## **TOWN COUNCIL MEETING**

**January 4, 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

Cathy Kaiser, School Committee Chair

Andrew Wade, Parks and 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 7:10 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, RESOLUTIONS**

None.

## **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.*

None.

1. **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.*

1. Scheduled to address. None.
2. Non-scheduled to address. None.

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

1. Administrator’s Report: Town Administrator Andrew E. Nota
2. Environmental Scientist and GIS Coordinator Position. Justin Jobin is moving on in his career, and the position will be vacant as of January 23, 2016. A thorough evaluation of the position was conducted, modifications made to the job description, and the vacancy posted with a copy provided to Council. Numerous applications have been received and the posting will continue until the position is filled.
3. Golf Course Clubhouse. Architect Bill Burgin has been reengaged and the Town is moving forward with a design completion. The main clubhouse is reduced in overall size to include: a second floor for use by the operator for additional seating or event space, outdoor seasonal function/event space, and equipment storage facility. The present operator has storage space on his property adjacent to the Golf Course. These alternatives will be included in an RFP for the next lease, tentatively to be released later this winter/spring. The Town’s focus is to begin the process of replacing the existing Clubhouse facility, working closely with the operator, to develop additional support facilities necessary for the Golf Course to remain a vibrant operation for the future. The 2016 season is the last year for the present lease.
4. RI Interlocal Risk Management Trust. The annual dinner meeting is Thursday, January 21, 2016 at the Crowne Plaza Hotel in Warwick and includes an educational session on “Ethical Decision Making” (4:30 p.m.), followed by a reception (6:00 p.m.), and dinner meeting with keynote speaker (7:00 p.m.) entitled the “Seven Rules of Admiral Hyman Rickover.”
5. Joint Meeting. A meeting with the School Administration and RIIRMT representatives is scheduled for Monday, January 11th regarding an Irrevocable Trust program targeting future OPEB liability. After research and discussion at the staff level, a proposal will be brought to the Council for consideration. The program is limited to the School Department and Police Department, as all other municipal employees do not receive post employment benefits.
6. **UNFINISHED BUSINESS**

None.

1. **NEW BUSINESS**
2. Fort Getty/Rembijas Pavilion: discussion and/or potential action and/or vote
3. Policies and Procedures for 2016 Season
4. Fee Schedule for 2016 Season

President Trocki noted Parks and Recreation Director Andrew Wade’s report. Town Administrator Nota commented on working with Mr. Wade to review the Pavilion, models used for other facilities in RI, the history of the Pavilion, and the costs to manage it. Cost analysis showed that funds collected for each function do not cover operating costs. This is a starting platform, the proposed 2016 season fees are different from the past season, and Andy will explain this further in his report.

Andrew Wade addressed the Council and referenced the two new restrooms being installed this spring at Fort Getty adjacent to the Pavilion. An analysis of costs affiliated with running the facility for a day revealed that each event requires $400 in services, water, and utilities before, during, and after the event. The current fee for residents is $300 and does not meet expenses. The costs associated with renting the Pavilion or other similar facility requiring the use of port-a-johns would cost the same or less than the proposed cost to rent the Pavilion or similar facility with full time restroom facilities. The proposed packet contains fee structure revisions for 2016 that include fees for residents, non-residents, for-profit entities, and non-profit agencies. The goal is to cover costs for such events with some excess funds for upkeep and maintenance.

Review continued. The 2016 season is May 14th to October 9th. Saturday is the prime day during peak season and has the highest fee, followed by Friday and Sunday, followed by weekdays. The Recreation Department accepts Jamestown resident reservations beginning October 1st for the next two seasons, and beginning February 1st non-Jamestown residents can apply for reservations for the next two seasons. Discussion ensued.

Council members expressed concern that the two-year reservation for non-residents would leave residents blocked out during peak season. Mr. Wade stated all Saturdays and Sundays are booked for next season. The two-season booking for residents is good, and locals need to understand what is happening with reservations. Discussion ensued of a shorter non-resident reservation period. The proposed user agreement includes a non-refundable resident deposit of $250 and non-resident deposit of $400 due immediately upon signing the contract and a $400 damage/maintenance/security deposit to protect the facility. Council members commented the contract and its terms were very clear and protect the town. Built into the fee is the cost for an attendant to assist with the event, which is necessary with the increased facilities, including restrooms.

Council comments. Vice President Meagher commended Mr. Wade as the report is very clear. She suggested adding that no lifeguard is on duty at the beach. Discussion ensued of the definition of a Jamestown resident, as events have been sponsored for friends in the past. Andy Wade noted the contract states you cannot sign for another person, and the signer is responsible for the insurance binder and must take on liability for the event. Discussion ensued of what constitutes a “resident.” Council members comment the rules are very clear, but there are a few minor revisions, which Council members submitted to Mr. Wade. Discussion ensued of reservations, which began in October, and reserving parties were notified of impending fee increases for 2016. Most weekend dates for June, July and August are booked. Discussion ensued of whether increases would affect reservations. Mr. Wade stated some may back out, but once the reason for the increases, including that permanent restrooms may cost less than renting port-a-johns and noting this may actually save money, it would have little effect on reservations. Town Administrator Nota commented out-of-pocket costs for smaller events (100 participants) should be down. Larger functions may have higher costs due to increased facility needs. Councilors asked if the season could be expanded, perhaps open later in the season (currently follows the camping season). Mr. Wade stated this could be done, depending on the weather, perhaps to Veteran’s Day. The issue might be freezing temperatures affecting water facilities. Council members would like to see a caveat for weather conditions due to cold; flexibility is agreeable.

Peak Saturday dates were reviewed, including events for Peyton’s Pace, Rotary Picnic, 8th Grade Graduation, and others, where fees were waived. Discussion ensued of peak/non-peak season and the cost for events based on such dates. The Pavilion is an amenity for the Town and the Town should subsidize it, in turn creating an opportunity for lower cost non-peak times, such as Monday through Thursday or during the fall, as opposed to peak season. A Saturday in October should be lower than a Saturday in June or July. Discussion ensued. Concern was expressed for non-resident advance reservations taking opportunities away from residents. Higher fees could be reflective of the event to take place and date of the event. If taxpayers are subsidizing the Pavilion, there should be a local preference. Discussion ensued of limiting non-residents to one year out with preference to residents. Mr. Nota referenced other locations where municipalities book on a first come basis, with higher fees for non-residents. Councilors expressed the Town needs to recoup costs while providing a service, and the use of the Pavilion should be there for future generations. Discussion ensued.

Council members would like more clarity in the fees and procedures and to continue the vote to the next meeting. Discussion ensued of blending the suggestions made this evening, including fees for peak and non-peak dates, resident and non-resident individuals/groups, local non-profit groups, and non-local, non-profit groups, and waiving fees for certain local non-profit groups, who typically request Council for fee waiver. Discussion ensued of increasing the Friday/Sunday rates for local non-profits and non-resident non-profits by $100 to $400 and $500. Discussion ensued of revising peak and non-peak season and the two-year preference for residents and one year for non-residents. A more defined description of resident taxpayer is needed, as well as definitions for resident, peak, and non-peak for the next meeting. Mr. Wade thanked the Council for the opportunity; Council thanked Mr. Wade for his presentation.

##### **A motion was made by Vice President Meagher with second by Councilor White to continue the discussion regarding the Fort Getty Policies and Procedures and Fee Schedule for the 2016 Season to the next meeting. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## **ORDINANCES AND APPOINTMENTS AND VACANCIES**

President Trocki noted Margo Sullivan’s article on Town board/commission/committee vacancies that appeared in last week’s *Jamestown Press*, stated there are still some openings for various positions, thanked those who came forward, and encouraged residents to come forward for the existing vacancies.

## Appointments and Vacancies.

### Beavertail State Park Advisory Committee (One vacancy with a three-year term ending date of December 31, 2018); duly advertised; discussion and/or potential action and/or vote

1. Letter of interest for reappointment
2. Neil Blitz

**A motion was made by Vice President Meagher with second by Councilor Tighe to reappoint Neil Blitz to the Beavertail State Park Advisory Committee to December 31, 2018. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

### Jamestown Conservation Commission (Two vacancies with a three-year term ending date of December 31, 2018); duly advertised; discussion and/or potential action and/or vote

1. Term limit reached
2. Kate Smith
3. Letter of interest for reappointment
4. Michael Brown
5. Letter of interest for appointment
6. David Reardon (previously interviewed)

**A motion was made by Vice President Meagher with second by Councilor White to reappoint Michael Brown and to appoint David Reardon to the Conservation Commission to December 31, 2018.**

Discussion. Both of them are very active, energetic and enthusiastic and will do a fine job.

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

### Jamestown Harbor Commission (One vacancy with an unexpired three-year term ending date of December 31, 2017; Two vacancies with a three-year term ending date of December 31, 2018); duly advertised; interviews conducted; discussion and/or potential action and/or vote

1. Current member not seeking reappointment
2. Edward McGuirl
3. Letter of interest for reappointment
4. Joseph McGrady (commercial mooring operator)
5. Letters of interest for appointment
6. Wayne Banks
7. Daniel Wurzbacher

Member Edward McGuirl will be thanked for his service to the Town.

**A motion was made by Councilor Dickinson with second by Councilor Tighe to reappoint Joseph McGrady to the Harbor Commission to December 31, 2018. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made Vice President Meagher with second by Councilor Dickinson to appoint Wayne Banks to the Harbor Commission to December 31, 2018.**

Discussion. He will bring a nice temperament to the Harbor Commission.

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

**A motion was made by Vice President Meagher with second by Councilor Dickinson to appoint Dan Wurzbacher to the Harbor Commission to the term expiring in 2017. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

### Jamestown Housing Authority (One vacancy with a five-year term ending date of December 31, 2020); duly advertised; interviews conducted; discussion and/or potential action and/or vote

1. Letter of interest for reappointment
2. Ernest Anthony
3. Letters of interest for appointment
4. Edward Gromada
5. Cynthia Costa Wolfe

Vice President Meagher thanked Ernie Anthony. He has served on the Housing Authority since prior to 1991, and the Town owes him a great debt of thanks for his long service. Mr. Anthony had expressed concern with the Charter provision regarding term limits; and that provision is less important than the spirit of that provision. She would like to bring in someone new at this time.

**A motion was made by Vice President Meagher with second by Councilor White to appoint Ed Gromada to the Housing Authority to December 31, 2020.**

Discussion. Ed is a very bright person who has a great skill with data, and he will bring his skills and a new vision to the Housing Authority. Cynthia Costa Wolfe’s fondness for and ties to the Island are appreciated and she is thanked for coming forward. Ed is a good fit and his skill set and ability to understand compliance with local, state and federal regulations, and data-driven mind make him an excellent appointment.

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

### Jamestown Juvenile Hearing Board (Two Member vacancies with a three-year term ending date of December 31, 2018; Two Alternate vacancies with a two-year term ending date of December 31, 2017); duly advertised; discussion and/or potential action and/or vote

1. Letter of interest for reappointment – Member
2. Richard Mulcahey
3. Letter of interest for reappointment – Alternate
4. Barbara Szepatowski
5. Letter of interest for appointment – Alternate
6. Theresa DiGiovanni (interviewed previously)
7. Term limit reached – Alternate
8. Andrew Ford

**A motion was made by Vice President Meagher with second by Councilor White to reappoint Richard Mulcahey to the Juvenile Hearing Board. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

Discussion ensued of moving an Alternate to the Member position.

**A motion was made by Vice President Meagher with second by Councilor White to appoint Alternate Barbara Szepatowski to the Member position, subject to her acceptance. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor Tighe to appoint Theresa DiGiovanni to the Juvenile Hearing Board Alternate position, based on her experience. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

### Jamestown Philomenian Library Board of Trustees (Two vacancies with a three-year term ending date of December 31, 2018); recent appointments; discussion and/or potential action and/or vote

1. Letters of interest for appointment
2. Marianne Kirby
3. Mary Lou Sanborn

**A motion was made by Vice President Meagher with second by Councilor Dickinson reappoint Marianne Kirby to the Library Board of Trustees to December 31, 2018.**

Discussion. Marianne is smart, diplomatic, well organized, and skilled.

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

**A motion was made by Councilor Dickinson with second by Councilor Tighe to reappoint Mary Lou Sanborn to the Library Board of Trustees to December 31, 2018.**

Discussion. Mary Lou brings a lot of experience to Jamestown and is very thorough and committed to making the Library the best it can be.

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

### Jamestown Planning Commission (Three vacancies with a four-year term ending date of December 31, 2019; One vacancy with an unexpired four year term ending date of December 31, 2018); duly advertised; discussion and/or potential action and/or vote

#### a) Letters of interest for reappointment

i) Rosemary Enright

ii) Duncan Pendlebury

1. Michael Swistak

**A motion was made by Councilor Dickinson with second by Councilor White to reappoint Michael Swistak to the Planning Commission to December 31, 2019. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor White to reappoint Rosemary Enright to the Planning Commission to December 31, 2019.** **President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Councilor White with second by Vice President Meagher to appoint Duncan Pendlebury to the Planning Commission to December 31, 2019. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

##### Jamestown Tree Preservation and Protection Committee (two vacancies with a three-year term ending date of December 31, 2018); duly advertised; interview conducted; discussion and/or potential action and/or vote

a) Term limits reached

i) James Rugh

ii) Anthony Antine done an excellent job.

1. Letters of interest for appointment
2. Elaine Peterson (interviewed)
3. Peter Kallman

**A motion was made by Vice President Meagher with second by Councilor White to appoint Elaine Peterson to December 31, 2018.**

Discussion. Losing Jim Rugh and Tony Antine is difficult, and Elaine is an excellent, committed candidate, and will do a fine job.

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

An interview will be scheduled for Peter Kallman.

##### Jamestown Zoning Board of Review (Two Member vacancies with a five-year term ending date of December 31, 2020; Three Alternate vacancies with a one-year term ending date of December 31, 2016); duly advertised; discussion and/or potential action and/or vote

##### Letters of interest for reappointment – Member

##### Joseph Logan

##### Dean Wagner

##### Appointment of Alternates (annually)

##### Terrance Livingston – 1st Alternate

##### Edward Gromada – 2nd Alternate

##### Letter of interest for appointment – 3rd Alternate

##### David Reardon (previously interviewed)

**A motion was made by Councilor Dickinson with second by Vice President Meagher to reappoint Joseph Logan and Dean Wagner to the Zoning Board of Review to December 31, 2020. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

**A motion was made by Vice President Meagher with second by Councilor Tighe to reappoint Terrance Livingston and Edward Gromada as the Alternates to December 31, 2016. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

1. **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 Councilor White with second by Vice President Meagher 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 and accepted consists of the following:

## A) Adoption of Council Minutes

### 1) December 17, 2015 (interviews)

### 2) December 17, 2015 (regular meeting)

### 3) December 17, 2015 (executive session)

## B) Minutes from Boards, Commissions and Committees

#### Jamestown Harbor Commission (10/14/2015)

#### Jamestown Harbor Commission (11/12/2015)

1. Jamestown Housing Authority (01/20/2015)
2. Jamestown Housing Authority (02/18/2015)
3. Jamestown Housing Authority (03/11/2015)
4. Jamestown Housing Authority (04/19/2015)
5. Jamestown Housing Authority (05/20/2015)
6. Jamestown Housing Authority (06/13/2015)
7. Jamestown Housing Authority (07/15/2015)
8. Jamestown Housing Authority (09/16/2015)
9. Jamestown Housing Authority (10/21/2015)
10. Jamestown Housing Authority (11/12/2015)
11. Jamestown Traffic Committee (11/17/2015)
12. Jamestown Tree Preservation & Protection Committee (10/27/2015)
13. CRMC Notices
14. January 2016 Calendar
15. Notice of Proposed Rule-Making Public Hearing for Management Procedures Sec. 5.9 Presentation of Expert and Lay Testimony on Tuesday, February 9, 2016 at 6:00 p.m., Conference Room A, One Capitol Hill, Providence
16. Abatements/Addenda of Taxes

Total Abatements: $24,333.66 Total Addenda: $17,875.97

### Properties – Abatements to 2015 Tax Roll

### Account/Abatement Amount

#### 10-0470-95 $ 3,605.07

#### 02-1675-00 $ 2,365.14

#### 02-1774-70 $ 3,602.57

#### 03-0370-00 $ 5,181.08

#### 18-0742-10 $ 2,722.68

#### 19-0840-40 $ 129.94

#### 19-1267-01 $ 2,107.20

#### 22-0060-50 $ 4,619.98

### Properties – Addenda to 2015 Tax Roll

**Account/Addenda Amount**

#### 07-0269-41 $ 5,181.08

#### 07-1081-15 $ 3,602.57

#### 10-0400-05 $ 2,365.14

#### 14-0060-15 $ 2,107.20

#### 14-0070-00 $ 4,619.98

#### 

1. **COMMUNICATIONS, PETITIONS AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RI CITIES AND TOWNS**

Vice President Meagher referenced the Notice of Master Plan Information Meeting before the Planning Commission on Wednesday, January 6th. If citizens are wondering what is happening with the PAC property, this is the meeting to attend.

**A motion was made by Vice President Meagher with second by Councilor Tighe to receive the Communications 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 and Proclamations and Resolutions from other RI Cities and Towns received consists of the following:

1. Communications
2. Notice of Master Plan Information Meeting for application of Jamestown Terrance, 138 Narragansett Avenue, Plat 8 Lot 79, owned by Holy Ghost Society, Applicant Douglas Enterprises, LTD for Comprehensive Permit for low and moderate income housing, a Major Land Development Project for 16 units (4 are low and moderate income restricted units), 2 buildings, Special Use Permit for Multi-Family Development Proposal with Variances on January 6, 2016 at a meeting of the Jamestown Planning Commission, sitting as the Local Review Board pursuant to RIGL §45-53 Low and Moderate Housing Act, beginning at 7:00 p.m. in the Jamestown Town Hall Town Council Chambers at 93 Narragansett Avenue in Jamestown
3. Resolutions and Proclamations from other Rhode Island cities and towns
4. Resolution of the Charlestown Town Council in Support of Legislation on Controlling Blasting

# ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

None.

1. **EXECUTIVE SESSION**
2. Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel; 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 at 8:23 p.m. pursuant to RIGL §42-46-5(a) Subsection (1) Personnel.**

**Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel 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 9:29 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

1. **ADJOURNMENT**

**A motion was made by Vice President Meagher 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 9:30 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

Town Administrator

Finance Director

Solicitor