###### **Town Council Minutes**

**June 8, 2021**

# ROLL CALL

A regular meeting of the Jamestown Town Council was held on June 8, 2021. This meeting was held pursuant to Executive Order No. 20-05, executed by Governor Gina Raimondo and was teleconferenced via Zoom. The public access code to participate by phone was 1 (301) -715- 8592 or 1(646) – 876 - 9923 or 1 (833) – 548 - 0282 Meeting ID 94061027737. To participate by computer or mobile app: https://zoom.us/j/94061027737**.** Town Council Members present were as follows: Nancy A. Beye, Mary Meagher, Erik G. Brine, Michael G. White and Randy White. Also present Town Administrator Jamie A. Hainsworth, Finance Director Christina D. Collins, Town Solicitor Peter D. Ruggiero, and Chief of Police Edward A. Mello, and Town Planner Lisa Bryer

# CALL TO ORDER, PLEDGE OF ALLEGIANCE

Council President Beye called the meeting of the Jamestown Town Council to order at 6:31 P.M. held via Zoom, and led the Pledge of Allegiance.

**A motion was made by Vice President Meagher with second by Councilor Brine to sit as the Alcoholic Beverage Licensing Board Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

1. **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:***

## 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.

##### Application for a **Transfer** of a **Class BT (Tavern) – Victualer Liquor** **License,** as advertised in the *Jamestown Press editions* of May 20th and May 27th and noticed to abutters as follows**:**

##### 

**TRANSFER: CLASS BT– VICTUALER**

Bay Voyage, LLC

dba: Bay Voyage

150 Conanicus Avenue

Jamestown, RI 02385

**TO: CLASS BT – VICTUALER**

JB’S on the Water, LLC

dba: JB’S on the Water

150 Conanicus Avenue

Jamestown, RI 02835

###### Request for Town Council Review, Discussion and/or Action and/or Vote to approve the **Class BT (Tavern) - Victualer Liquor License Transfer**

###### Request for Town Council Review, Discussion and/or Action and/or Vote to Set the **Class BT (Tavern) – Victualer Liquor License Cap at One (1)**

Discussion ensued.

Neighbors Mary Lou Sanborn of 21 Bay View Drive and Steven Bois of 155 Conanicus Avenue addressed the Council with their concerns.

**A motion was made by President Meagher with second by Councilor M. White to approve the Class BT (Tavern) – Victualer Liquor License Transfer with Police Chief Mello’s recommendations:**

## Alcohol service be allowed inside the restaurant area

## Alcohol service be allowed on the deck area

## Alcohol service be allowed in plastic ware in fenced pool area

* Alcohol service be allowed on grass lawn area
* Signage “NO ALCOHOL BEYOND THIS POINT” be installed at east end of sidewalk of front lawn.
* No fixed or portable bar be permitted on the lawn area.
* The number of tables on the lawn area shall be limited to six with six seats each.
* The outside service be limited from April 1 through October 31.
* The Liquor Board to limit outside service on the lawn and pool area. Serving hours 9:00 A.M. – 9:00 P.M.
* Applicant to provide a detailed floor/exterior plan indicating alcohol service area, proposed bars (permanent and temporary) and alcohol storage area.
* Any outside special events i.e. wedding music or entertainment would require a special event license.
* No amplified music

## **Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

**A motion was made by Councilor R. White with second by Vice President Meagher to set the** **Class BT (Tavern) – Victualer Liquor License Cap at One (1) Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

##### Application for a **New Class B – Victualer Liquor License,** as advertised in the *Jamestown Press editions* of May 20th and May 27th and noticed to abutters as follows**:**

#### **NEW LICENSE: CLASS B – VICTUALER**

Jamestown Salonniere, LLC

dba: Jamestown Salonniere

14 Narragansett Avenue

Jamestown, RI 02835

###### Request for Town Council Review, Discussion and/or Action and/or Vote to approve the new **Class B-Victualer Liquor License**

###### Request for Town Council Review, Discussion and/or Action and/or Vote to Set the **Class B –Victualer Liquor License Cap at Nine (9)**

**A motion was made by Vice President Meagher with second by Councilor M. White to accept the withdrawal of the Class B – Victualer Application for Jamestown Salonniere Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

## 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 that the following application has been received for a **New Class B – Victualer Liquor License**:

**CLASS B – VICTUALER**

Nine Corp.

dba: Marina Cafe

3 East Ferry Wharf

Jamestown, RI 02835

#### Request for Town Council Review, Discussion, and/or Action and/or Vote of approval to proceed to advertise for Public Hearing on a date to be determined by the Town Council, with advertisement in the *Jamestown Press* editions of June 17th and June 24th

**A motion was made by Vice President Meagher with second by Councilor M. White to proceed to advertise for Public Hearing on July 1, 2021, at 6:00 P.M. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

**A motion was made by Vice President Meagher with second by Councilor R. White to adjourn from sitting as the Alcoholic Beverage Licensing Board. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

## Victualing License Application (New): All victualing license application approvals are subject to compliance with all state and local requirements and any and all COVID-19 protocols in affect; Review, Discussion and/or Action and/or Vote on the following:

#### Applicant: Nine Corp. dba: Marina Café

#### Address: 3 East Ferry Wharf, Jamestown, RI 02835

**A motion was made by Vice President Meagher with second by Councilor M. White to grant the Victualing License application from Nine Corp., dba: Marina Cafe Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

## Event/Entertainment License Application: All event 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:

#### Applicant: St. Matthew Church

Event: Summer Fair (Outdoors)

Date: July 17, 2021

Location: St. Matthew Church, 87 Narragansett Avenue

#### Applicant: Conanicut Island Art Association

Event: 47th Annual Members Show

Date: August 21 – 28, 2021

Location: Jamestown Recreation Center

**A motion was made by Vice President Meagher with second by Councilor M. White to grant the St. Matthew Church Summer Fair and the Conanicut Island Art Association 47th Annual Members Show Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

1. **TOWN COUNCIL, ADMINISTRATOR, SOLICITOR, BOARD/COMMISSION/ COMMITTEE COMMENTS AND 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)***

## Town Administrator’s Report: Jamie A. Hainsworth

#### Covid-19 Status

#### Correspondence: Jamestown’s Central Baptist Church “Community Hub”

#### FYI: Beavertail Lighthouse Property Update

#### Civil Action filed in Superior Court for Quiet Title by Adverse Possession

Town Administrator Hainsworth reported on the following:

COVID – 19 Status: May 11 – June 1 there were 4 COVID -19 positive cases. Testing for COVID – 19 on West Street will be discontinued.

Central Baptist Church is planning a ‘Community Hub’ within the Church and looking for input from the community. Everyone is welcome.

Beavertail Lighthouse is ongoing. Anyone having submitted a letter of interest will be able to inspect the property after July 6. A formal application will be submitted after the inspection.

Solicitor Ruggiero addressed a Civil Action filed in Superior Court for Quiet Title by Adverse Possession. Neighbors, Mr. Archetto and Mr. Smith are engaged in a lawsuit between each other over an adverse possession. During the course of the litigation, the Archettos included the Town as a third party defendant.

1. **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:***

## Review, Discussion and/or Action and/or Vote re: Community Development Block Grant Program Administrative Services - Extension of Contract with Church Community Housing Corporation expiring June 30, 2021 until June 30, 2023

#### Memorandum of Town Planner Lisa Bryer

#### July 1, 2021 to June 30, 2023 Contract

**A motion was made by Vice President Meagher with second by Councilor R. White to Extend the Contract with Church Community Housing Corporation until June 20, 2023 Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

## Review, Discussion and/or Action and/or Vote re: Expanding the Horsley Witten Contract to include legal and additional services due to time for the Zoning Ordinance rewrite project

#### Memorandum of Town Planner Lisa Bryer

**A motion was made by Councilor Brine with second by Councilor M. White to Expand the Horsley Witten Contract to include legal and additional services due to time for the Zoning Ordinance rewrite project Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

## Upcoming Meetings and Sessions – dates and times

#### Town Council/Water and Sewer Regular Meeting – Monday, June 21, 2021 @ 6:30 P.M.

#### Town Council Regular Meeting – Tuesday, July 6, 2021 @ 6:30 p.m.

#### Review, Discussion and/or Action and/or Vote to set the Town Council Summer Meeting Schedule

**A motion was made by Councilor Brine with second by Councilor M. White to meet Thursday, July 1, 2021 @ 6:00 P.M. for a Special Meeting. Town Council/Water and Sewer** **Meetings will be held on Monday, July 19 and Monday, August 16, 2021 @ 6:30 P.M. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

#### 

# 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:***

## Review, Discussion and/or Action and/or Vote to support the Jamestown Community Resiliency and Energy Efficiency Partnerships (NEEP) to develop a Model Framework towards zero energy building for small communities

#### Memorandum of Town Planner Lisa Bryer

#### NEEP Overview of Community Resiliency and Energy Efficiency Framework project

**A motion was made by Councilor Brine with second by Councilor M. White to support the Jamestown Community Resiliency and Energy Efficiency Partnerships (NEEP) to develop a Model Framework towards zero energy building for small communities. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

# 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:***

## Appointments, Vacancies and Expiring Terms; review, discussion, and/or action and/or vote

#### Jamestown Affordable Housing Committee (One [1] vacancy with a three-year term ending date of May 31, 2024); duly advertised;

* + - 1. Letters of interest for appointment received; interviews conducted

1. Michael Liebhauser
2. Bob Plain

Discussion ensued.

Solicitor Ruggiero to review the Charter for the Affordable Housing Committee.

**A motion was made by Councilor M. White with second by Councilor Brine to appoint Bob Plain to the Affordable Housing Committee for a 3 year term with an ending date of May 31, 2024, and notify Michael Leibhauser, the Town Council is working on appointing him also. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

#### Jamestown Fire Department Compensation Committee (One [1] Fire Department Representative vacancy with a term ending date of May 31, 2024); duly advertised;

##### Letter of interest for appointment received; interview conducted

###### John Preece

**A motion was made by Vice President Meagher with second by Councilor R. White to appoint John Preece to the Fire Department Compensation Committee for a 3 year term with an ending date of May 31, 2024. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

#### Jamestown Fire Department Compensation Committee (Two [2] Citizen-at-Large Representatives with unexpired term ending dates of May 31, 2023 and May 31, 2024); duly advertised

1. No applicants for Citizen-at-Large Representative

#### Jamestown Housing Authority (Two [2] vacancies with an unexpired term ending date of December 31, 2025 and an unexpired term ending date of December 31, 2024); duly advertised;

1. Letter of interest for appointment received; interview conducted
   1. Doreen Dell

**A motion was made by Councilor M. White with second by Councilor Brine to table this appointment until the next meeting. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

**A motion was made by Councilor M. White with second by Councilor Brine to approve the Consent Agenda. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

# 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.***

## Adoption of Town Council Minutes

#### May 17, 2021 (Regular Meeting)

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## Minutes of Boards/Commissions/Committees

#### Zoning Board of Review Minutes (04/27/2021)

## Award of Bid: LED Street Light Maintenance and LED Conversion Project as recommended by Public Works Director Michael C. Gray to **Rise Engineering based upon the following cost items**:

## Total Cost of LED Conversion Option 1 $81,685.14

1. Total Cost of Decorative Lights Conversion Option 1 $11,785.08
2. Total Cost of Controls Option 3 $38,542.34
3. Total Cost of Pre-Conversion Maintenance (first year) $8,587.80
4. Total Cost of Post Conversion Maintenance (annual) $3,479.16
5. Total GIS Lighting Survey $2,500

## Pole Petition of National Grid to install and maintain underground facilities (165 feet of three-inch conduit from Pad 1 to new proposed Handhole 1-70) at 38 Collins Terrace, with recommendation for approval by Public Works Director Michael C. Gray

## Tax Assessor’s Request for Motor Vehicle Abatements to the 2020 Tax Roll:

|  |  |  |
| --- | --- | --- |
| 06-0277-30M | Motor Vehicle - soldier/sailor exempt | $65.18 |
| 08-0273-63M | Motor Vehicle - soldier/sailor exempt | $61.43 |
| **TOTAL ABATEMENTS** | | **$126.61** |

## Zoning Board of Review Abutter Notification: The public is invited to observe and participate in the deliberations of the meeting by accessing the meeting link <https://us02web.zoom.us/j/83373298374> or by using the call-in phone numbers 1-301-715-8592 or 1-312-626-6799 using the meeting ID: 83373298374 on Tuesday, June 22, 2021, 7:00 PM for the Application of Conanicut Marine Services, Inc, whose business operates on the property is located at 260 Conanicus Avenue, and further identified as Tax Assessor’s Plat 8, Lot 278 for a Modification to a Special Use Permit granted under Article 6, Special Use Permits and Variances, Section 600 and 602. This application is made pursuant to the provisions of section 82-302, Table 3-1, Permitted Uses of the zoning ordinance. The Applicant seeks to reduce the lot size from 444,885 sq. ft to 244,882 sq. ft.. Said property is located in a R-20 zone and contains 444,885 square feet.

Town Council President acknowledged the Communications.

# 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.***

## Communications Received:

1. Copy of Letter to: Town Council

From: Charlotte Zarlengo

Dated: May 15, 2021

Re: Installation of four floating markers in the water in front of their waterfront lot located adjacent to Head’s Beach and across the street from their residence at 350 Seaside Drivel, without notification to them or the Jamestown Shores Association.

#### Copy of Email to: Town Council

From: Nancy Farrell

Dated: May 17, 2021

Re: Concerns the proposed amendment to Chapter 70 Traffic and Vehicles is confusing and requesting the vote be postponed in order to provide more education and clarity for residents

#### Copy of letter to: Town Council

From: Bramble Ashton, Melrose School 4th Grade student

Dated: May 23, 2021

Re: Idea to turn Zeek’s Creek fish and bait shop into a kayaking spot for fun and profit

#### Copy of Email to: Town Administrator

#### From: Francis P. Floor, Administrator, RIDEM Bureau of Natural Resources and Parks

Dated: May 25, 2021

Re: Follow-up to letter of Vice President Meagher, promoting activities, coordination of volunteer activities and appreciation for the long-standing partnership with Town officials and the community

#### Copy of Notice to: Town residents

From: Public Works Director Michael C. Gray

Dated: May 25, 2021

Re: Road Work to begin in East Passage Estates on Tuesday, June 1st

#### Copy of Notice to: Town residents

From: Water and Sewer Department

Dated: May 27, 2021

Re: Municipal Water Use Restrictions, effective June 1st - August 31st

#### Copy of Letter to: Governor Daniel McKee

From: Exeter Town Clerk Lynn M. Hawkins

Dated: May 27, 2021

Re: Town Council Opposition to Passage of Senate Bill 0543 and Senate Bill 0804

#### Copy of Letter to: Jamestown friends and neighbors

From: Central Baptist Church

Dated: June 1, 2021

Re: proposed “Community Hub” to be located in the church lower level to provide a community space for residents and visitors to Jamestown and inviting community-based organizations to join in them to brainstorm and co-design the space

## Resolutions from other Rhode Island Cities and Towns Received:

#### Copy of the Proclamation to: Town Council

#### From: Bristol Town Council

Adopted: May 5, 2021

Re: Declaring the First Friday in June to be National Gun Violence Awareness Day

#### Copy of Resolution to: Town Council

From: Bristol Town Council

Adopted: May 5, 2021

Re: Condemning the Placement and Public Display of Hate Symbols in the community and declaring “Love Has A Home In Bristol”

#### Copy of Resolution to: Town Council

#### From: Hopkinton Town Council

#### Adopted: May 17, 2021

#### Re: Request to Waive the Local Maintenance of Effort (MOE) Requirement for Schools (House Bill 6287 Senate Bill 0871)

#### Copy of Resolution to: Town Council

From: North Smithfield School Committee

Adopted: May 18, 2021

Re: In Support of Gun Free Schools, House Bill 5555

#### Copy of Resolution to: Town Council

#### From: North Smithfield Town Council

#### Adopted: May 18, 2021

#### Re: In Support of a Moratorium on the Expansion of Charter Schools, House Bill 5193

#### Copy of Resolution to: Town Council

From: Woonsocket School Committee

Adopted: May 12, 2021

Re: Expressing Support for a Moratorium on the Expansion of Charter Schools, House Bill 5193

#### Copy of Resolution to: Town Council

From: Woonsocket School Committee

Adopted: May 12, 2021

Re: Expressing Support for the State Reimbursement of Transportation Services Cost for Public and Private School Pupils, Hose Bill 6030

#### Copy of Resolution to: Town Council

From: Woonsocket School Committee

Adopted: May 12, 2021

Re: Expressing Support for Gun Free Schools, House Bill 5555

# OPEN FORUM- To participate you will press \*9 to raise your hand. The meeting moderator will coordinate your participation.

***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.***

## Scheduled request to address - none

## Non-scheduled request to address

No requests to the Council were made.

# ADJOURNMENT

**A motion was made by Councilor M. White with second by Vice President Meagher to adjourn at 8:07 P.M. Vote: President Beye, Aye; Vice President Meagher, Aye; Councilor Brine, Aye; Councilor M. White, Aye; Councilor R. White, Aye.**

Attest:

|  |
| --- |
| Denise Gamon, Town Clerk’s Assistant |