

TOWN COUNCIL MEETING

June 15, 2009

At 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

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

Council President DiGiando requested that the Council honor the Jamestown 2009 graduating class by passing Proclamation No. 09-010.

Councilor White read the proclamation recognizing the effort and perseverance of our students in their search for knowledge and excellence, and acknowledging their accomplishments and success.

It was moved by Councilor Szepatowski, seconded by Councilor Sutton to adopt Proclamation No. 09-010 honoring the Jamestown 2009 graduating class. So unanimously voted.

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, 3(a), 5(a), and 6(a)(i) be removed from the Consent Agenda. It was moved by Councilor White, seconded by Councilor Szepatowski to accept the consent agenda as amended. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
 - a) May 18, 2009 (regular session)

- b) May 21, 2009 (special session)
 - c) May 28, 2009 (special session)
 - d) June 1, 2009 (financial town meeting)
- 2)
- 3) Minutes from Boards, Commissions and Committees:
- a) Jamestown Planning Commission (4/1/2009, 5/6/2009)
 - b) Jamestown Zoning Board of Review (4/28/2009)
 - c) Jamestown Harbor Commission (4/8/2009)
 - d) Jamestown Library Board of Trustees (5/5/2009)
 - e) Jamestown Housing Authority (3/11/2009, 4/8/2009, 4/20/2009)
- 4) CRMC Notices:
- a) Cease and Desist Order re: Mario Lucci, 60 Bonnet View, Jamestown; seawall in nonconformance with CRMC Assent M2007-06-025 at property located at Plat 12, Lot 141; 60 Bonnet View
 - b) Notice of Intention re: to change the management plans, policies, procedures and regulations of the agency regarding planning and management of the coastal resources of the State relative to Chapter 46-23. (written comments due by 6/17/2009 for public hearing on 6/23/2009)
 - c) Semi-Monthly Meeting Agenda, Wednesday, June 10, 2009
 - d) June 2009 Calendar
- 5) DEM Notices:
- a)
 - b) Project Priority List Request for Projects State Fiscal Year 2010
- 6) Proclamations & Resolutions from other Rhode Island cities and towns
- a) Town of Burrillville
 - i)
 - ii) opposition to H 5123, An Act Relating to Property – Mortgage Foreclosure and Sale
 - b) Town of Charlestown re: supporting the Town of Burrillville’s opposition of H 5123
 - c) Town of East Greenwich re: opposition to H 5123
 - d) Town of Westerly re: requesting support for U.S. Supreme Court opinion in *Carcieri v. Salazar*

2) Bills and Payroll

Substance Abuse \$923.99

Councilor Szepatowski stated that she would like to see a year-end report from the Substance Abuse Task Force indicating their activities and accomplishments. Councilor Szepatowski noted that she would like to see how the money is used from the Substance Abuse Grant and what type of controls the Town has on it.

The Town Administrator stated that the Town also contributes \$4,000 to the Task Force, and up to this time has never asked for an annual report as to what specific activities and programs are conducted. A report of this kind would assist the Town in determining how most effectively those funds can be utilized. There being no objections, the Town

Administrator indicated that he would follow up with the Task Force regarding this request.

Councilor Kelly asked that he would like to see a review of the 2008-2009 year-end budget as soon as possible after the close of the fiscal year.

The Town Administrator recommended scheduling the review of budget for the August 17, 2009 Council meeting.

- 3) Minutes from Boards, Commissions and Committees:
 - a) Jamestown Planning Commission (3/18/2009, 4/15/2009

Planning Commission minutes 3/18/2009

Page 2, 3 (b) Fort Getty

Councilor Sutton asked for assurances that as stated in the minutes, “there is a process being developed for the burying of the utilities in the area of the boat ramp at Fort Getty.”

The Town Administrator noted that a plan is in the process, and that National Grid will be shutting off the power to the overhead lines when the 420 Regatta takes place.

Planning Commission minutes 4/15/2009

Page 2, IV New Business 1. Subdivision with street creation

Councilor Sutton emphatically stated that private roads should not be allowed for the purpose of subdividing lots. Councilor Sutton pointed out that private roads do not conform to town road standards and, in many instances, end up requiring town-assisted maintenance. Councilor Sutton stated that he would continue this discussion later in the evening when the Council discusses the petition submitted by Summer Street residents asking for town assistance in maintaining a road that was never accepted by the town.

- 5) DEM Notices:
 - a) Shellfish Closures

Councilor Sutton commented that the information submitted by RIDEM regarding the closing of shellfishing locations in Jamestown due to elevated levels of bacteria is of great concern.

The Town Administrator noted that the Public Works Director is working directly with Joseph Migliore, Principal Environmental Scientist at RIDEM to identify the cause of these increases.

- 6) Proclamations & Resolutions from other Rhode Island cities and towns
 - a) Town of Burrillville
 - i) opposition to H 5971, An Act Relating to Parks and Recreational Areas – Public Use of Private Lands – Liability Limitations

Councilor Sutton stated that House Bill 5971 is attempting to remove liability limitations relating to the public use of town-owned property, which would result in municipal properties having a higher liability risk than private property owners. Councilor Sutton reviewed the intent of the present law which states that the owner’s liability is limited,

even though the land has been made available for public use. The present law includes private owners as well as state and municipal properties.

It was moved by Councilor Sutton, seconded by Councilor White to support Burrillville Town Council in their opposition to any changes to the existing law relating to Parks and Recreational Areas – Public Use of Private Lands – Liability Limitations, and to notify our legislatures of our opposition. So unanimously voted.

There being no further comments on the consent agenda, it was moved by Councilor Szeptowski, seconded by Councilor White to accept items # 2, 3(a), 5(a), and 6(a)(i). 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: *June 15, 2009*
Subject: *Town Administrator's Report*

New Highway Barn

Recent delays in the completion of the Highway Barn are the result of a dispute between the Town, the contractor, and the paving subcontractor over the quality of the soil for use as top cover on the perimeter of the garage and the detention pond. We have resolved this impasse and work has resumed with a completion date of June 30th.

Fort Wetherill property

I would suggest that the Town Council schedule a work session to discuss the future use of the old Highway Barn and vacant Town land at Fort Wetherill. The work session will provide an opportunity to review each of the three proposals the Town has received for disposition of the 3.6 acre parcel.

Police Station Renovations

Urbane Construction will begin work on the police station on June 22nd with an expected completion in November.

Recreation Center Restrooms

The results of an engineering survey revealed that an east facing entry to the restrooms cannot be accommodated without affecting the handicap ramp. As shown on the attached rendering and elevation drawing, Ron DiMauro Architects have revised the design to

address this conflict. The new design returns the doorway openings off Union Street. Also shown is the provision for the future expansion of the Center.

The project will be put out to bid with publication on Thursday and a seven-day deadline to respond. In addition to the advertised bid, we will solicit interest from specific contractors.

RITBA Turnpike and Bridge Authority

After months of negotiations, the RITBA Board has approved a two-year commitment to fund capital acquisition costs for the Town's public safety services. The agreement to provide \$26,000 in both FY'09 and FY'10 is made in recognition of the Town's delivery of police, fire, rescue, and emergency medical services to the Pell Bridge and the toll plaza.

I would note that the RITBA has previously made a \$25,000 contribution to the Town in the form of a payment-in-lieu of tax. The Authority's bond counsel has advised that a PILOT agreement violates provisions of the bond debentures and, therefore, is not feasible. As a consequence, the Authority will assist the Town with the purchase of police, fire, or ems vehicles and equipment. In the current and the next fiscal year, we will invoice the RITBA for the cost of purchases not to exceed \$26,000.

Safe Routes to School Projects

The first phase of the sidewalk improvements to implement the Safe Routes to School will begin with new walks and curbing on Watson Avenue from North Road to Lawn Avenue. Mike Gray will prepare specifications for bidding with final completion prior to September 1.

Private Well Survey

The Town has mailed a well test survey to all homeowners in the Jamestown Shores neighborhood (see attached).

Town Hall Site Improvements

The Quononoquott Garden Club has funded, selected, and oversaw the installation of new landscaping on the western border of the Town Hall campus. Our DPW crews prepared the site and performed the planting. This additional enhancement follows the successful efforts of the Tree Committee in the selection of a beautiful and mature magnolia to replace the 90-year old maple tree.

I would request that the Town Council move approval of a resolution commending the Quononoquott Garden Club, Tree Committee, and DPW crews for their outstanding work.

Additional Council comments regarding the Town Administrator's report:

- a) New Highway Barn
Equipment transfer

Councilor Sutton asked that the Town Administrator consider a formal selection process for retaining and moving equipment to the new facility. Councilor Kelly suggested that non-used items be scheduled for auction or scrapping.

b) Fort Wetherill Property

Work Session

The Town Clerk was instructed to post a work session for the re-use of Fort Wetherill property for Monday, June 22, 2009 at 6:00 p.m.

d) Recreation Center Restrooms

There was a discussion on the fixtures to be installed in the restrooms. The Town Administrator noted that they would be to the standards that RIDEM uses for their restrooms.

In answer to a question regarding the oil tanks in the basement of the Recreation Center, the Town Administrator stated that it may be necessary to relocate those tanks for the construction of the restrooms.

Councilor White commented that although the restrooms are legally handicap accessible, care should be given to the placement of doors to enable anyone with a wheelchair proper access.

e) RI Turnpike and Bridge Authority

The Council discussed the proposed agreement with the RI Turnpike and Bridge Authority to provide \$26,000 in both 2009 and 2010 for the Town's delivery of police, fire, rescue, and emergency medical services to the Newport Pell Bridge and toll plaza.

The Town Solicitor informed the Council that the present agreement would be rescinded with the acceptance of the proposal before the Council.

It was the consensus of the Council that a new contract should be developed specifically identifying the services provided by the Town.

It was moved by Councilor Kelly, seconded by Councilor Sutton to approve the two-year agreement with the Rhode Island Turnpike and Bridge Authority to assist the Town with the purchase of police, fire, or EMS vehicles and equipment in the amount of \$26,000 per year. So unanimously voted.

g) Private Well Survey

Council President DiGiando asked to be provided with a map of the area indicating levels of nitrates.

h) Town Hall Site Improvements

It was moved by Councilor Szeptowski, seconded by Councilor White to issue a resolution in recognition of the dedication and hard work by Lisa Bryer, Town Planner, Department of Public Works employees, Quononoquott Garden Club and the Tree Preservation and Protection Committee. So unanimously voted.

2) Finance Director's Report

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the Finance Director's report. So unanimously voted.

PUBLIC HEARING

None

ORDINANCES AND RESOLUTIONS

None

COMMUNICATIONS AND PETITIONS

1) Petition from residents of Summer Street re: acceptance of Summer Street as a town road and to provide maintenance of the same

It was moved by Councilor Kelly, seconded by Councilor White to accept the communication from the residents of Summer Street.

Council President DiGiando explained that the Council would not be taking any action on the petition from the Summer Street residents and asked that it be put on the next Council agenda for any action that might be necessary.

Councilor Szepatowski asked that the petitioners provide the Council with information on why this is before the Council at this time rather than when the budget was being prepared.

Councilor Sutton asked that a copy of the petition be forwarded to the Planning Commission and the Town Engineer, as this is what happens when roads are not built to specific engineering standards. It was the consensus of the Council that the petition is forwarded to the Planning Commission and the Town Engineer.

The motion to accept was unanimously voted.

2) Letter from the Jamestown Shores Association, Charlotte Zarlengo, President re: Town Council proposal to sell town-owned property in the Shores

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Charlotte Zarlengo, President of the Jamestown Shores Association. So unanimously voted.

Councilor Kelly voiced his continued interest in protecting the property and suggested that each parcel be looked at individually to determine if it could be made available to individuals willing to live with covenants and restrictions, or whether or not the land should be donated to the Land Trust, or those properties might have some use to the town.

Councilor Szepatowski noted that it has been a goal of this Town Council and other Town Councils before, to preserve land. Councilor Szepatowski stated that she has reviewed the Policy and Procedure for the Disposition of Municipal Properties which was adopted in 2000 and noted that the restrictions proposed for these lots are far, more strict than is required.

There was a great deal of Council discussion relating to the selling of town-owned property. The discussion centered on the benefits of the sale of lots acquired through the rights of redemption; those being a return to the tax rolls, realizing additional funding for the acquisition of property, and insuring the proper stewardship of property. As a way of protecting any future development on those lots sold, the Council discussed the placement of permanent restrictions on the acquired lots.

Councilor Sutton was generally opposed to the sale of tax lot properties. Councilor Sutton pointed out that he did not believe there was much of a financial benefit in the selling of the tax lots and questioned why the Town would sell lots devalued by restrictions, and that no one could really use.

Councilors White and DiGiando suggested that the Council proceed slowly and with caution on any decision to sell these tax lots.

At this time, the Council was not in agreement as to whether the acquired lots should be sold.

It was moved by Councilor Szepatowski, seconded by Councilor White to move item number 3 under unfinished business up on the agenda. So unanimously voted.

Unfinished Business

3) Jamestown Shores Tax Lots (continued from 5/18/2009)

a) map of lots

The Council continued their discussion regarding the proposed sale of lots acquired through tax sales. A report from the Town Administrator was reviewed, as well as a map of the lots acquired by the Town. It was pointed out that many of the acquired lots are located in wetlands, and as such, might not be available for sale. The Council discussed the following issues relating to the tax lots:

- overall management plan or stewardship of town-owned land
- legal covenants and restrictions placed on any lots to be sold
- coordinate efforts with the land trust
- lot by lot review to determine best use
- only properties acquired by foreclosure on the right of redemption to be considered for sale

At this time, the Town Administrator hand delivered a memorandum from the Jamestown Water Resource Protection Committee opposing the sale of property in the Jamestown Shores.

With no decision at this time, it was the consensus of the Council that a work session would be scheduled for Monday, August 24, 2009 at 7:00 p.m. to continue discussion. The Clerk was instructed to solicit input from the Planning Commission, Conservation Commission and the Conanicut Island Land Trust.

- 3) Request from Newport County Convention and Visitors Bureau to support resolution the merger of the Newport County Convention and Visitors Bureau (NCCVB) and the Bristol County Visitors Bureau (EBTC)

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the communication from Donna Olney Kohler, Jamestown's liaison to the Newport County Convention and Visitors Bureau. So unanimously voted.

The Council discussed the request of the Newport County Convention and Visitors Bureau to support the merger with the East Bay Tourism Council to create a new organization named "The Newport and Bristol County Visitors Bureau".

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to adopt the resolution in support of the merger and forward it to Ms. Kohler. So unanimously voted.

- 4) Rhode Island Housing notice re: focus groups

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the notice from Rhode Island Housing. So unanimously voted.

The Town Administrator noted that the Town Planner will be attending one of the focus groups.

- 5) RIDOT Notice of Phase IV Improvements to Jamestown-Verrazzano Bridge

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the correspondence from RIDOT regarding Phase IV Improvements to the Jamestown-Verrazzano Bridge. So unanimously voted.

It was the consensus of the Council that the Town Administrator notifies RIDOT that the Council is approving this schedule of work based on the work ending at 3:00 p.m.

- 6) USDA re: County Committees "Farmers Serving Farmers"

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the communication from USDA. So unanimously voted.

- 7) Letter from William and Linda Maclean expressing interest in purchasing town-owned property located at Plat 14, Lot 104

- 8) Letter from Brian L. Petit expressing interest in purchasing town-owned property located at Plat 16, Lot 248.

It was moved by Councilor Kelly, seconded by Councilor White to accept the communications from William and Linda Maclean and from Brian L. Petit regarding their interest in purchasing town-owned property. So unanimously voted.

It was the consensus of the Council that the Town Administrator would respond to Mr. & Mrs. Maclean and Brian L. Petit informing them that the Town has no interest in selling those lots at this time.

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.

Councilor Szepatowski asked that the consideration of an increase in fees be scheduled for the next Council meeting in July.

- 1) **Exhibition License with Vendors Application**
 - a) Applicant: Jamestown Rotary Club
Event: 34th Annual Jamestown Classic Bicycle Race
Date: October 12, 2009
Time: 7 a.m. – 3 p.m.
Place: Island-Wide race, map attached
 - b) Applicant: Gregg R. Charest, d/b/a Rocket ‘hogs
Event: Jamestown Independence Day Fireworks
Date: July 5, 2009
Time: 3 p.m. – 11 p.m.
Place: Mackerel Cove Town Beach
 - c) Applicant: Conanicut Island Art Association
Event: Icons of Jamestown Art Exhibit
Date: June 25, 2009
Time: 5 p.m. – 7 p.m.
Place: Town Hall, 93 Narragansett Ave.

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the Exhibition Licenses for the following applicants:

- Jamestown Rotary Club
- Rocket ‘hogs
- Conanicut Island Art Association

So unanimously voted.

- d) Applicant: Dan Gorriaran, Race Director
Event: Jamestown Counter Revolution
Date: August 29, 2009
Time: 6 a.m. – 3 p.m.
Place: Starting in Mackerel Cove, Finishing at Fort Getty Pavilion

It was moved by Councilor White, seconded by Council President DiGiando to approve the Exhibition License for Dan Gorriaran, Race Director for the Jamestown Counter Revolution to be held on August 29, 2009 from 6 a.m. – 3 p.m. So unanimously voted.

- 2) **One Day Entertainment License**
 - a) Applicant: Robb Roach
Location: Rembijas Pavilion, Ft. Getty

- Date: August 16, 2009
- Time: 12 Noon to 10 p.m.
- Entertainment: Band
- b) Applicant: Stephen E. Fay
- Location: Rembijas Pavilion, Ft. Getty
- Date: July 3, 2009
- Time: 4 p.m. to 10 p.m.
- Entertainment: Band
- c) Applicant: Varsha Patel / Varsha, Inc.
- Location: Rembijas Pavilion, Ft. Getty
- Date: June 21, 2009
- Time: 7 a.m. – 10 p.m.
- Entertainment: DJ
- d) ~~Applicant: Theresa O'Connor, President~~
- ~~East Bay Met School, Newport~~
- ~~Location: Rembijas Pavilion~~
- ~~Date: June 23, 2009~~
- ~~Time: 12 Noon – 8 p.m.~~
- ~~Entertainment: Performances by students~~

Town Clerk's note: item (d) removed from agenda per Theresa O'Connor.

- e) Applicant: Jo-Ann Koehler
- Location: Rembijas Pavilion
- Date: July 31, 2009
- Time: 4 p.m. – 10 p.m.
- Entertainment: Band
- f) Applicant: Katherine McCurdy
- Location: Rembijas Pavilion
- Date: June 27, 2009
- Time: 11 a.m. – 10 p.m.
- Entertainment: DJ

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to approve the One Day Entertainment Licenses as presented. So unanimously voted.

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to move item #2 under unfinished business up on the agenda. So unanimously voted.

Unfinished Business

- 2) Elections (packet hand delivered 5/18/2009 meeting by Richard Allphin)
 - a) proposed resolution re: the elimination of straight party lever
 - b) legislation endorsed by Board of Elections to eliminate straight party lever

Richard Allphin was asked for any further input regarding the proposed resolution to eliminate the straight party lever. Mr. Allphin explained that when the State converted to the optical election system they did not equip the machines to handle the master lever selection. With the State's old voting machines, an "X" clearly appeared next to the name of every candidate one had voted for. An "X" could be moved to another party's

candidate without wiping out all of the straight-ticket votes. With the optical scanner, if a voter chooses the straight party lever and then votes for a candidate of another party, the scanner will read the ballot as just the one vote.

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to support a resolution eliminating the straight party lever. So unanimously voted.

OPEN FORUM

- 1) Scheduled request to address
 - a) Richard Allphin re: Resolution supporting elimination of straight party voting

Previously addressed.

- 2) Non-scheduled request to address
None

It was moved by Councilor Kelly, seconded by Councilor White to move the Harbor Commission budget up on the agenda. So unanimously voted.

New Business

- 1) Jamestown Harbor Commission; *if favorable, motion to adopt*
 - a) Marine Development Fund 2009-2010 Budget
 - b) Town Long Range Infrastructure Plan
 - c) Harbor Long Range Infrastructure Plan

Council President DiGiando stated that at the last Harbor Commission meeting it was noted that there was a change in the budget to be presented; that being, a transfer from the operating expenses, contingency fund in the amount of \$16,132.36 to the infrastructure revenue account. Conversely, there is a transfer from the infrastructure revenue account in the amount of \$10,000 to the operating expenses, contingency fund. Council President DiGiando noted that the bottom line of the budget remains unchanged, but the budget was put in the Council packet before the transfer could be copied for the Council.

It was moved by Councilor Kelly to approve the Harbor Commission budget as presented, with the recommendation that the budget be sent back to the Harbor Commission for further review of the harbor management operation to include the staffing in order to determine the cost effectiveness of the approximate \$85,000 expended to these functions and to determine if there is a more cost efficient way to utilize these funds, with a review of privatizing, contracting out, or request for proposal from in house or outside sources for a better utilization of funds.

There being no second to the motion, it was moved by Councilor Kelly, seconded by Councilor Szepatowski to approve the Harbor Commission budget with the proviso that the exchange be made between the contingency fund and the infrastructure account. So unanimously voted.

There was some concern expressed regarding unemployment benefits being required for a seasonal position.

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to instruct the Harbor Commission to review their budget with a look at the harbor management operation, including staffing to determine the cost effectiveness of these functions. The review to include the consideration of privatizing, contracting out, or request for proposal from in house or outside sources in order to determine the most cost efficient manner to utilize these funds.

The Town Administrator stated that he would review the staffing plan with the Harbor Management Commission and the Executive Director to insure that the staffing is adequate to meet what the services are, or restructuring, if necessary, in order to better and more efficiently meet those needs.

Councilor Sutton suggested that the review be done within a timetable that allows any contractual language to be negotiated during the upcoming negotiations. It was a consensus of the Council that the review be submitted to the Council by the end of September.

So unanimously voted.

Long Range Plan

It was noted that the long range plan was not included in the packet and would be included on the agenda for the July 6, 2009 meeting.

APPOINTMENTS AND RESIGNATIONS

- 1) Board of Canvassers (One (1) vacancy exists on the Board of Canvassers for a full member, term ending March 2, 2015; and one (1) vacancy exists for an alternate member, term ending March 2, 2015); *if favorable appoint:*
 - a) Full Member
 - i) Request for reappointment from Dolores Christman
 - ii) List of Candidates for Full Member:
 - Dolores Christman
 - Jean Britton
 - Carol Nelson-Lee
 - Anne Livingston
 - b) Alternate Member
 - i) From list above

It was moved by Councilor Kelly, seconded by Councilor White to reappoint Dolores Christman as a full member of the Board of Canvasser, with a term ending March 2015; and to appoint Carol Nelson-Lee as the Democratic alternate member to the Board of Canvassers, with a term ending March 2013. In addition, Councilor Kelly suggested that the alternate members be paid a stipend, as are the full members, for their participation on

the Board of Canvassers and to encourage them to attend all meetings and educational seminars. So unanimously voted.

- 2) Tax Assessment Board of Review (Two (2) vacancies exists on the Tax Assessment Board of Review; one (1) board member who is not a registered Democrat, and one (1) alternate member, terms ending May 31, 2012); *if favorable appoint:*
 - a) Request for reappointment:
 - Barbara Hamilton Porter – Republican
 - b) Request for reappointment (alternate)
 - Paula Samos – Democrat

It was noted by Council President DiGiando that Ms. Samos has not as yet been interviewed.

It was moved by Council President DiGiando, seconded by Councilor Kelly to reappoint Barbara Hamilton Porter as the Republican member of the Tax Assessment Board of Review for a term ending May 31, 2012. So unanimously voted.

- 3) Town Buildings and Facilities Committee (Two (2) vacancies exist on the Town Buildings and Facilities Committee for terms ending May 31, 2012); *if favorable appoint:*
 - a) Letter of recommendation from Duncan Pendlebury, Chair
 - b) Requests for reappointment
 - Clayton Carlisle (reappointment)
 - Christopher J. Fabiszak (reappointment)

It was noted that Mr. Fabiszak has not been interviewed.

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to reappoint Clayton Carlisle to the Town Buildings and Facilities Committee for a term ending May 31, 2012.

It was the consensus of the Council that the review of Boards, Commissions, and Committees would be continued to another Council meeting. At that time, the Town Buildings and Facilities Committee and other committees will be looked at to determine if there is to be a change in charge or if a committee is still necessary.

UNFINISHED BUSINESS

- 1) Jamestown Traffic Committee re: proposed amendments to Section 70, Traffic and Vehicles (continued from 5/18/2009); *if favorable, motion to order advertised for hearing*
 - a) Watson Avenue
 - b) Avenue B
 - c) Westwood Drive
 - d) Carr Lane re: load limit

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to order a hearing advertised for the proposed amendments to Section 70 of the Jamestown Code of Ordinance as presented by the Traffic Committee. So unanimously voted.

Michael Tiexiera, Island Rubbish, asked if the signs would remain for parking on the South side of Watson Avenue. Mr. Tiexiera stated that he was concerned with the safety of the children in the area.

Council President DiGiando answered that the hearing would be held on the proposed amendments as soon as possible. The Clerk was instructed to advertise the hearing for the next Council meeting.

- 2) Elections (packet hand delivered 5/18/2009 meeting by Richard Allphin)
 - a) proposed resolution re: the elimination of straight party lever
 - b) legislation endorsed by Board of Elections to eliminate straight party lever

Previously addressed.

- 3) Jamestown Shores Tax Lots (continued from 5/18/2009)
 - a) map of lots

Previously addressed.

NEW BUSINESS

- 1) Jamestown Harbor Commission; *if favorable, motion to adopt*
 - a) Marine Development Fund 2009-2010 Budget
 - b) Town Long Range Infrastructure Plan
 - c) Harbor Long Range Infrastructure Plan

Previously addressed.

- 2) Recommendations for Bid Awards
 - a) Auditor for the Town of Jamestown to be awarded to Parmelee, Poirier & Associates (three-year contract) for an amount not to exceed \$89,750.00

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the award of bid for the town auditor to Parmelee, Poirier & Associates (three-year contract) for an amount not to exceed \$89,750.00. So unanimously voted.

- b) Municipal Town Clerk Indexing Software and Services to be awarded to ClerkBase for an annual amount not to exceed \$4,750.00 and a one-time fee of \$375.00 for logo design

It was moved by Councilor Szepatowski, seconded by Councilor Kelly to award the bid for municipal town clerk indexing software and services to ClerkBase for an annual amount not to exceed \$4,750.00 and a one-time fee of \$375.00 for logo design. So unanimously voted.

- 3) JEMS/Town Memorandum of Understanding

The Town Administrator noted that the Jamestown Emergency Medical Service (JEMS) Memorandum of Understanding has been revised. The Changes are as follows:

Recitals

“JEMS will provide all emergency medical services **other than those required** due to fire calls, motor vehicles accidents, structural collapse rescue, rope rescue, (Town and State parks), confined space rescue, trench rescue and excavation, water rescue, and search and rescue, unless specifically dispatched.”

2. Obligation of JEMS (a)
 - (iv) Upon request of the Town Administrator, JEMS shall provide a list of active members, current duty rosters and run reports.
4. Term of Agreement. The Agreement shall have a term of five (5) years and, unless notice is received by either party as to the contrary, shall renew automatically sixty (60) days before each signature anniversary date.
5. Voluntary Termination. The Town or JEMS may terminate this Agreement by giving the other party notice in writing 30 days prior to the termination date.
6. ~~This Agreement shall have a term of five (5) years and, unless notice is received by either party as to the contrary, shall renew automatically sixty (60) days before each signature anniversary date. Annual JEMS budget amounts (operational expenses, insurance, incentive program, etc.) shall be determined as part of the Town’s budget process. These budgeted amounts shall be updated in this Agreement’s Appendix annually.~~

The Council reviewed the Memorandum of Understanding. Council President DiGiando asked if JEMS was comfortable with the changes as mentioned above. Commander Lennart Nilsson answered yes.

It was moved by Councilor Sutton, seconded by Councilor Szepatowski to approve the Jamestown Emergency Medical Service Memorandum of Understanding, based on the Town Administrator’s explanation and consistent with JEMS understanding. So unanimously voted.

4) Notice of Claim re: Verizon

The Town Administrator informed the Council that the claim stems from an incident on Bayview Drive when the Town’s backhoe struck a Verizon communication cable. A Verizon crew spent about three hours on repairing the damage.

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the claim from Verizon. So unanimously voted.

- 5) Police Department Pension Plan
 - a) amendment to the Town of Jamestown, Rhode Island Police Department Pension Plan; *if favorable, **resolution** to adopt plan in the form presented, effective January 1, 2009, and that the appropriate officers of the Town of Jamestown are hereby authorized and directed to execute the amendment and to take any and all actions necessary or appropriate to effectuate the foregoing, including the making and execution of any subsequent changes or amendments to said Plan.*

The Town Administrator explained that the amendment brings the Pension Plan in line with the fiscal year July 1 to June 30.

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the amendment to the Town of Jamestown, Rhode Island Police Department Pension Plan. So unanimously voted.

ADJOURNMENT

There being no further business before the Council, it was moved by Councilor White, seconded by Councilor Szepatowski to adjourn the meeting at 9:45 p.m. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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