TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue

Thursday, March 7, 2013

(Rescheduled from March 4, 2013)

7:00 PM

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing, and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. It is the Town Council's hope that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

I. ROLL CALL

II. CALL TO ORDER; PLEDGE OF ALLEGIANCE

III. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND RESOLUTIONS

A) Proclamation

1) 2013-01: April 26, 2013 as Arbor Day in the Town of Jamestown

IV. 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. Licenses and Permits of a routine nature are approved under the Consent Agenda unless removed by request.**

A) One Day Event/Entertainment License Applications*

1) Applicant: Save The Bay
Event: 37th Annual Save The Bay Swim
Date: June 20, 2013
Location: RI Turnpike & Bridge Authority Facility

B) One Day Peddler License Applications*

1) Applicant: Quononoquott Garden Club
Event: Annual Plant Sale
Date: May 18, 2013 (rain date May 19, 2013)
Location: East Ferry

C) Holiday & Peddler Combo License Renewal Applications*
March 1, 2013 to February 28, 2014

1) Lucky Ridge Co. LLC dba: Spinnakers Café Mobile Unit
Location: East Ferry, Fort Getty, and Mackerel Cove Beach Parking Lot

D) Holiday License Renewal Applications*
March 1, 2013 to February 28, 2014

1) Ace's Pizza, In. dba: Ace's Pizza
Location: 1 Clarke Street
2) Lucky Ridge Co., LLC. dba: Spinnakers Café
Location: 3 Ferry Wharf
3) The Island Scoop dba: The Island Scoop
Location: 79 North Road
4) Urban Flowers, LLC dba: The Secret Garden
Location: 12 Southwest Avenue
5) Zeek's Bait & Tackle, Inc. dba: Zeek's Bait & Tackle
Location: 194 North Road

E) Trash Collector License Renewal Application*
March 1, 2013 to February 28, 2014
1) Allied Waste Services dba: Allied Waste Services
Location: 1080 Airport Road, Fall River, MA 02720, Island-wide

F) Private Investigator License Renewal Application*
March 1, 2013 to February 28, 2014
1) Ronald F. Lewis
139 Seaside Drive, Jamestown, RI 02835

V. 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.

A) Scheduled to Address
B) Non-scheduled to Address

VI. ADMINISTRATOR, DEPARTMENT, AND SOLICITOR REPORTS

A) Town Administrator Report
1) Budget Workshop schedule
2) Storm update/emergency response
3) Landfill update

B) Jamestown Tax Assessment Board of Review Annual Report
C) Jamestown Tree Preservation and Protection Committee Annual Report

VII. UNFINISHED BUSINESS

A) Fort Getty
1) Update
2) Pavilion
a) Update
b) Fees for 2013 season

VIII. NEW BUSINESS

A) Approval and Authorization for signing of Police Department Mutual Aid Agreements
1) City of Newport
2) Town of North Kingstown

B) Awarding of Bid for Fort Getty Pavilion parking and landscaping plan: to Gates, Leighton & Associates, Inc. for an amount not to exceed $12,000 as recommended by Town Planner Lisa Bryer, Public Works Director Michael Gray and Parks and Recreation Director William Piva

C) Accessory Dwelling Units Ordinance, Zoning Ordinance Article 14

D) Parking Ordinance revision

E) Fee Schedule review

F) Awarding of Bid for East Ferry Wooden Pier Repairs: to Conanicut Marine Services, Inc. for an amount not to exceed $71,242 as recommended by Public Works Director Michael Gray

IX. ORDINANCES AND APPOINTMENTS

X. 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. Agenda items listed elsewhere and approved under the Consent Agenda: IV. Licenses and Permits A),B),C),D),E) and F); XI. Communications and Petitions A) Communications 1), 2), 3), 4), 5), 6), 7), 8), 9), 10) and 11)**

A) Adoption of Council minutes:

1) February 4, 2013 (work session)
2) February 4, 2012 (regular meeting)
3) February 4, 2013 (executive session)
4) February 27, 2013 (work session)
5) February 27, 2013 (regular meeting)
6) February 27, 2013 (executive session)

B) Minutes from Boards, Commissions and Committees:

1) Jamestown Conservation Commission (12/11/2012)
2) Jamestown Harbor Commission (12/12/2012)
3) Jamestown Harbor Commission (01/09/2013)
4) Jamestown Harbor Commission (01/28/2013)
5) Jamestown Housing Authority Board of Commissioners (09/12/2011)
6) Jamestown Housing Authority Board of Commissioners (10/05/2011)
7) Jamestown Housing Authority Board of Commissioners (12/14/2011)
8) Jamestown Housing Authority Board of Commissioners (01/11/2012)
9) Jamestown Housing Authority Board of Commissioners (02/15/2012)
10) Jamestown Housing Authority Board of Commissioners (03/14/2012)
11) Jamestown Housing Authority Board of Commissioners (04/11/2012)
12) Jamestown Housing Authority Board of Commissioners (05/15/2012)
13) Jamestown Housing Authority Board of Commissioners (06/20/2012)
14) Jamestown Housing Authority Board of Commissioners (07/11/2012)
15) Jamestown Housing Authority Board of Commissioners (09/12/2012)
16) Jamestown Housing Authority Board of Commissioners (11/14/2012)
17) Jamestown Tree Preservation & Protection Committee (01/15/2013)

C) Board/Commission/Committee Attendance Reports

1) Jamestown Affordable Housing Committee (2011, 2012)

2) Jamestown Board of Canvassers (2010, 2011, 2012)
3) Jamestown Buildings and Facilities Committee (2011, 2012)
4) Jamestown Harbor Commission (2012)
5) Jamestown Housing Authority Board of Commissioners (2012)
6) Jamestown Philomenian Library Board of Directors (2011, 2012)
7) Jamestown Planning Commission (2011, 2012)
8) Jamestown Tax Assessment Board of Review (2012)
9) Jamestown Zoning Board of Review (2011, 2012)

D) CRMC Notices:
1) February 2013 Amended Calendar
2) Notice of proposed revisions to the RI Coastal Resources Management Program Ocean SAMP Section 800: Chapter 8 – Renewable Energy and Other Offshore Development; Public Hearing March 26, 2013; comment period ends March 23, 2013
3) Re-Notice of proposed revisions to the RI Coastal Resources Management Program Ocean SAMP Chapter 8 Renewable Energy and Other Offshore Development and Chapter 11 Policies of Ocean SAMP; Public Hearing April 9, 2013; comment period ends April 2, 2013
4) March 2013 Calendar

E) RIDEM Notices:
1) RIDEM notice requesting FY 2014 Project Priority List for water pollution abatement

F) Proclamations and Resolutions from other Rhode Island cities and towns
1) Burrillville Town Council Resolutions re:
a) In support of General Assembly Bills Senate 0044 and House 5072 - Acts relating to elections - which would delete the option for single party voting by means of a single mark
b) Opposing House Bill 5340 and any other legislation mandating arbitration and contract continuation in expired teacher collective bargaining agreements
2) Smithfield School Committee Resolutions re:
a) Requesting the General Assembly oppose any and all legislative proposals that would mandate expired teacher contracts continue at the existing terms and conditions
b) Requesting the General Assembly oppose any and all binding arbitration legislation for teachers and other school employee contracts
c) Urging the General Assembly pass Senate Bill 0049 and House Bill 5066 moving the teacher layoff notice deadline from March 1st to June 1st
3) North Kingstown School Committee Resolutions re:

a) Urging the General Assembly pass Senate Bill 0049 and House Bill 5066 moving the teacher layoff notice deadline from March 1st to June 1st
b) Requesting the General Assembly oppose any and all binding arbitration legislation for teachers and other school employee contracts
c) Requesting the General Assembly oppose any and all legislation mandating expired teacher contracts continue at the existing terms and conditions

4) South Kingstown School Committee Resolutions re:
   a) Requesting the General Assembly oppose any and all legislation mandating expired teacher contracts continue at the existing terms and conditions
   b) Requesting the General Assembly oppose any and all binding arbitration legislation for teachers and other school employee contracts
   c) Urging the General Assembly pass Senate Bill 0049 and House Bill 5066 moving the teacher layoff notice deadline from March 1st to June 1st
   d) Requesting that in crafting the allocation per district for the technology allowance the RI Department of Education provide South Kingstown (at a minimum) the amount originally allocated
5) North Smithfield School Committee Resolution re:
   a) Requesting the General Assembly oppose any and all legislative proposals that would mandate expired teacher contracts continue at the existing terms and conditions
   b) Requesting the General Assembly oppose any and all binding arbitration legislation for teachers and other school employee contracts
   c) Urging the General Assembly pass Senate Bill 0049 and House Bill 5066 moving the teacher layoff notice deadline from March 1st to June 1st
6) Woonsocket City Council Resolution re: Requesting that the General Assembly reject House Bill 5340 and any and all binding arbitration legislation for teacher contracts
7) Newport City Council Resolutions re:
   a) Amending RIGL §3-7-6 to eliminate the dollar amount local licensing authorities may impose for advertising and administrative costs for processing liquor license renewal applications so the fee accurately reflects the actual costs
   b) Supporting ongoing open dialogue regarding gun safety at the State level, mental illness and its identification, and efforts to remove illegal guns from our streets
8) Charlestown Town Council Resolutions re:

a) Requesting the General Assembly to consider enacting legislation to remove the Master Lever in voting and repeal RIGL §17-19-15

b) Supporting open dialogue regarding gun safety at the State and Federal level, mental illness and its identification, and removing illegal guns from our streets

G) Abatements/Addenda of Taxes

H) Finance Director's Report

XI. COMMUNICATIONS AND PETITIONS

*Communications are approved under the Consent Agenda unless removed by request**

A) Communications*

1) Letter of William A. Kelly re: condition of the old ferry slip at East Ferry

2) Letter of Andrew Yates re: landscape architect services for Fort Getty Park

3) Letter of Andrew Yates re: upgrades for Rembijas Pavilion and associated site

4) Letter of Jamestown Conservation Commission Chair Carol Trocki re: Michael Benes Notice of Violation

5) Letter of RI Taxpayers Coalition Chairman Harry L. Staley with draft resolution proposing the elimination of the voting machine "Master Lever" in all future elections

6) Memorandum of Tree Committee Chair Jim Rugh requesting Town Council adoption of a Proclamation declaring April 26, 2013 as Arbor Day in the Town of Jamestown

7) Letter of Jamestown Chamber of Commerce Executive Director John McCauley re: BankAmerica site on Narragansett Avenue

8) Letter of recommendation from the Jamestown Republican Town Committee re: Hugh Murphy for the Board of Canvassers vacancies

9) Letter of recommendation from the Jamestown Democratic Town Committee re: Ken Newman for the Board of Canvassers Member vacancy (to fill Alcina Blair's place) and Kitty Wineberg to the Board of Canvassers Alternate Member vacancy (to fill Ken Newman's place)

10) Letter of resignation from Carol Lynn Trocki as a member and Chair of the Conservation Commission

11) Letter of Jamestown Community Band members Sue Nicholson and Judy Nelson requesting the Town Council keep their organization informed of discussions re: Golf Course Facility rebuild and accommodating a new home for the Band

XII. EXECUTIVE SESSION

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

A) Pursuant to RIGL §42-46-5(a) Subsection (1) Personnel (Town Administrator) and Subsection (2) Collective Bargaining (union negotiations)

XIII. 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

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 401-423-9800 or facsimile at 401-423-7230 not less than 3 business days prior to the meeting.