

TOWN COUNCIL MEETING
January 27, 2014

I. ROLL CALL

The following members were present:

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

Also present:

Kevin E. Paicos, Town Administrator
Christina D. Collins, Finance Director
Cathy Kaiser, School Committee Chair
Peter D. Ruggiero, Town Solicitor
David R. Petrarca, Jr., Assistant Town Solicitor
Cheryl Fernstrom, Town Clerk

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Council President Trocki called the regular meeting of the Jamestown Town Council to order at 7:06 p.m. in the Jamestown Town Hall Rosamond A. Tefft Council Chambers at 93 Narragansett Avenue and led the Pledge of Allegiance.

III. OPEN FORUM

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

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

Sav Rebecchi, Sail Street. Government. Mr. Rebecchi stated he is an advocate for the Council/Administrator form of government, found today's work session very informative and positive, and congratulated the Council on the process. Correspondence and Procedure. Mr. Rebecchi referenced his letter re: the Zoning Ordinance approved in 2010 that included a paragraph on regulations for homes designated on a state or national historic register, or eligible to be, requiring the owners of such properties to go to the Planning Commission prior to making renovations. To his knowledge only the Scartabello property did. What about the others that did not?

The Council noted they cannot respond as this is Open Forum, and directed him to the Solicitor. Solicitor Ruggiero directed him to pose the question to Building Official Fred Brown, and if that is not satisfactory, address his questions to the Town Council.

Mr. Rebecchi asked if the language was reviewed prior to its adoption. Solicitor Ruggiero noted it was, gave a history of this provision, and noted prior concerns for this language when it was adopted. Solicitor Ruggiero stated the Code had to be substantially revised and the paragraph was left in as it was a form-based code. All went into the process knowing refinements would be in order over time. A conversation with the Building Official and Planner would be appropriate, and Planning is currently reviewing that portion of the Code of Ordinances (2014 is a revision year for the Code of Ordinances).

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

A) Town Administrator's Report. Town Administrator Paicos reported on the Council vote in favor of the installation of a center median barrier on the Newport Pell Bridge forwarded to all RI City and Town Councils. He followed up with the Managers and Administrators asking them to ensure the Resolution was placed before their Councils. A few adopted resolutions were received and some responses their Councils voted to take no action. Follow-up continues.

Town Administrator Paicos reported on the meeting with Anne Livingston, Mike Gray, and Lisa Bryer and conversations with Representative Ruggiero re: the High Street right-of-way. The CRMC prevailed in Superior Court on the issue of public access. The challenge is whether the Town can provide access at the steep drop-off (15-20 ft). Representative Ruggiero is researching possible grant funding.

Town Administrator Paicos referenced trade journal *Treatment Plant Operator* and the feature story on the excellent job done by Jamestown Sewage Treatment Plant, operating a full-service facility with a three-person staff. This recognition is an honor for the Town, the Treatment Plant, and Public Works. President Trocki asked that a letter of congratulations be drafted by the Clerk and signed by the Town Administrator acknowledging this recognition.

Finance Director Collins served as Acting Town Administrator during Mr. Paicos' absence and reported the Town fared well during the storm, no incidents were reported, the Public Works Department did an excellent job, with Police and Fire on call. A Webinar on the Town's website design took place last Friday and the closing on Dutch Harbor took place Friday, January 17th, with additional documentation provided through the Solicitor.

V. UNFINISHED BUSINESS

- A) Review of Inactive Committees – potential action to reinstate or disband.
1) Recycling Committee

Councilor Tighe suggested the Recycling Committee item be continued to a future agenda, the Town Administrator call the Recycling Committee together to review the Town Council Meeting 01.27.2014

final report to determine if they completed their charge, and if so, there could be a vote to disband them. The Council doesn't want to disband the other inactive committees – Buildings and Facilities, Bike Path Design Committee and Lyme Disease Reduction – as they may be reactivated as needed. Town Administrator Paicos noted TIP funding that could fund the bike path has been delayed, with no indication when such monies will be available (several years away). He will contact Recycling Committee members to review the final report.

B) Review Agenda Policy. Vice President Meagher prepared a revised agenda setting policy. The edited version simplifies and clarifies the process, and gives ample time for agenda preparation, with Council review. Agenda deadline is Wednesday, and the Administrator and President can add additional items of an emergency nature. The first meeting is the business meeting and the second meeting is more of a workshop format and to articulate items for future agendas. Communications will also be prioritized, with letters from Boards and Commissions placed under New or Unfinished Business and letters from constituents placed first in the Communications listings. Council members concur this is an improved agenda policy and implementation will be practical. Discussion continued.

A motion was made by Mary Meagher with second by Eugene Mihaly to accept the changes to the Town Council Agenda Setting Policy. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

VI. NEW BUSINESS

A) Potential dates for FY 2014-2015 Budget Work Sessions. Finance Director Collins noted the three traditional budget work sessions to cover the operating budget, capital budget, and school budget. The school budget session is usually on a Thursday evening. Lengthy discussion ensued. The tentative dates for budget work sessions, subject to confirmation, are as follows:

- School Budget – Thursday, March 20, 2014 at 5:00 p.m.
- Operating Budget – Monday, March 10, 2014 at 5:00 p.m.
- Capital Budget – Thursday, March 13, 2014 at 5:00 p.m.

A follow-up session will be scheduled if required. The Town Council recommended budget must be submitted to the State by the third week in April.

- B) Agenda items for February 3, 2014:
- Harbor Ordinance
 - Harbor Management Plan
 - Collins Center Presentation (tentative)
 - Fire Department Strategic Plan (6:00 p.m.)

- Handicapped parking (tentative)
- Executive Session for potential litigation (5:00 p.m.)
- Executive Session for collective bargaining (8:30 p.m.)
- Water and Sewer Board (tentative, presently no applications)
- Gift of development rights for Columbia Road
- Surveillance policy - moved to an April agenda

VII. ORDINANCES AND APPOINTMENTS

- A) Appointments/Vacancies/Resignations
- 1) Library Board of Trustees – Two (2) three-year terms ending December 31, 2016
 - a) Letters of interest
 - i) Liz Brian (not interviewed)
 - ii) Paul Housberg

A motion was made by Mary Meagher with second by Eugene Mihaly to appoint Paul Housberg to the Library Board of Trustees.

Discussion. Liz Brian will be interviewed upon her return.

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

- 2) Planning Commission – Three (3) four-year terms ending December 31, 2017
 - a) Requests for reappointments
 - i) Michael Smith
 - ii) Michael Cochran
 - b) Letters of interest
 - i) Abigail Campbell King
 - ii) Bernd Pfeiffer

President Trocki will abstain from the vote, as she was not present for the interviews. Vice President Meagher presides over the vote. Three positions will be filled.

A motion was made by Thomas Tighe with second by Blake Dickinson to reappoint Michael Smith and Michael Cochran to the Planning Commission.

Discussion. Both have served the Planning Commission well.

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

A motion was made by Blake Dickinson with second by Eugene Mihaly to appoint Bernd Pfeiffer to the Planning Commission.

Discussion. Some negative comments were received, which is a shame, as Abigail Campbell King is a terrific architect and very interested in historic preservation, as is the Planning Commission, and one person cannot alter their path. Mr. Pfeiffer is an engineer dealing with septic and site issues, and no person with those qualifications presently serves on the Commission. Council members note a number of citizens approached Council members highly recommending Ms. King.

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

- 3) Zoning Board of Review
 - a) One (1) 3rd Alternate Member term ending December 31, 2014; interviews conducted
 - 1) Letters of interest
 - i) Terrence Livingston
 - ii) Bernd Pfeiffer

A motion was made by Blake Dickinson with second by Mary Meagher to appoint Terrence Livingston to the Zoning Board of Review Alternate Member position to December 31, 2014.

Discussion. Mr. Livingston's geographic address makes this an appropriate appointment.

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

President Trocki presides over the meeting.

- 4) Traffic Committee
 - a) Organization/Department/Association Recommendations - for One (1) Representative Member from each group
 - i) Jamestown Shores - Timothy Yentsch
 - ii) Jamestown Chamber of Commerce - Bill Munger
 - iii) Jamestown Harbor Commission - David Cain

A motion was made by Eugene Mihaly with second by Mary Meagher to appoint Timothy Yentsch, Bill Munger, and David Cain to the Traffic Committee as recommended. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

- b) Two (2) Citizen-at-Large Members
 - i) Letter of interest - Vincent Moretti

A motion was made by Mary Meagher with second by Blake Dickinson to appoint Vincent Moretti to the Traffic Committee. President Trocki, Aye; Vice President Meagher, Aye; Councilor Tighe, Aye; Councilor Mihaly, Aye; Councilor Dickinson, Aye.

The Clerk will follow up on the Housing Authority appointment and the required resignation from Harbor Commission member Eichler. A Traffic Committee meeting will be scheduled as soon as possible; a Citizen-at-Large member is still needed. Newly-appointed members must be sworn-in prior to assuming their duties.

VIII. 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) Finance Director's Report
- B) Zoning Board Abutter Notifications
 - 1) Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing January 28, 2014 at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown, RI at 7:00 p.m. upon the following: Application of Conanicut Marine Services, Inc. and Freebody LLC, Lessee and Lessor, whose property is located at 260 Conanicus Avenue and further identified as Assessor's Plat 8 Lot 278, for modification of existing special use permits granted under Article 6 of the zoning ordinance. The relief sought is to allow under said special use permits the construction of two additional boat storage sheds. Said property is located in the R20 zone and contains 10.21 acres of land.

The Finance Director's Report is in order. The Solicitor was asked to clarify the Zoning issue and noted the Zoning Board has the history of this application, and it is not an official duty for the Zoning Officer to make recommendations on such issues to the Zoning Board of Review. Solicitor Ruggiero noted Solicitor Brochu serves the Zoning Board and will give all pertinent information to them.

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

IX. ADJOURNMENT

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

The regular meeting was adjourned at 8:05 p.m.
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Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

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