



TOWN COUNCIL MEETING
Monday, July 19, 2021
6:30 P.M.

This meeting will be conducted remotely in a Zoom format. Authority to conduct remote meetings is pursuant to Governor Daniel J. McKee's Executive Order No. 21-72, which extended Executive Order No. 20-46 (E020-46) until July 23, 2021.

The public is invited to observe and participate in the deliberations of this meeting by accessing the meeting link set forth herein. For those without access to video observation platforms, you may also call in to listen to the deliberations of this meeting by using the call in phone number provided herein. To participate during Public Hearing or Public Input you will press *9 to raise your hand. Please join the Zoom Meeting as follows:

**JOIN VIA PHONE: 1-301-715-8592 or 1-312-626-6799 or 833-548-0276, US Toll-free
WHEN PROMPTED, ENTER MEETING ID: 979 1669 2338
PRESS # AGAIN TO JOIN THE MEETING**

**JOIN VIA COMPUTER OR MOBILE APP:
Meeting ID: <https://zoom.us/j/97916692338>**

THIS MEETING WILL ALSO BE LIVE STREAMED: To view the meeting with no interaction: <https://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.htm>

Attachments for items on this meeting agenda are available to the public on the Town website at: <http://www.jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2021-meetings-minutes/2021-meetings/-fsiteid-1>

I. ROLL CALL

II. CALL TO ORDER, PLEDGE OF ALLEGIANCE

III. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

A) Approval of Minutes; review, discussion and/or action and/or vote
1) June 21, 2021 (regular meeting)

B) Open Forum – Water & Sewer Matters

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act, and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibits the Town Council from discussing, considering or acting on any topic, statement or question presented. The Town Council may, if warranted,

refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- 1) Scheduled request to address - none
 - 2) Non-scheduled request to address
- C) Report of Town Officials:
- 1) Pumping Report
 - 2) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility
 - 3) Finance Director's Report: Comparison of Budget to Actuals as of June 30, 2021
- D) New Business
- 1) Review, Discussion and/or Action and/or Vote regarding the Application of Our Table, LLC/Marla Romash (applicant) and Gino DiFante (owner) of 53 Narragansett Avenue, Plat 9 Lot 207 (a portion of the first floor), for Utility Service Expansion/Change of Use.
- E) The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners

IV. PUBLIC HEARINGS, LICENSES AND PERMITS

The Town Council will review each license application and vote on it individually. 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. Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Public Hearing: Review, Discussion and/or Action and/or Vote on the proposed Amendment to the Code of Ordinances, Chapter 70 Traffic and Vehicles, Article IV. Stopping, Standing and Parking Sec. 70-94 Designation of Residential Parking Streets. Petition by more than 51% of Union Street households to designate Union Street as a resident only overnight parking street. Through a public hearing, the Town Council may designate a street within a residential parking district as a residential parking street, provided a petition in a form suitable to the town clerk has been filed that has been signed by residents representing at least fifty-one (51) percent of the resident households with an address of the specific street within the residential parking district. Union Street designated as a resident only overnight parking street.
- B) Town Council Sitting as the Alcoholic Beverage Licensing Board
Notice is hereby given by the Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Chapters 1-12 of the General Laws of Rhode Island 1956, and as amended.

- 1) Review, Discussion and/or Action and/or Vote for Renewal of Approval of Requests for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas valid with Special Event Application of the Chamber of Commerce for Dine Out Event in response to COVID- 19; with proposed Extension to August 17, 2021 unless revoked earlier:
 - a) KALI LLC dba: J22 Tap & Table, 22 Narragansett Ave.
 - b) Jamestown Beer Holdings LLC dba: The Generals Crossing, 34 Narragansett Avenue
 - c) Jamestown Locals LLC dba: Narragansett Café, 25 Narragansett Avenue
 - d) Johnny Angels Clam Shack LLC dba: Angels Kitchen, 23B Narragansett Avenue
 - 2) Review, Discussion and/or Action and/or Vote for Renewal of Approval of KALI LLC dba: J22 Tap & Table for Temporary Seasonal Expansion of Existing Liquor License Applications in accordance to R.I.G.L 3-5-17, for service and consumption areas to include property contingent on lease agreement with REGNUM LLC, located at 20 Narragansett Avenue; with proposed Extension to August 17, 2021 unless revoked earlier.
- C) Entertainment License Application: All entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of license approval; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Tallulah’s Taqueria, LLC dba: Tallulah’s Taqueria
Address: 35 Narragansett Avenue, Unit D
- D) Event/Entertainment License Application: All event/entertainment license application approvals are subject to any and all COVID-19 protocols in affect at the time of the event; Review, Discussion and/or Action and/or Vote on the following:
- 1) Applicant: Clean Ocean Access
Event: Ben Tuff Swim
Date: July 31, 2021
Location: Block Island/Beavertail Lighthouse/East Ferry/Veterans’ Memorial Square
 - a) Memorandum of Clean Ocean Access Executive Director Dave McLaughlin explaining Ben Tuff’s non-stop swim to raise awareness and funds to advance the work of Clean Ocean Access
 - 2) Applicant: Jamestown Striper Club
Event: Annual Kids Fishing Derby
Date: August 7, 2021
Location: North Reservoir
 - a) Letter of Request from Jamestown Striper Club President Fred W. Brown for approval of the application

- 3) Applicant: William W. Smith, III
 Event: 2021 Jamestown Hiroshima and Nagasaki Commemoration
 Date: August 7, 2021
 Location: Veterans' Memorial Square
 - a) Letter of Marcia A. Lindsay and William W. Smith, III requesting waiver of liability insurance

- 4) Applicant: Rhode Island Turnpike and Bridge Authority
 Event: Citizens Pell Bridge Run
 Date: October 17, 2021
 Location: East Shore Road/Freebody Drive/Newport Pell Bridge

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise and will be Acted upon in Accordance with Section 42-46-6 (b)

- A) Town Administrator's Report: Jamie A. Hainsworth
 - 1) Gould Island Cleanup Status
 - 2) Ocean Testing for Bacteria
 - 3) Open Meetings Act (OMA) and the Governor's Executive Order
 - 4) Appointment of an Alternative Administrative Officer to advise the Planning Commission on Comprehensive Planning Review of 91 Carr Lane (Consent Agenda Item)
 - 5) Opioid Court proceedings with Perdue Pharma, LLC (Consent Agenda Item)

VI. UNFINISHED BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote regarding use of the Municipal Parking Lot on Narragansett Avenue allowed by a previous vote of the Town Council at the December 21, 2021 regular meeting
 - 1) Memorandum of Agreement between the Town of Jamestown and the Jamestown Chamber of Commerce, Town Council Minutes excerpt, and communications from the Jamestown Chamber of Commerce

- B) Upcoming Meetings and Sessions – dates and times
 - 1) Town Council Regular Meeting – Monday, August 16, 2021 @ 6:30 p.m.
 - 2) Town Council Regular Meeting – Tuesday, September 7, 2021 @ 6:30 p.m.
 - 3) Town Council Regular Meeting – Monday, September 20, 2021 @ 6:30 p.m.

VII. NEW BUSINESS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Review, Discussion and/or Action and/or Vote regarding the Planning Commission's Proposed Recommendation for Residences with Short Term Rentals
 - a) Memorandum of Town Planner Lisa W. Bryer
- B) Review, Discussion and/or Action and/or Vote for or regarding a Tax Abatement and/or Exemption
- C) Review, Discussion and/or Action and/or Vote to schedule an Ethics Presentation by our Town Solicitors for Town Boards/Commissions/Committees (especially policy setting and/or receiving compensation)
- D) Review, Discussion and/or Action and/or Vote regarding the number of Members for the Affordable Housing Committee, set at Eight (8) by vote of the Town Council at the June 21, 2021 regular meeting and consideration to returning to a Seven (7) member committee

VIII. ORDINANCES, APPOINTMENTS, VACANCIES AND EXPIRING TERMS

Please Note in Accordance with Section 42-46-6 (b) the Council May Review, Discuss and/or Take Action and/or Vote on the following items:

- A) Appointments, Vacancies and Expiring Terms; Review, Discussion, and/or Action and/or Vote to advertise the following Board/Commission/Committee vacancies:
 - 1) Jamestown Affordable Housing Committee (One [1] Member vacancy with a three-year term ending date of May 31, 2023)
 - 2) Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with an unexpired term ending date of May 31, 2023 and an unexpired term ending May 31, 2024)
 - 3) Jamestown Housing Authority (Two [2] Commissioner vacancies with an unexpired five-year term ending date of December 31, 2024 and an unexpired five-year term ending date of December 31, 2025)
 - 4) Jamestown Juvenile Hearing Board (One [1] Alternate vacancy with a two-year term ending date of December 31, 2021)

IX. 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 for review, discussion and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion and/or potential action and or vote.

- A) Adoption of Town Council Minutes
 - 1) June 7, 2021 (Financial Town Meeting)
 - 2) June 8, 2021 (Interview Session)
 - 3) June 21, 2021 (Regular Meeting)
 - 4) July 1, 2021 (Special Meeting)
- B) Minutes of Boards/Commissions/Committees
 - 1) Zoning Board of Review (May 25, 2021)

- C) Authorization for the Town Administrator to sign an Agreement with Weston and Sampson to contract services for an Alternate Administrative Officer to the Jamestown Planning Commission for a Comprehensive Planning Review of the Proposed 91 Carr Lane Affordable Housing Project
- D) Ratify and Acknowledge the Town Administrator's actions in agreement with the Proposed Class Action Opioid Court Settlement offered in the United States Bankruptcy Court
- E) Authorization for the Town Administrator to sign the Second Amendment and Restatement of Agreement between the State of Rhode Island Department of Environmental Management Division of Planning and Development and the Town of Jamestown for the Ice Road Bike Path for a period of six months to September 30, 2021
- F) Abutter Notification: Jamestown Zoning Board of Review Notice of Public Hearing on Tuesday, July 27, 2021 at 7:00 p.m. - Application of Jamestown Beer Holdings, LLC (Okemo Properties, owner) whose property is located at 34 Narragansett Avenue, further identified as Assessor's Plat 8 Lot 453, for a Special Use Permit from Article 3, Section 82-301 Table 3-1, VI 13 and Article 6, Section 82-601 to expand seating for outdoor service and alcohol consumption on rear building patio. To modify previously granted Special Use Permit dated November 28, 2018. Said property is located in a CD Zone and contains 900 sq. ft.
- G) Finance Director's Report: Comparison of Budget to Actuals as of June 30, 2021

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

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion and/or potential action and/or vote.

- A) Communications Received:
 - 1) Copy of Letter to: Town Council
 From: Baxter, Dansereau & Associates, LLP
 Dated: June 21, 2021
 Re: Regarding the audit of financial statements for the Town of Jamestown for the fiscal year ended June 30, 2021 and providing information related to the audit process commencing July 12, 2021.
 - 2) Copy of letter to: Town Council
 From: Newport County YMCA
 Dated: June 21, 2021
 Re: Request for sponsorship for the Newport County YMCA 5th Annual Golf Tournament for Special Olympics and Inclusion Programs.

- 3) Copy of Letter to: Members of the RI House of Representatives
 From: Connie Slick
 Dated: June 26, 2021
 Re: Concerns regarding House Bill 6271 “An Act Relating to Alcoholic Beverages – Retail Licenses” that would allow a new restaurant to be located at 53 Narragansett Avenue to obtain a Class BVL liquor license to sell beer and wine.

- 4) Copy of Letter to: Town Council
 From: Connie Slick
 Dated: July 2, 2021
 Re: Concerns regarding House Bill 6271 and Senate Bill 0501

- 5) Copy of Letter to: Planning Commission
 From: Barbara Lundy
 Dated: July 6, 2021
 Re: Concerns regarding the proposed 91 Carr Lane Affordable Housing development.

- 6) Copy of Letter to: Town Council, Town Administrator, Planning Commission and Affordable Housing Committee
 From: Jamestown Fire Department Board of Fire Wardens
 Dated: July 6, 2021
 Re: Importance of volunteerism in Jamestown, the dwindling number of Fire Department volunteers, maintaining volunteers, and recent Fire Department member questionnaire that revealed the decline in membership is due to the lack of affordable housing in Jamestown.

- B) Resolutions from other Rhode Island Cities and Towns Received:
 - 1) Copy of Resolution to: Town Council
 From: Woonsocket School Committee
 Adopted: May 12, 2021
 Re: Support for House Bill 6030 Reimbursement of Transportation Services Costs for Public and Private School Pupils

 - 2) Copy of Resolution to: Town Council
 From: Woonsocket School Committee
 Adopted: May 12, 2021
 Re: Support for House Bill 5555 Gun Free Schools

 - 3) Copy of Resolution to: Town Council
 From: Barrington Town Council
 Adopted: June 7, 2021
 Re: Requesting Replacement of the East Bay Bicycle Path Bridges over the Barrington and Palmer Rivers be Scheduled in the 2022-2025 Constrained Period of the State Transportation Improvement Program

- 4) Copy of Resolution to: Town Council
From: Burrillville Town Council and Burrillville School Committee
Adopted: June 9, 2021
Re: Requesting the Removal of Mask Mandate for School Children

XI. OPEN FORUM – To participate you will press *9 to raise your hand. The meeting moderator will coordinate your participation.

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- A) Scheduled request to address - none
B) Non-scheduled request to address

XII. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c) Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to kmontoya@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on July 13, 2021