without Council approval.

Sec. 403. Town Clerk

“...nominated by the town administrator with the approval of the town council...”

Councilor Szepatowski stated that it was her understanding that the nomination occurred when there was a vacancy only.

The Town Solicitor concurred that although it does not state upon a vacancy, it is understood that a nomination will be made only when there is a vacancy. The Town Solicitor noted that presently under consideration is the ability of the Town Administrator to *remove* department heads.

Sec. 410. Personnel

There was general discussion on whether this provision could be eliminated. Councilor Sutton noted that when the Charter was first adopted, the Personnel Board provided services to the Police Department. Most of those services have been superseded by contract negotiations.

Financial Town Meeting

Councilor Szepatowski agreed that there should be a set time for public comment.

Councilor White agreed that there should be more public comment; however, did not agree that it should be a section in the Charter.

Councilor Kelly was not in favor of making changes to the financial town meeting.

Water/Sewer Commission

Councilor White stated that there should be some way for there to be more public input. It may be that there should be a commission; however, it should not be through a Charter revision.

Town Administrator/ Council

Councilor Sutton stated that the Town Administrator is given a certain amount of informal direction by the Council, which can be done by consensus.

The motion to adopt an even-year election for the local Jamestown election, with the next Council serving for three years, was withdrawn due to a request to continue the discussion at a meeting scheduled for Thursday, May 21 at 6:30 p.m.

Ellicott Wright, Highland Drive, stated that he would rather see any decision on the odd, even election date held off until the State removes the straight party lever from the voting ballots.

3) Revenue Update (continued from May 4, 2009)

The Town Administrator reviewed the revenue update report indicating revenues projected and actual revenues received to date. Although expected revenue will exceed the budgeted amount by \$102,456.00, the following accounts are expected to have substantial negative balances amounting to \$278,964.00:

- tax transfer stamps
- copies and recordings
- investment income
- building-related permits
- general state aid
- library aid

The Town Administrator reported that negative results are also being projected for both meals and beverage tax reimbursements and ambulance third-party billing. Declines in these accounts amount to \$68,265.00.

4) Town Property re: 44 Southwest Avenue

The Town Administrator noted the receipt of a letter from the Jamestown Arts Center indicating that they are not able to continue with the purchase of 44 Southwest Avenue due to the wetlands, fresh-water spring, and the substantial quantity of Native American artifacts found on the property.

The Council discussed several initiatives to market the property in the immediate future. Following are considerations for offering the property for sale:

- Offer for sale through a local realtor
- Hold an auction with a reserve amount being set
- Put the property on the market and accept sealed bids
- Advertise property for sale through New York newspapers

- For sale signage on property during the summer season

A motion by Councilor Kelly, seconded by Councilor Szepatowski to instruct the Town Administrator to put a sign on the property and to develop a proposal to seek sealed bids was withdrawn.

The Town Solicitor informed the Council that the State bid process must be complied with when selling this enterprise fund property. A due diligence process must be followed by the Town Administrator

The Town Administrator will put together a process for the sale of 44 Southwest Avenue for the Council to review.

NEW BUSINESS

- 1) Teen Center re: discussion regarding establishing a non-profit status for the Teen Center

Councilor Szepatowski provided the Council with a handout entitled “Grant and Professional Development Opportunities”. Councilor Szepatowski noted that grants could provide funding for the Teen Center, without expending town funds. By classifying the Teen Center as a separate non-profit entity, the “Friends of the Teen Center” could then apply for several funding grants. The relationship between the Town and the Friends of the Teen Center would be much like the Friends of the Senior Center. The funds raised would be deposited into an account managed by the Town.

The process that would be followed would be as follows:

- An attorney to volunteer expertise in setting up the non-profit corporation
- Friends of the Teen Center would file as a 501C organization
- Board of Directors would be appointed

Councilor Szepatowski stated that she would pay for and enroll in the Grantsmanship Training Program, which would cover step-by-step instructions for the planning of programs, locating funding sources, and writing grant applications.

The Town Administrator noted that he has had experience working with “Friends of” organizations. These are fund-raising arms for bringing money into municipal programs that otherwise would not be eligible for funding.

In answer to questions, Councilor Szepatowski assured the Council that there is presently a Board in place through the Substance Abuse Task Force; however, a more formal board will be set up with the filing of the non-profit status.

It was moved by Councilor Kelly, seconded by Councilor White to move forward with the Friends of the Teen Center organization or board to be created for the purposes of filing a 501C 3 Charter. So unanimously voted.

- 2) Town of Jamestown 2009 Annual Paving Schedule for the Rhode Island Department of Transportation Local Equity Aid Program (RI-LEAP)

Following a review of streets requiring roadway improvements, it was moved by Councilor Sutton, seconded by Councilor Szeptowski to approve the RI-LEAP Community Priority List of Potential Roadways for the Jamestown community as prepared by the Memorandum dated May 14, 2009 and submitted by Michael Gray, Deputy Public Works Director for the Town of Jamestown. So unanimously voted.

- 3) Conanicut Marine Services re: request for lease revision (per Town Administrator)

The Town Administrator stated that Mr. Munger from Conanicut Marine Services is requesting revisions to the lease for East Ferry because of expanded public use on the wood pile pier. The proposed revisions pertain to the lease payment and to sharing of responsibility for management, maintenance, and liability.

In reviewing the lease, the Town Administrator stated that it would appear that dockage currently available to CMS is equal to or greater than the space assumption in the lease valuation. Therefore, The Town Administrator recommended that a revision to the lease is not warranted.

In reviewing the management, maintenance, and liability, the Town Administrator stated, that with the expanded activity, it will require heightened management and oversight, and trash management, and recommended the Harbor Commission and the Town Solicitor review for any recommendations.

Another area of concern is the liability arising from public use of the Town property. The liability will continue to reside with the Town.

No action was taken by the Council at this time.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no further business before the Council, it was moved by Councilor Szeptowski, seconded by Councilor White to adjourn the regular meeting at 10:30 p.m. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

c: Town Council Members (5)
Town Administrator
Town Solicitor
Administrative Circulation