## **TOWN COUNCIL MEETING**

**March 22, 2016**

The Clerk announced at 5:30 p.m. that the Jamestown Town Council would open in Executive Session in the Town Hall Conference Room. The regular meeting would then proceed at 6:30 p.m. in open session in the Town Council Chambers.

## **EXECUTIVE SESSION**

1. Pursuant to RIGL §42-46-5(a) Subsection (2) collective bargaining (union negotiations with NAGE 69); discussion and/or potential action and/or vote in executive session and/or open session

## Pursuant to RIGL §42-46-5(a) Subsection (2) pending litigation (Tarbox et al. v. Jamestown Zoning Board of Review); discussion and/or potential action and/or vote in executive session and/or open session

President Trocki announced that the Jamestown Town Council originally started this meeting in Executive Session at 5:30 p.m. and the regular Town Council Meeting will now proceed, beginning with Roll Call, Call to Order, and Pledge of Allegiance. The Executive Session was recessed by Council vote will be continued at the conclusion of the open session portion of the regular meeting.

## **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

 Peter D. Ruggiero, Town Solicitor

Kenneth Gray, Tax Assessor

Cathy Kaiser, School Committee Chair

James Bryer, Fire Chief

Howard Tighe, Deputy Chief

Steven Tiexiera, Deputy Chief

Michael Pinksaw, Deputy Chief

Polly Bullock, Lieutenant

Cheryl A. Fernstrom, Town Clerk

## **CALL TO ORDER**

Council President Trocki called the regular meeting of the Jamestown Town Council to order at 6:40 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

# AND PROCLAMATIONS

## Acknowledgements

1. Alcina Blair
2. Michael Brown
3. Charlotte Richardson

President Trocki read a prepared statement on the loss of three special members of the Jamestown community noting their accomplishments, services, and contributions to the community and expressing condolences on behalf of the Town of Jamestown to their family, friends, and the community. They will be missed.

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

###  Jamestown Historical Society Letter of Support

## Josh Neronha has requested to continue the presentation as he has a band concert this evening.

## **A motion was made by Vice President Meagher with second by Councilor White to continue this item to the April 4, 2016 Town Council Meeting agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

Item IX. New Business C) Approval of Recreation Trails Program Grant request for Big Boulder Trail Rehabilitation at Conanicut Battery accompanies the Eagle Scout Presentation.

## **A motion was made by Vice President Meagher with second by Councilor White to continue Item IX. C) to the April 4th Town Council meeting agenda. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Resolution; review and discussion and/or potential action and/or vote

###  No. 2016-01: Authorizing Issuance of Refunding Bonds

President Trocki read the Resolution.

**A motion was made by Vice President Meagher with second by Councilor White to adopt Resolution No. 2016-01 Authorizing Issuance of Refunding Bonds. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

Town Administrator Nota thanked Finance Director Collins for managing the process. This refunding creates a significant savings for the community. Finance Director Collins explained the process for the 2007 and 2008 Bonds that will result in an 8% cost savings to the taxpayers to be visible in next year’s budget.

# 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.

# 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*

## Scheduled to address. None.

## Non-scheduled to address

Richard Koster of West Reach Drive inquired about the Bike Path Bridge and its expense. The original amount he heard was $50,000 for design and $250,000 for construction. Mr. Nota explained the $50,000 was for the design phase, which is complete. Tomorrow evening at 6:00 p.m. the Capital Budget review will explain the process and expense to construct the bridge over the spillway and complete the connector to the Community Farm at an estimated cost of $225,000. The bridge will protect the dam from foot and bicycle traffic and improve drainage for the area.

## **A motion was made by Vice President Meagher with second by Councilor White to move XII. A) Communications 1) to the next item to be addressed. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## A) Communications

### 1) Email of Robert Rodgers requesting a Town Council Resolution in Support of House Bill 7243 Relating to Criminal Offenses – Weapons

Robert Rodgers of Clinton Avenue asked for the Town Council’s endorsement of House Bill 7243 which proposes to close the loophole in the RI General Laws that allows any private citizen with a concealed carry permit to bring a gun onto school grounds. President Trocki stated as this is an item under Communications the Council cannot take a vote on it, but will place this on the April 4th agenda for action.

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

1. Administrator’s Report: Town Administrator Andrew Nota

###  Statistical Revaluation

### Mr. Nota reported the statistical revaluation is wrapping up and Tax Assessor Kenneth Gray and Vision Solutions Project Manager Steve Ferreira are here to give an overview and update on the revaluation process.

###

Tax Assessor Gray stated he will answer common questions asked regarding revaluation. The statistical revaluation is done to comply with State law that requires property assessment at fair market value, not to raise taxes. Taxation based on value is a common and fair way to tax property owners.

The money needed to run our government doesn’t come from increasing assessments it comes from the tax rate that is set, based on the budget that is approved by the voters at the Financial Town Meeting. Assessment is not an exact science, and there is an appeal process in four phases – to Vision Solutions, the Tax Assessor, Tax Assessment Board of Review, and Superior Court. Jamestown has high property values as it is a desirable community where people want to live. People get confused between an assessment and an appraisal. Appraisals are done for individual properties and are very extensive. Revaluation assessment is done to determine fair market of properties value through a mass appraisal not an individual appraisal.

Tax Assessor Gray stated he is here to answer taxpayer questions at any time and introduced Mr. Ferreira.

Steve Ferreira, Project Manager for Vision Solutions (Scituate resident)

Mr. Ferrara explained the mass appraisal process or statistical revaluation as compared to a full revaluation. The data from the full revaluation is used in conjunction with recent sales and data on file in the Assessor’s Office to analyze real estate sales over the last two years. The methodology used for determining property assessments was explained further. Mr. Ferreira reported the median selling price for a home in Jamestown is now $536,000.

The data used comes through sales and there is a ratio determined (95% to 96%). The crew of appraisers reviews properties on the exterior and implements the sales ratio consistently to the non-sale properties. Every assessment is an opinion of value and there are opportunities to speak to the appraisers, and hearings are underway and will end on Thursday, March 24th. After review by Assessor Gray, each appeal will receive a notice of the results of their hearing. All data and revaluations will be posted on the town website for comparison and transparency.

This process is done in RI and all over the country. All property tax revenues benefit Jamestown. Further explanation of the property tax ensued.

Council comments and questions.

Vice President Meagher asked about the notation appraisal/assessment on the form. Steve explained the language is general and represents the Farm Forest and Open Space properties, as they are in the State program and taxed differently.

Vice President Meagher asked if a few large, high level properties affect all valuations in town.

Mr. Ferreira explained that high level properties are measured individually and should not affect overall valuations. There is no average property value increase. All aspects are analyzed and each component tested against the sale sample from a group to determine if the model is working. There are 12 to 14 groups in Jamestown. Their statistics show that assessments are 95% to 96% of the sales price. Not every sale will fit the model exactly, there will be a high, low, and middle, which is the benchmark.

Vice President Meagher referenced her property assessment that went up 20%. Mr. Ferreira noted with the new assessments some property taxes may go up, some down, and some stay the same. The assessments reflect what the sales represent; village properties are evaluated against village properties. The village area experienced a higher than median price and the sales reflect that.

Tax Assessor Gray referenced a question to ask when reviewing a new assessment: Could the owner of the property sell it for the assessed value? If the answer is yes, it is more palatable. Vice President Meagher commented her property valuation is about what it would sell for. The *Providence Journal* article was referenced “properties soaked in luxuries” and some of those went down in valuation. Discussion ensued. Mr. Ferreira noted a number of areas where properties have sold for less than assessed value.

Public comments and questions.

A taxpayer asked why short sales and cash sales are not in the statistical revaluation. Mr. Ferrara stated they are looked at and comps will be reviewed if brought to them; sometimes cash sales are used if there is a large enough sample size.

A taxpayer asked what would be the incentive for home improvement if it raises property valuations. Mr. Ferreira stated properties are evaluated by what attracts a buyer and condition is important. A seller will get a higher sale price for a house that is more appealing due to its condition.

A taxpayer asked if there can be a second review and referenced neighbors with waterfront properties assessed lower than his. Mr. Ferreira directed the taxpayer to see Tax Assessor Gray and noted an inspection could be scheduled and should be done within the next couple of days. Discussion ensued.

President Trocki thanked Mr. Gray and Mr. Ferreira for their reports.

### 2) Town Council meeting schedule/calendar

Town Administrator Nota reviewed scheduling for the next few weeks as follows:

March 23rd Capital Budget Hearing (6:00 p.m.)

March 24th OPEB Liability Presentation & School Budget Hearing (5:00 p.m.)

March 28th 1st Operating Budget Hearing (6:00 p.m.)

April 4th Water and Sewer Meeting (6:30 p.m.)

 Town Council Meeting (7:00 p.m.)

April 11th 2nd Operating Budget (Fire and DPW and Outside Agency Contribution Requests Hearing (6:00 p.m.)

April 12th Town Council Special Meeting with Public Hearing for the Target Shooting Ordinance (6:00 p.m.)

April 14th Town Council Budget Review, if needed (6:00 p.m.)

April 19th Town Council Meeting (5:30 p.m.)

 Budget Adoption (5:30 p.m.)

Additional date Special Town Council meeting for budget adoption, if needed.

# UNFINISHED BUSINESS

## Town Council Rules and Procedures; review and discussion and/or potential action and/or vote

Rule 4. Mr. Nota commented this is a slight rewrite to reflect current practices. Council members are comfortable with the revision.

**A motion was made by Vice President Meagher with second by Councilor White to adopt the amendment to the Town Council Rules and Procedures Section 4. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

New procedures will be forwarded in the next packet by the Clerk.

# NEW BUSINESS

## FY 2016-2017 Harbor Operating Budget; review and discussion and/or potential action and/or vote

Member Clifford Kurz is in attendance representing the Harbor Commission. Councilor Dickinson commented the Harbor budget proposed is consistent and reflects the intent of the fee increases for revenue. Town Administrator Nota will assist with information in Chief Mello’s absence. The modification represents the renegotiation of leases. At West Ferry the Commission now receives $9,600 and the Dingy Dock now provides $4,500 in new revenue. Increases are due to the fee schedule approved last year for FY 2016-2017, for a total of $245,985 in operating revenues. Mr. Nota referenced the capital program, paid through the Harbor budget, which is an enterprise fund. The Maintenance of Docks and Harbor line item at $48,700 was reviewed at length including the capital priorities improvements. The long-term capital projects compiled by the Harbor Commission were reviewed. The short-term capital projects valued at less than $10,000 were reviewed. Other sources for revenue, including grants, would need to supplement the budget as there isn’t sufficient revenues to cover all of the capital projects. Discussion continued.

Notable adjustments reviewed were the consolidated Harbor Clerk and Police Department Clerk, lowering overall expenses, and the retirement of the long-time Harbor Master. The applicant review process is underway with upcoming interviews; previously this was a NAGE 69 union position and the scope of that position may be revised. The West Ferry lease now includes a floating dock maintenance expense of $1,900 per hauling of floats annually and potentially more for severe storms. The cost is now included in the lease and eliminated from harbor budget (reduction). The West Ferry outhauls, Dingy Dock revenues ($450 for 10 or $4,500), and $14,000 increase in mooring fees were noted. Councilor Dickinson referenced savings from renegotiated leases that offset rate increases from last year, which he considers unnecessary.

Mr. Nota commented if the budget was to fund only the operating expenditures the rates could be lowered. To fund waterfront capital improvements included in the asset management plan, there is a sufficient amount to address the small projects and help supplement the larger capital projects noted in the asset management plan. If operating is consistent, it would probably result in $20,000 to $30,000 annually. The office supplies line item facilitates the Harbor Office transition to the Police Station.

Harbor Commission Member Clifford Kurz commented on the Harbor budget and the Fort Getty Pier not being included on the long-term capital budget plan. Town Administrator Nota stated as an enterprise fund there is funding available in retained earnings for the structural aspect agreed upon by the Harbor Commission ($69,000 available). Lengthy discussion ensued. The operating budget could be approved this evening and the discussion continued to tomorrow evening when the capital budget work session is scheduled. Discussion ensued of the Harbor Commission recommendation for $150,000 for structural changes to the Fort Getty Pier in the coming year. Discussion continued.

**A motion was made by Councilor Dickinson with second by Councilor White to accept the FY 2016-2017 Jamestown Harbor Commission approved Operating Budget. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

## Town/Fire Department Sub Committee – Five (5) members; review and discussion and/or potential action and/or vote.

President Trocki noted the Executive Session has been continued. Mr. Nota stated based on this evening’s conversation he recommends the Council continue this item to the April 4th regular meeting.

**A motion was made by Vice President Meagher with second by Councilor White to move this agenda item to the April 4th meeting agenda, if needed. President Trocki, Aye; Vice President Meagher, Aye; Councilor Dickinson, Aye; Councilor White, Aye; Councilor Tighe, Aye.**

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

Continued to the April 4th meeting agenda.

# ORDINANCES AND APPOINTMENTS AND VACANCIES

## Appointments & Vacancies

### Jamestown Conservation Commission (Two vacancies; one vacancy with an unexpired three-year term ending date of December 31, 2016 and one vacancy with an unexpired three-year term ending date of December 31, 2018); duly advertised

####  Letters of interest

##### Joyce Antoniello

##### Philip Larson

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

####  Letters of interest

##### Judith DiBello

##### Susan Heffner

##### Christian Infantolino

### Jamestown Zoning Board of Review – 3rd Alternate (One vacancy with a one-year term ending date of December 31, 2016); duly advertised

### (no applicants)

### President Trocki noted some candidates have been interviewed previously. Members of RI Bar are not eligible to sit on the Juvenile Hearing Board (this will be confirmed). There are two vacancies on the Conservation Commission and two applicants.

###

**A motion was made by Vice President Meagher with second by Councilor Tighe to appoint Joyce Antoniello and Phil Larson to the Conservation Commission.**

Discussion. Both are excellent candidates and Joyce was interviewed previously. They have excellent credentials and would be terrific assets to the Conservation Commission. As a volunteer group they want to serve their community.

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

###

Interviews for the Juvenile Hearing Board will be scheduled and continued to the next agenda. The Zoning Board 3rd Alternate position will be continued and citizens are urged to apply.

# 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 Tighe 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 consists of the following:

## Adoption of Council Minutes

###  March 7, 2016 (regular meeting)

###  March 7, 2016 (executive session)

## Minutes from Boards, Commissions and Committees

### Jamestown Affordable Housing Committee (08/19/2015)

###  Jamestown Affordable Housing Committee (09/01/2015)

###  Jamestown Affordable Housing Committee (12/17/2015)

###  Jamestown Charter Review Committee (02/17/2016)

###  Jamestown Harbor Commission (02/10/2016)

###  Jamestown Planning Commission (12/02/2015)

###  Jamestown Planning Commission (01/06/2016)

###  Jamestown Planning Commission (01/20/2016)

###  Jamestown Planning Commission (02/03/2016)

###  Jamestown Planning Commission (02/17/2016)

###  Jamestown Traffic Committee (02/18/2016)

## Abatements/Addenda of Taxes

 Total Abatements: $1,497.87 Total Addenda: $619.87

###  Properties – Abatements to 2015 Tax Roll

 **Account/Abatement Amount**

####  12-0236-01 $878.00

####  16-0209-00 $619.87

###  Properties – Addenda to 2015 Tax Roll

 **Account/Addenda Amount**

####  04-0775-75 $619.87

## One Day Event/Entertainment License Applications

### Applicant: Elaine Barone

###  Event: Wedding

 Date: July 3, 2016

 Location: Fort Getty Pavilion

### Applicant: Jane Caldwell

###  Event: Wedding

 Date: July 15, 16, & 17, 2016

 Location: Fort Getty Pavilion

### Applicant: Jamestown Historical Society

 Event: Jamestown Windmill Day

 Location: Windmill

 Date: July 16, 2016

### Applicant: Paul and Patricia Jutras

 Event: Dance Party

 Location: Fort Getty Pavilion

 Date: July 24, 2016

### Applicant: John Littlefield

 Event: Wedding

 Location: Fort Getty Pavilion

 Date: July 23, 2016

### Applicant: Robert Dutson

 Event: Family Reunion

 Location: Fort Getty Pavilion

 Date: July 30, 2016

### Applicant: Marcia Sallum

 Event: Wedding

 Location: Fort Getty Pavilion

 Date: August 6, 2016

### Applicant: Save The Bay

 Event: 40th Annual Save The Bay Swim

 Location: Bridge Authority Lawn

 Date: August 13, 2016

### Applicant: Kathleen Banks

 Event: Marriage Celebration

 Location: Fort Getty Pavilion

 Date: September 3, 2016

### Applicant: Marianne Kirby

 Event: Wedding

 Location: Fort Getty Pavilion

 Date: September 9, 2016

### Applicant: Richard Smith

 Event: Wedding

 Location: Fort Getty Pavilion

 Date: September 10, 2016

1. Applicant: Brendan Crawford

 Event: Wedding

 Location: Fort Getty Pavilion

 Date: September 16, 2016

1. Applicant: Colinslaw.org, Inc.

Event: Colinslaw.org Benefit Road Rally Buffet

 Location: Fort Getty Pavilion

 Date: October 1, 2016

1. Holiday License Application

### KM Caicos, LLC dba: Jamestown Outdoors (new)

### Location: 35 Narragansett Avenue

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

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

The Communications and Resolutions accepted consists of the following:

## A) Communications

### 1) Email of Robert Rodgers requesting a Town Council Resolution in Support of House Bill 7243 Relating to Criminal Offenses – Weapons

 Addressed earlier in the agenda during Open Forum

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

### 1) Resolution of the Warren Town Council “Relative to Transportation Categorical Aid to Regional Districts”

# AGENDA ITEMS FOR THE NEXT MEETING AND FUTURE MEETINGS

Addressed previously.

1. **EXECUTIVE SESSION, continued**

**A motion was made by Councilor Dickinson with second by Vice President Meagher to reenter Executive Session 8:08 p.m. pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining and Subsection (2) Pending Litigation.**

**Pursuant to RIGL §42-46-5(a) Subsection (2) Collective Bargaining and Subsection (2) Pending Litigation 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 8:45 p.m. President Trocki announced that no votes were taken in the Executive Session.

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

1. **ADJOURNMENT**

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

The regular meeting was adjourned at 8:46 p.m.

Attest:

Cheryl A. Fernstrom, CMC, Town Clerk

Copies to: Town Council

 Town Administrator

 Finance Director

 Solicitor