



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Monday, May 6, 2013
6:00 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) Proclamations:

- 1) No. 2013-04 May 25, 2013 as National Missing Children's Day
- 2) No. 2013-05 May 6 - May 10 as Teacher Appreciation Week

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.

A) Council Sitting as the Alcohol 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 by the Town Council for a **NEW** license under said Act, for the period May 6, 2013 to November 30, 2013 (duly advertised in the *Jamestown Press* April 18th and 25th editions):

NEW LICENSE:

ESJ, Inc.
dba: Simpatico Jamestown
13 Narragansett Avenue
Jamestown, RI 02835

B) Public Hearings

- 1) Proposed Amendment of the Jamestown Code of Ordinances: Chapter 30 Historic and Archaeological Preservation ARTICLE II. BURIAL SITES, Sec. 30-21 through Sec. 30-47; duly advertised in the *Jamestown Press* April 25th edition
 - 2) Proposed Amendment of the Jamestown Code of Ordinances: Chapter 42 Parks and Recreation ARTICLE II. REGULATIONS Sec. 42-62 (delete); and Chapter 70 Traffic and Vehicles ARTICLE II. ADMINISTRATION AND ENFORCEMENT Sec. 70-21 through Sec. 70-30; ARTICLE III. SPECIFIC STREET REGULATIONS Sec. 70-51 through Sec. 70-55; and ARTICLE IV. STOPPING, STANDING AND PARKING Sec. 70-76 through Sec. 70-89; and Sec. 70-90 (add new); duly advertised in the *Jamestown Press* April 25th edition
- C) Multi-License Applications (New)
- 1) ESJ, Inc. dba: Simpatico Jamestown
13 Narragansett Avenue
 - a) Victualing License (May 6, 2013-November 30, 2013)
 - b) Entertainment License (May 6, 2013-November 30, 2013)
 - c) Holiday License (May 6, 2013-February 28, 2014)
- D) Multi-License Applications–Transfer (May 6, 2013-November 30, 2013)
- 1) Victualing License
 - 2) Holiday License

FROM:

Jamestown Culinary Partners LLC
dba: The Shack
252 Narragansett Avenue

TO:

Tallulah, LLC
dba: Tallulah's Tacos
252 Narragansett Avenue

- E) Peddler License Application - New (June 2013-October 2013)
- 1) Applicant: Tallulah, LLC **dba: Tallulah's Tacos**
Location: Mackerel Cove/Heads Beach
- F) One Day Event/Entertainment Licenses
- 1) Applicant: Jamestown Historical Society
Event: Battery Day
Date: May 18, 2013
Location: Battery Lane
 - 2) Applicant: American Legion Post #22
Event: Memorial Day Parade
Date: May 27, 2013
Location: Lawn Avenue School to Veterans Memorial Square

- 3) Applicant: Bob Bowen
Event: Dowd/Turner Wedding
Date: June 22, 2013
Location: Fort Getty Pavilion
- 4) Applicant: Bridges, Inc.
Event: Bridges, Inc. Employee Recognition
Date: June 28, 2013
Location: Fort Getty Pavilion
- 5) Applicant: Lisa Richardson
Event: Richardson/Balzano-Brookes Wedding
Date: June 29, 2013
Location: Fort Getty Pavilion
- 6) Applicant: Alan Roy
Event: Surprise!
Date: June 30, 2013
Location: Fort Getty Pavilion
- 7) Applicant: Lawrence T. Goss
Event: Goss Wedding
Date: July 20, 2013
Location: Fort Getty Pavilion
- 8) Applicant: Jamestown Golf Course, Jon Mistowski
Event: Ocean State Parrot Head Club 12th Annual Golf Tournament
Date: September 8, 2013
Location: Jamestown Golf Course

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) Fort Getty update
 - 2) Mackerel Cove report
 - 3) FEMA Update
 - 4) RIDOT 2014 Local Roads Program: Jamestown Roadway Resurfacing Candidates
- B) 4th Quarter 2012 GZA Report
- C) Solicitor's Report: Historic District Ordinance

VII. UNFINISHED BUSINESS

- A) Town Council Goals: calendar and adoption
- B) RFP for website design

- C) RFQ for Golf Course
- D) Fort Getty rules and regulations
- E) Steering Committee for recreation study

VIII. NEW BUSINESS

- A) Farmer’s Market at Fort Getty (Wednesday or Thursday evenings)
- B) Policy for supporting non-profit organizations/facilities use
- C) Request of Jamestown Arts Center: Donation for roof repair from current fiscal year’s emergencies and incidentals fund
- D) CISF Sea Adventure Camps: request to include scuba instructions by ‘Scuba Made Easy’
- E) Rights of Way/Public Access to shore
- F) Local Preference Ordinance
- G) Police Training Opportunities (Fort Getty)
- H) Affordable Housing Trust – creation
- I) Fort Getty non-resident sticker

IX. ORDINANCES AND APPOINTMENTS

- A) Appointments
 - 1) Affordable Housing Committee – One (1) three-year term ending May 31, 2016; if favorable re-appoint
 - a) Letter of interest
 - i) Debra V. Murphy
 - 2) Jamestown Fire Department Compensation Committee (Citizen-At-Large) – One (1) three-year term ending May 31, 2016; if favorable re-appoint
 - a) Letter of interest
 - i) Steven W. Jepson
 - 3) Tax Assessment Board of Review – One (1) three-year term ending May 31, 2016; if favorable re-appoint
 - a) Letter of interest
 - i) Stuart L. Rice, Jr.

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.

- A) Adoption of Council minutes:
 - 1) March 28, 2013 (budget work session)
 - 2) April 1, 2013 (regular session)
 - 3) April 1, 2013 (executive session)
 - 4) April 8, 2013 (budget work session)
 - 5) April 10, 2013 (regular session)
 - 6) April 10, 2013 (executive session)
 - 7) April 15, 2013 (work session)

- 8) April 15, 2013 (regular session)
- 9) April 15, 2013 (executive session)
- 10) April 18, 2013 (interview session)
- 11) April 24, 2013 (special meeting)
- B) Minutes from Boards, Commissions and Committees:
 - 1) Jamestown Harbor Commission (03/13/2013)
 - 2) Jamestown Philomenian Library Board of Trustees (01/08/2013)
 - 3) Jamestown Philomenian Library Board of Trustees (02/28/2013)
 - 4) Jamestown Philomenian Library Board of Trustees (03/12/2013)
 - 5) Jamestown Planning Commission (03/20/2013)
 - 6) Jamestown Zoning Board of Review (03/26/2013)
- C) CRMC Notices:
 - 1) Notice of proposed changes to the RI Coastal Resources Management Council management plan, policies, procedures and regulations with public hearing date of Tuesday, May 16, 2013 and written comment deadline of Monday, May 6, 2013
 - 2) Semi-Monthly Meeting Agenda for April 9, 2013
 - 3) Letter announcing CRMC interim approval of the Jamestown Harbor Management Plan (HMP) and Jamestown Harbor Management Ordinance, as adopted by the Jamestown Town Council, with directive to amend the HMP for consistency with the RICRMP
 - 4) Notice of application for assent to construct and maintain a long line blue mussel farm, 8.25 acres off the west shore of Jamestown by Adam Silkes of North Kingstown, RI
- D) Zoning Board of Review abutter notification: Notice is hereby given that the Jamestown Zoning Board of Review will hold a public hearing on April 23, 2013, at the Jamestown Town Hall, 93 Narragansett Avenue, Jamestown at 7:00 p.m. upon the following:
 - 1) Application of Marta Harris and Richard Lee, whose property is located at 209 Beacon Avenue, and further identified as Assessor's Plat 16 Lot 214, for a special use permit under Article 3 Section 314 (High groundwater table and impervious layer overlay district) and a variance under Article 3 Section 3.2 (district Dimensional Regulations) to construct an addition to an existing single family dwelling 26.32 ft. from the front lot line where 30 ft. is required. Said property is located in the R40 zone and contains 16,992 sq. ft.
 - 2) Application of ESJ, Inc. (tenant) and JTN, LLC (owner), whose property is located at 13 Narragansett Avenue, and further identified as Assessor's Plat 9 Lot 603, for a special use permit under Sections 82-1205 and 1205.1, allowing the restaurant operated on said property to utilize shared parking to meet a capacity of 190 seats. Said property is located in the CD zone and contains 15,377 sq. ft. of land
- E) Proclamations and Resolutions from other Rhode Island cities and towns

- 1) Hopkinton Town Council Resolutions re:
 - a) Requesting the General Assembly reject any and all mandatory binding arbitration legislation for teacher and other school employee and municipal employee contracts
 - b) Requesting the General Assembly oppose Senate Bills 0365 and 0777 and House Bill 5699 mandating that expired teacher, police officer, firefighter or municipal employee contracts must continue at the existing terms and conditions
- 2) Newport City Council Resolutions re:
 - a) Requesting the General Assembly oppose any and all binding arbitration legislation for teachers and other school employee and municipal employee contracts
 - b) Requesting the General Assembly oppose Senate Bills 0365 and 0777 and House Bill 5699 mandating that expired teacher, police officer, firefighter or municipal employee contracts must continue at the existing terms and conditions
- 3) Charlestown Town Council Resolution requesting the General Assembly oppose Senate Bills 0365 and 0377 and House Bill 5699 mandating expired teacher contracts continue at existing terms and conditions
- 4) South Kingstown School Committee Resolutions re:
 - a) Supporting repeal of the straight party vote option on the ballot for future elections
 - b) Requesting the General Assembly pass legislation authorizing School Committees of the Cities and Towns to utilize bus monitors at their discretion
- F) Abatements/Addenda of Taxes
- G) Finance Director's Report

XI. COMMUNICATIONS AND PETITIONS

- A) Communications
 - 1) Letter of Conanicut Marine Services President William Munger re: four concepts for proposed wave protection and additional access to the bay for the public
 - 2) Invitation of Jamestown Chapel to Celebration on April 14, 2013
 - 3) Letter of Armenian National Committee re: April 24th as Armenian Genocide Remembrance Day
 - 4) Letter of Julio DiGiando re: proposed expansion of Conanicut Marina at East Ferry
 - 5) Letter of Hull Cove area residents to the Conservation Commission re: Town plans for elevated boardwalk at Hull Cove trail
 - 6) Letter of Andrew Yates requesting the Town Council consider adopting a Resolution supporting Senate Bill 0337 and House Bill 5498 to include the RI General Assembly under the jurisdiction of the RI Ethics Commission

- 7) Letter of Carol Newman Cronin re: “The Shack” at Dutch Harbor, classification as a lunchroom not restaurant, past positive experiences, and 2013 management’s respect for regulations
- 8) Letter of Narragansett Water Pollution Control Association to Douglas Ouellette, Jamestown Sewer Division, announcing Jamestown’s wastewater treatment facility has been selected as recipient of the NWPCA’s Most Efficient Small Secondary Treatment Plant Award for 2012
- 9) Memorandum of Town Planner Lisa Bryer re: Proposed Historic District, Lower Shoreby Hill

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 (2) Collective Bargaining (IBPO 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.