

# TOWN COUNCIL MEETING

November 27, 2006

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Philomenian Library, 26 North Road at 7:00 PM by Vice President Julio DiGiando. The following members were present:

William A. Kelly

Michael Schnack

Barbara A. Szepatowski

absent: Council President David J. Long

also present:

Bruce R. Keiser, Town Administrator

Arlene D. Petit, Town Clerk

J. William W. Harsch, Town Solicitor

Lisa Bryer, Town Planner

## AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

None

## 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.*

None

## 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.*

It was requested that item number 2 be removed from the Consent Agenda. It was moved by Councilor Schnack, seconded by Councilor Szepatowski to accept the Consent Agenda as amended. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
  - a) November 13, 2006 (regular session)
  - b) November 13, 2006 (executive session)
- 2)
- 3) Minutes from Boards, Commissions and Committees:
  - a) Jamestown Harbor Commission (10/11/2006, 03/15/2006, 06/12/2006, 08/02/2006)
  - b) Library Board of Trustees (10/02/2006)
- 4) Abatements/Addenda of Taxes

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2) Bills and Payroll

Councilor Kelly inquired if the purchase of computers for the police station in the amount of \$2,296.53 was covered by grant funding. The Town Administrator explained that the schedule of computer replacements is covered through the capital budget; however, he would review the purchase and report back to the Council if the computers were acquired through a grant.

It was moved by Councilor Szepatowski, seconded by Councilor Kelly to approve bills and payroll as submitted. So unanimously voted.

**EXECUTIVE SESSION ANNOUNCEMENT**

- 1) Pursuant to RIGL 42-46-5 (a) (1) Personnel
- 2) Pursuant to RIGL 42-46-5 (a) (2) Potential Litigation

Council Vice President DiGiando announced that the Council would enter into executive session later in the evening pursuant to RIGL 42-46-5(a) (1) personnel and 42-46-5(a) (2) potential litigation.

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

- 1) Town Administrator's report
  - a) Wind Energy

The Town Administrator informed the Council that he attended a conference sponsored by the Massachusetts Technology Collaborative on wind energy on November 17 in West Yarmouth. Mr. Keiser reported that the information given on this alternative renewable energy source will be made available to the Council for future discussion and consideration. Also for the Council's review will be a feasibility study on wind energy for coastal communities compiled by a consultant hired by the state of Rhode Island.

It was the consensus of the Council to hold a work session when all the information on wind energy is available.

- b) Beavertail apartment

The Town Administrator informed the Council that following a mediated conference an agreement has been reached whereby Mr. Shutt will be leaving the Beavertail apartment by March 31, 2006. If Mr. Shutt has not vacated the property by the March 31, 2006, the court eviction order would allow for the Town to have him removed. In addition, Mr. Keiser informed the Council that Mr. and Mrs. Turillo are aware of the date for eviction and will be ready to move into the apartment when Mr. Shutt vacates.

- c) Town Auction

The Town Administrator reported that the town auction was held on November 2, 2006. The old rescue vehicle is still in the process of being sold and is expected to bring in additional funds. Prior to the sale of the rescue vehicle the amount brought in by the auction is approximately \$13,540.00.

Councilor Kelly noted that the salvage value on trade-ins should also be considered in the amount realized through the auction. In answer to how the funds will be used, Councilor Kelly reported that the funds will be returned to the capital budget for the department that originally purchased the equipment auctioned.

d) Fort Getty Septic System

The Town Administrator noted that the Fort Getty Master Plan Committee is presently reviewing information regarding the Fort Getty septic system.

e) Round Marsh

In regards to the Conservation Commission's alternate wetland restoration plan for the Round Marsh, the Town Administrator reported that CRMC has indicated that the Round Marsh is not part of the same wetlands system as the Water Treatment Plant and therefore, could not be considered with the plan submitted by the Town for that site. The Town Administrator noted that the Round Marsh restoration plan has value and would assist in deterring the degradation of the wetlands. As such, Carol Trocki and Chris Powell, members of the Conservation Commission are attempting to organize a collaborative group to address the restoration needs. In order for the group to apply for grant funding through the Natural Resource Conservation Service for the design and planning stage of the restoration project at the Round Marsh, the Council is being asked to approve a letter of support.

The Town Administrator informed the Council that the Conservation Commission will be submitting an application to CRMC for approval of the project for the restoration and protection of the wetlands at the Round Marsh. The Conservation Commission will also be asked to present that restoration project to the Council at their December 11, 2006 meeting.

It was the consensus of the Council to instruct the Town Administrator to forward a letter in support of the application for grant funding for the restoration and protection of the wetlands at the Round Marsh.

f) Fire Department Grant

The Town Administrator reported that the Jamestown Volunteer Fire Department has received a Homeland Security Grant in the amount of \$71,500.00 for the purchase of a much needed exhaust system for the fire station.

Other matters discussed are as follows:

Request for Alternate Date of Hearing

At the request of an interested resident, the Town Administrator asked that the Council change the hearing date for the proposed amendment to Section 70-88 Parking at the Jamestown Shores, to a Council meeting date in January. It was the consensus of the Council to reschedule the hearing to a January meeting.

Quonset Point Development

Councilor DiGiando requested that any information regarding the development at Quonset Point be forwarded to the Council as it is received.

Wind Energy Committee

It was the consensus of the Council that the number of resident members should be expanded from five to seven. The Council requested that this change be put on the December 11, 2006 agenda for discussion.

- 2) Jamestown Harbor Commission re: review of CRMC Notice 2006-10-011, Sunrise Group LLC (previously addressed on 11/13/2006)

No action was taken.

**PUBLIC HEARING**

None

**ORDINANCES AND RESOLUTIONS**

- 1) Proposed Amendments to Zoning Ordinance Section 314 – High Groundwater Table and Impervious Layer Overlay District (if favorable, authorize advertising [3 x’s in the Jamestown Press] and set date for hearing)

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to instruct the Town Clerk to set the hearing date in January and to advertise the proposed amendments to Zoning Ordinance Section 314 – High Groundwater Table and Impervious Layer Overlay District. So unanimously voted.

- 2) Resolution No. 06-016, authorizing the execution and delivery of a master lease agreement, equipment schedule No. 01, an escrow agreement, and related instruments, and determining other matters in connection therewith

The Town Administrator explained that the Town’s bond lawyer prepared the language in Resolution No. 06-016 as a follow-up to the bid award for lease financing adopted by the Council on October 23, 2006. Resolution No. 06-016 will authorize the execution of the lease financing documents.

It was moved by Councilor Schnack, seconded by Councilor Kelly to adopt Resolution No. 06-016, authorizing the execution and delivery of a master lease agreement, equipment schedule No. 01, an escrow agreement, and related instruments. So unanimously voted.

**COMMUNICATIONS AND PETITIONS**

None

**LICENSES & PERMITS**

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None

## OPEN FORUM

- 1) Scheduled request to address
- 2) Non-scheduled request to address

Sav Rebecchi, Sail Street, stated that as a Council appointed member to the Quonset Development Corporation Board of Directors he will continue to report on the development at Quonset.

## APPOINTMENTS AND RESIGNATIONS

- 1) Beavertail State Park Advisory Committee (One [1] vacancy; three-year term ending December 31, 2009); duly advertised and interviews complete. If favorable appoint.
  - a) Request for reappointment
    - i) Hazel Turley

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to reappoint Hazel Turley to the Beavertail State Park Advisory Committee for a term ending December 31, 2009. So unanimously voted.

- 2) Jamestown Planning Commission (One [1] vacancy; four-year term ending December 31, 2010); duly advertised and interviews complete. If favorable appoint.
  - a) Letter of recommendation
  - b) Request for reappointment
    - i) Barry S. Holland
  - c) Letter of interest
    - i) Phillip E. Brian

It was moved by Councilor Szepatowski, seconded by Councilor Schnack to reappoint Barry S. Holland to the Jamestown Planning Commission for a term ending December 31, 2010. So unanimously voted.

- 3) Zoning Board of Review (Four [4] vacancies; one [1] regular member, five-year term ending December 31, 2011; three [3] alternate members, one-year term ending December 31, 2007); duly advertised and interviews complete. If favorable appoint.
  - a) Letter of recommendation
  - b) Request for reappointment
    - i) Raymond Iannetta (regular member)
    - ii) David P. Nardolillo (1<sup>st</sup> alternate)
    - iii) Dean J. Wagner (2<sup>nd</sup> alternate)
    - iv) Richard G. Cribb (3<sup>rd</sup> alternate)
  - c) Letter of interest
    - i) Phillip E. Brian

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to appoint, effective December 31, 2006, David P. Nardolillo as a regular member of the Jamestown

Zoning Board of Review and to appoint the alternate members, effective December 31, 2006, for a one-year term ending, December 31, 2007, as follows: Dean J. Wagner as 1<sup>st</sup> alternate, Richard G. Cribb as 2<sup>nd</sup> alternate, and Raymond Iannetta as the 3<sup>rd</sup> alternate. So unanimously voted.

## **UNFINISHED BUSINESS**

### 1) Deer Management (per Council President Long)

The Town Administrator reported that it was Council President Long's intention to keep the previously discussed initiatives to manage the deer population on Jamestown moving forward.

It was the consensus of the Council to continue any discussion on deer management to the December 11, 2006 Council agenda so that Council President Long can be included in the discussion.

### 2) Teen Program – Operation of Center (continued from 11/13/2006)

The Town Administrator addressed the report submitted to the Council, noting that it was the Teen Coordinator, Melissa Minto that supplied the information for this report. The report was prepared as responses to Councilman DiGiando's questions regarding the Teen Program.

Council members discussed the questions and responses regarding the Teen Center. There were still several concerns which need to be addressed, such as:

- Hours of operation
- The need for a Teen Center versus the need for teen programs provided by the Recreation Department
- School Committee support
- Program to be managed through the Recreation Department and Town Administrator

The Town Administrator provided information from Sergeant Angela Deneault supporting the need for a Teen Center.

Catherine Kaiser, School Committee Chair, informed the Council that the School Committee agreed that there was a need for a Teen Center; however they did not agree with the Narragansett Avenue site. The School Committee also would support ending hours of between 8:00 p.m. and 8:30 p.m.

Councilor Schnack indicated that there must be specific teen programs at the Recreation Center.

Councilor Kelly stated that the seat belts in the recreation van must be fixed prior to it being used to transport children. Councilor Szepatowski indicated that there would be grant funding through the Rhode Island Foundation.

Councilor Szepatowski informed the Council that Sergeant Piva and Sergeant Deneault have committed to visiting the Teen Center and working with the teens.

It was the consensus of the Council that the Recreation Department and its programs are an Administrative functions, and as such, should be left in the hands of the Town Administrator. However, Councilor Szepatowski called for a formal vote of support from the Council.

It was moved by Councilor Schnack, seconded by Councilor Kelly to support the Town Administrator in his efforts to maintain a teen program.

It was moved by Councilor Szepatowski, seconded by Councilor DiGiando to amend the main motion to include that there be a Teen Center in the area where the Harbor Master's office used to be. The motion to amend the main motion was unanimously voted.

The main motion was unanimously voted.

3) Recreation Advisory Committee (continued from 11/13/2006)

It was the consensus of the Council to continue any discussion regarding the Recreation Advisory Committee to the December 11, 2006 Council meeting.

### NEW BUSINESS

1) Board of Water and Sewer Commission re: change in meeting time (per Councilor Kelly)

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to move the Board of Water and Sewer Commission meetings from 7:00 p.m. to 6:00 p.m.

Councilor Kelly stated that because the meetings are lasting such a short time, it would be more convenient for the staff and public if the meeting would begin at 6:00 p.m.

Councilor DiGiando noted that past Council's had discussed moving the Board of Water and Sewer Commission meetings to one hour before one of the regular Town Council meetings; however, there was some concern with how the meetings would be clerked.

Councilor Kelly stated that he would expect the Water and Sewer Clerk to manage that portion of the meeting or any extension of a meeting of the Board of Water and Sewer Commission and the Town Clerk to manage the meetings of the Town Council.

It was the consensus of the Council to table the motion to the December 11, 2006 Town Council meeting.

2) Award of Bids

- a) Above Ground Fuel Storage Tank to **Gill Services, Inc.** for an amount not to exceed \$25,900.00

The Town Administrator noted that the above ground fuel storage tank would be located at the Wastewater Treatment Plan and would replace the tank presently underground.

It was moved by Councilor Szepatowski, seconded by Councilor Kelly to award the bid for the above ground fuel storage tank to Gill Services, Inc. for an amount not to exceed \$25,900.00. So unanimously voted.

b) Recyclables Collection Contract to Island Rubbish Service, Inc. for an amount not to exceed the following:

- Year One (1) \$164,600.00
- Year Two (2) \$172,800.00
- Year Three (3) \$181,500.00
- Year Four (4) \$190,500.00
- Year Five (5) \$200,100.00

for a total bid not to exceed \$909,500.00

It was moved by Councilor Szepatowski, seconded by Councilor Schnack to award the recyclables collection contract to Island Rubbish Service, Inc. for a total bid not to exceed \$909,500.00, as follows:

- Year One (1) \$164,600.00
- Year Two (2) \$172,800.00
- Year Three (3) \$181,500.00
- Year Four (4) \$190,500.00
- Year Five (5) \$200,100.00

for a total bid not to exceed \$909,500.00

So unanimously voted.

It was the consensus of the Council to request that the Town Administrator review the contract for with Island Rubbish Service, Inc. to determine what clauses might affect any increases in the accepted bid.

c) Refuse Hauling to **Allied Waste Services** for an amount not to exceed the following:

- Cost per loaded trailer pulled to RI Resource Recovery \$305.00
- Cost per loaded roll-off pulled to RI Resource Recovery \$205.00
- Cost per loaded roll-off pulled to Metals Recycling LLC \$200.00
- Cost per mile to pull loaded roll-off \$ 3.75

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to award the bid for refuse hauling to Allied Waste Services as stated in the memorandum from the Deputy Director of Public Works, Michael Gray as follows:

Refuse Hauling to **Allied Waste Services** for an amount not to exceed the following:

- Cost per loaded trailer pulled to RI Resource Recovery \$305.00

- Cost per loaded roll-off pulled to RI Resource Recovery \$205.00
- Cost per loaded roll-off pulled to Metals Recycling LLC \$200.00
- Cost per mile to pull loaded roll-off \$ 3.75

So unanimously voted.

The Council discussed the possibility of changing the process for disposing of recyclables in the future, with the Town paying only to haul the salvageable goods to a potential purchaser; thereby allowing the Town to realize any gains from the sale.

- 3) Request to Enter into Contract
  - a) Award contract to **Landmark Facilities Group, Inc.** to assess and design necessary repairs to the heating and air conditioning systems at the Jamestown Police Station for an amount not to exceed \$6,000.00

The Town Administrator noted that there remains in the capital budget \$23,000.00 for heating and air conditioning system upgrades at the Police Station.

It was moved by Councilor Schnack, seconded by Councilor Kelly to award the contract to Landmark Facilities Group, Inc. to assess and design the necessary repairs to the heating and air conditioning system at the Jamestown Police Station for an amount not to exceed \$6,000.00. So unanimously voted.

### EXECUTIVE SESSION

It was moved by Councilor Schnack, seconded by Councilor DiGiando to enter into executive session at 8:33 PM, pursuant to RIGL 42-46-5(a) (1) personnel and 42-46-5(a) (2) potential litigation.

It was voted, Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye.

Upon the return of the Council to the regular session at 8:55 PM, it was moved by Councilor Schnack, seconded by Councilor Szepatowski to seal the executive session minutes from the public. It was voted, Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye.

There being no further business before the Council, it was moved by Councilor Schnack, seconded by Councilor Kelly to adjourn the meeting at 8:57 PM. So unanimously voted.

Attest:

Arlene D. Petit  
Town Clerk

c: Town Council Members (5)  
Town Administrator  
Town Solicitor  
Administrative Circulation