



**TOWN COUNCIL MEETING**  
**Jamestown Town Hall**  
***Rosamond A. Tefft Council Chambers***  
93 Narragansett Avenue  
Monday, December 7, 2009  
7:00 PM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS**

- 1) Presentation by William Kelly re: East Ferry Concrete Pier
- 2) Presentation by Bike Path Design Committee re: Reservoir off-road path

**IV. COUNCIL SITTING AS ALCOHOLIC BEVERAGE LICENSING BOARD**

*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.*

**V. 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.*

- 1) Adoption of Council minutes:
  - a) November 16, 2009 (special meeting)
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
  - a) Library Board of Trustees (10/06/2009)
  - b) Jamestown Conservation Commission (9/8/2009, 10/13/2009)
  - c) Jamestown Housing Authority (9/16/2009, 10/14/2009)
  - d) Jamestown Zoning Board of Review (9/22/2009)
  - e) Jamestown Board of Canvassers (11/12/2009)
  - f) Bike Path Design Committee (9/2/2009, 10/7/2009)
- 4) CRMC Notices:
  - a) Cease and Desist Orders for PBH Realty, LLC c/o Procaccianti Group
    - i) 09-0121 re: plat 12 lot 41; Beavertail Road
    - ii) 09-0122 re: plat 12 lot 41; Beavertail Road
    - iii) 09-0126 re: plat 12 lot 41; Beavertail Road
    - iv) 09-0127 re: plat 12 lot 41; Beavertail Road
    - v) 09-0128 re: plat 12 lot 41; Beavertail Road
    - vi) 09-0129 re: plat 12 lot 41; Beavertail Road
  - b) Cease and Desist Orders for Paul Hamilton and Patricia Young
    - i) 09-0136 re: plat 12 lot 42; Beavertail Road
    - ii) 09-0140 re: plat 12, lot 42; Beavertail Road
    - iii) 09-0141 re: plat 12, lot 42; Beavertail Road
    - iv) 09-0142 re: plat 12, lot 42; Beavertail Road

- c) Notice to change management plans, policies, procedures and regulations of the agency regarding planning and management of the coastal resources, relative to Chapter 46-23
- d) December 2009 Calendar
- 5) Proclamations & Resolutions from other Rhode Island cities and towns
  - a) Resolution from North Providence Town Council re: opposition to mandatory binding arbitration on monetary matters for teachers
  - b) Resolution from Town of Glocester Town Council re: opposition to House Bill 5831 and Senate Bill 606 which would reduce the Rhode Island Housing foreclosure period from five years to one or two years depending upon property owner circumstances
  - c) Resolution from North Smithfield School Committee re: opposition to any and all binding arbitration legislation currently being considered for teacher contracts
- 6) Abatements/Addenda of Taxes

**VI. EXECUTIVE SESSION ANNOUNCEMENT**

*The Town Council may seek to go in Executive Session to discuss the following items:*

- 1) Pursuant to RIGL 42-46-5 (a) (2) litigation re: Dutton vs. Town of Jamestown

**VII. COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS**

- 1) Town Administrator's Report (verbal)
- 2) Finance Director's Report
- 3) JEMS October – November 2009 Report
- 4) School Committee Liaison Report (per Councilor White)
- 5) Jamestown Harbor Management Commission re: request for name change to Jamestown Harbor Commission
- 6) Jamestown Conservation Commission re: congratulations to newly elected Council
- 7) Jamestown Bike Path Committee re: Reservoir section of Jamestown Bike Path

**VIII. PUBLIC HEARING**

**IX. ORDINANCES AND RESOLUTIONS**

- 1) Resolution No. 09-016 re: Designation of the National Incident Management System (NIMS) as the Basis for all Incident Management for the Town of Jamestown
- 2) Resolution No. 09-017 re: A Resolution Establishing a Temporary Moratorium on the Issuance of Building Permits for Duplex and Multi-Family Dwelling Units in the R-8, R-20, CL and CD Zoning Districts
- 3) Resolution No. 09-018 re: Relative to the Acceptance of Land from Maureen H. Francoeur – Assessor's Plat 16, Lot 51

## **X. COMMUNICATIONS AND PETITIONS**

- 1) Copy of letter from Karen (Coffee) Bell to the Jamestown Housing Authority Board re: disposal of plastic bags containing leaves
- 2) Letter of congratulations from Nancy Cloud
- 3) Letter from Cynthia Levesque re: the cost of public services and improvements to the infrastructure and how they should be funded
- 4) Letter from the Taxpayers' Association of Jamestown re: request for presentation to Council members at the January 4, 2009 Council meeting
- 5) Letter of recommendation from Thomas Ginnerty for the continued representation of Ruggiero, Orton and Brochu as legal counsel
- 6) Request from the Jamestown Special Education Local Advisory Committee re: discussion with the Town Council to hold budget meetings/workshops, and to request that SELAC be allowed to speak at open forums at all Council budget meetings for the public

## **XI. LICENSES & 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.*

- 1) Victualing License TRANSFER Application:
  - a) Transfer of Hina Enterprises, Inc. dba: Jamestown Mobil to **Ranj A. Muhajir dba: Jamestown Mist, LLC** located at plat 9 lot 246; 35 Narragansett Avenue to operate from 6:00 am to Midnight
- 2) Holiday License TRANSFER Application:
  - a) Transfer of Hina Enterprises, Inc. dba: Jamestown Mobil to **Ranj A. Muhajir dba: Jamestown Mist, LLC** located at plat 9 lot 246; 35 Narragansett Avenue to operate from 6:00 am to Midnight
- 3) Event/Entertainment License Application
  - a) Applicant: Paws and Claws Pet Fund: Barbara Szepatowski  
Event: 10<sup>th</sup> Annual Doggie Parade  
Place: Narragansett Avenue  
Date: Saturday, December 19, 2009, 1:30 p.m. to 2:30 p.m.

## **XII. OPEN FORUM**

- 1) Scheduled request to address
  - a) Arthur Christman re: Jamestown water
  - b) Non-scheduled request to address

## **XIII. APPOINTMENTS AND RESIGNATIONS**

- 1) Resignation from Bob Bowen from the Wind Energy Committee
- 2) Resignation from Bob Bowen from the Harbor Management Commission

- 3) Resignation from William H. Murphy from the Jamestown Fire Department Compensation Committee
- 4) Resignation from Mark Baker from the Conservation Committee
- 5) Resignation from Gary Girard from the Jamestown Planning Commission
- 6) Resignation from Kevin Carty from the Library Board of Trustees

**XIV. UNFINISHED BUSINESS**

- 1) Approval for expenditure for estimates for the concrete pier at East Ferry
- 2) Appointment of Legal Counsel
  - a) Town Solicitor (presently Peter D. Ruggiero, Esq.)
  - b) Planning and Zoning Solicitor (presently Wyatt Brochu)
  - c) Criminal Prosecutor (presently Carolyn Mannis, Esq.)

**XV. NEW BUSINESS**

- 1) LNG (Liquid Natural Gas) Hess Oil Weavers Cove: general discussion and action plan going forward, including legal discussion, in anticipation of the 60 day public comment period after release of upcoming Federal Energy Regulatory Commission (FERC) 'Hess Oil Weavers Cove Draft Environmental Impact Statement'; for developing a timeline of critical junctures and legal pressure points; for coordination with other individuals, entities and groups locally, statewide, and nationally, including RI and U.S. representatives, and a formal introduction of the new Jamestown LNG Working Group (LNG WG) as a resource. (per Councilor Winsor)
- 2) Water & Sewer Committee/Think Tank: Infrastructure repairs for our aging system, bills, existing debt going forward and current funding options require a proactive approach for competing limited resources; therefore, a committee to work in collaboration with the Town Council. (per Councilor Winsor)
- 3) Budget or Finance Committee/Think Tank: US economy and state cut backs create a particular need for strong focus and examination of the Town budget/processes/options through out the fiscal year; therefore, a committee to work in collaboration with the Town Council. (per Councilor Winsor)
- 4) Open Forum: Basis for having more than one Open Forum at Town Council meetings including: 1. Providing citizens convenient time to speak early on in Town Council meetings in order to help Democracy thrive 2. And for providing a timely public framework for additional public thoughts and information to be brought to the fore, thoughts which can occur secondary to Town Councilor members deliberations, and should be heard before Council members vote. (per Councilor Winsor)
- 5) Fort Wetherill status and possible work session schedule (per Councilor Bowen)
- 6) Town Council Rules and Procedures for consideration; if favorable, adopt
- 7) December Meeting Schedule

- 8) Conservation Planning Consultant re: request to expend \$4,000 to hire consultant with available funding in the existing capital reserve set aside for planning documents (per Town Administrator)
- 9) Fort Getty Master Plan Committee Composition and Charge

## **XVI. EXECUTIVE SESSION**

## **XVII. 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.***

***In addition to the two above-mentioned locations, notice also may be posted, from time to time, at the following location: Jamestown Police Station; and on the Internet at [www.jamestownri.net/council/council.html](http://www.jamestownri.net/council/council.html)***

ALL NOTE: This meeting location is accessible to the physically challenged. Hearing or speech impaired individuals requiring the services of an interpreter should call the Town Clerk at 401-423-7200 or facsimile at 401-423-7230 not less than 3 business days prior to the meeting.