

TOWN COUNCIL MEETING

May 8, 2006

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Philomenian Library, 26 North Road at 7:04 PM by Council President David J. Long.

The following members were present:

Julio J. DiGiando, Vice President
William A. Kelly
Michael Schnack

absent: Barbara A. Szepatowski

also present:

Bruce R. Keiser Town Administrator
Arlene D. Petit, Town Clerk
J. William W. Harsch, Town Solicitor
Lisa W. Bryer, Town Planner

present for presentations:

Thomas Mather, Professor of Entomology, University of Rhode Island
Mary Meagher, Fort Getty Master Plan Committee Chair
Emmet Turley, Tree Preservation and Protection Committee Chair

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

- 1) Tree City USA – Flag presentation by Emmet Turley, Jamestown Tree Preservation and Protection Committee Chair

The Council passed on this presentation as Mr. Turley had not yet arrived.

- 2) Dr. Thomas Mather, Professor of Entomology, University of Rhode Island
re: tick borne diseases – prevention and protection

Dr. Mather gave a slide presentation on ways to protect against tick-borne diseases, as well as how to identify the black-legged deer tick and properly remove it when found.

Dr. Mather recommended that the following preventative measures should be taken:

- Professional spraying of yard perimeter with insecticide
- Tick repellents to be sprayed on clothing (Perma One Tick Repellent)
- A “tick check” should be done every day
- Wear protective clothing such as long sleeved shirts and long pants tucked into socks so ticks cannot reach the skin
- Avoid “ticky” areas
- Learn proper tick removal (sharp pair of tweezers to remove tick close to skin contact area)

Dr. Mather also discussed baiting stations for use in killing deer ticks. The bait station is designed to attract deer by providing corn / bait in a trough. To reach the bait, the deer must rub their neck on a paint roller like apparatus which dispenses a pesticide treatment to kill the deer ticks. In addition, Dr. Mather informed the Council that a deer repellent

study using Thiram, a fungicide for turf and animal repellent, is being conducted by Bartlett Tree Experts. Anyone hiring Bartlett Tree Experts to treat their yard would have a follow-up study done by Dr. Mather and his staff. A Tick Awareness Day is being planned for June 3, 2006; at that time Dr. Mather has offered to present an educational seminar in a high-risk neighborhood in Jamestown.

For additional information, Dr. Mather directed the audience to a new web-site, www.tickencounter.org.

It was the consensus of the Council to direct the Town Administrator to work with Dr. Mather on the selection of a neighborhood for a "Tick Awareness Day" presentation.

3) Fort Getty Park Land Use Plan presentation by Donald Sharp, Landscape Architect

Mary Meagher, Fort Getty Master Plan Committee Chair; stated that the goals of the committee were to enhance residents' use of the park, develop and improve active and passive recreation opportunities; and to develop increased revenues for maintenance and improvements.

The Fort Getty Land Use Plan consists of the following:

- reconfiguration of the RV Campground
- renovation of the Rembjas Pavilion
- redevelopment of existing tent camp sites and the addition of five tent camp sites
- construct parking lot next to the Gate House
- construct boat storage area
- construct beach pavilion at Battery Whiting
- renovate existing rest room as a Recreation Department Maintenance Facility
- roadway improvements

Implementation of the Land Use Plan would be done in three phases, the completion of which is a ten-year plan for the park.

The Council discussed the funding plans for the improvements. Ms. Meagher stated that there would be a combination of efforts for funding. Open space grants, historical grants and bonding would be ways the Council could fund the project. The Town Planner added that any funding considerations would be brought to the Council for their consideration. Ms. Bryer commented that the plan needs engineering work and further design assistance to refine the cost of the project.

With the Council's endorsement, it was moved by Councilor DiGiando, seconded by Councilor Long to authorize the Fort Getty Master Plan Committee to move forward with the additional engineering work and design assistance on the Fort Getty Land Use Plan. So unanimously voted.

1) Tree City USA – Flag presentation by Emmet Turley, Jamestown Tree Preservation and Protection Committee Chair

Emmet Turley, Tree Preservation and Protection Committee Chair, presented the Town Council with a Tree City USA flag. Mr. Turley stated that Jamestown has been recognized as a Tree City USA for the third year. Jamestown has qualified again this year for grant money be used for education and the purchase of trees to beautify the Town.

COUNCIL SITTING AS ALCOHOLIC 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.

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 # 2 be removed from the consent agenda. It was moved by Councilor Schnack, seconded by Councilor DiGiando to accept the consent agenda as amended. So unanimously voted. The consent agenda consisted of the following:

- 1) Adoption of Council minutes:
 - a) 04/24/2006 regular minutes
 - b) 04/24/2006 executive session
- 2)
- 3) Minutes from Boards, Commissions and Committees:
 - a) Jamestown Substance Abuse Prevention Task Force (04/12/2006)
 - b) Jamestown Zoning Board of Review (03/28/2006)
 - c) Library Board of Trustees (03/07/2006)
- 4) CRMC Notices:
 - a) May 2006 Calendar
- 5) DEM Notices:
 - a) Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit Number RI0001619 Town of Jamestown
- 6) Proclamations & Resolutions from other Rhode Island cities and towns
 - a) Town of Burrillville in support of amendments to § 16-7-44 School Housing Project Costs

2) Bills and Payroll

Councilor Kelly requested additional information on the following items:

70060.302 ACS Government Records \$2,961.25

The Town Clerk explained that the cost is for the recording of land evidence documents at \$5.75 per document. As an example, the Town Clerk noted that to record 329 documents it costs approximately \$1,900.00. For those 329 documents over \$16,000.00 was brought in as revenue.

70070.302 CNU and Lisa Bryer \$1,156.68

The Town Planner informed the Council that she attended a conference in San Antonio. Ms. Bryer reported that the National conference is attended by Planners from throughout

the United States and offers educational opportunities as well as the meeting and exchanging ideas with other Planning Officials.

70310.315 Thomas P. Tighe \$1,511.10

The Town Administrator informed the Council that Chief Tighe attended an emergency management conference on hurricanes.

Councilor Kelly requested that Chief Tighe provide information on hurricane emergency management at a Council meeting in June.

70490.375 J S Landscape & Tree Co. \$3,465.00

The Town Administrator informed the Council that the landscaping services were for the baseball fields.

70495.370 Sylvan Nursery, Inc. \$3,769.50

The Town Administrator commented that the Town received a grant for the purchase of trees to be planted throughout the Town.

70920.527 Clement Napolitano \$7,000.00

The Town Administrator informed the Council that these funds were budgeted in the 2005/ 2006 for a stipend for the Director of Jamestown Emergency Medical Services.

There being no further inquiries, it was moved by Councilor DiGiando, seconded by Councilor Kelly to accept the bills and payroll. So unanimously voted.

EXECUTIVE SESSION ANNOUNCEMENT

Council President Long announced that the Council would be meeting in executive session at the end of the meeting to discuss lease negotiations, pursuant to RIGL 42-46-5 (a) (5), real estate and to discuss the acquisition of property pursuant to RIGL 42-46-5 (a) (5) real estate.

- 1) Pursuant to RIGL 42-46-5 (a) (5) (real estate) lease negotiations
- 2) Pursuant to RIGL 42-46-5 (a) (5) (real estate) acquisition of property

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

1) Town Administrator report (verbal); items to be added as needed
The Town Administrator reported on the following:

Narragansett Avenue Waterline Installation

The project was slowed down because of the ledge in a portion of the work area; however, it is expected to be completed on schedule.

Traffic Island Beautification

There has been a meeting scheduled for Wednesday with neighborhood residents for a discussion on plans to landscape the traffic island on the corner of Walcott Avenue and

High Street. Plans were made to plant trees in that area; however, neighbors were concerned with their views being blocked.

Landfill Closure

The report expected from RIDEM is at the Division Head level at this time. It is not known just when the Town will receive the report.

Joint Work Session

There will be a power point presentation by the Town Administrator at the May 18 Council work session with the Planning Commission and the Zoning Board of Review.

Town Hall Project

William Burgin Architect for the project is scheduled to be at the May 22 Town Council meeting to give an update.

Health Care Costs

The Town Administrator and Finance Director will be meeting with United Health Care to determine if health care costs can be reduced. In addition, the Town Administrator is considering the possibility of hiring a Health Care Consultant to review the Town's benefit plan.

- 2) Town Clerk re: NOTICE - Town Council Work Session, Thursday, May 18, 2006 to discuss the High Groundwater Ordinance

No action taken.

PUBLIC HEARING

- 1) An Ordinance Amending Article 5 of Chapter 38 of the Code of Ordinances "Use of Rifled Firearm While Hunting"

Council President Long reviewed the proposed amendment to the Code of Ordinance under Article 5 of Chapter 38. The amended ordinance states that "No person shall, while hunting within the town, use a rifled firearm, other than a shotgun outfitted with a rifled barrel or a muzzleloader with a rifled barrel." President Long noted that this amendment was recommended by the Wildlife Committee.

It was moved by Councilor Schnack, seconded by Councilor Kelly to open the public hearing at 8:35 PM. So unanimously voted.

Nancy Crawford, Mast Street, stated that she opposed the amendment and would like to have the present ordinance reviewed by a firearm expert prior to making any changes.

Dennis Webster, Mount Hope Avenue, noted his concern that, as presented, the proposed amendment would allow for the use of high powered rifles as long as they were not used for hunting.

The Town Solicitor stated that this ordinance is specific to hunting only.

There being no further public comment, it was moved by Councilor Schnack, seconded by Council President Long to close the public hearing at 8:36 PM. So unanimously voted.

It was moved by Councilor DiGiando, seconded by Council President Long to adopt the proposed amendment to Section 38-111 of the Code of Ordinance, as presented. So unanimously voted.

ORDINANCES AND RESOLUTIONS

COMMUNICATIONS AND PETITIONS

- 1) RI Department of Administration, Budget Office/Municipal Affairs re:
approval of Notice of Proposed Property Tax Rate Change for fiscal year
2006-2007

It was moved by Councilor DiGiando, seconded by Councilor Kelly to accept the approval of Notice of Proposed Property Tax Rate Change from the RI Department of Administration. So unanimously voted.

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) One Day Entertainment License Applications
 - a) CATHERINE GOODE
Saturday, July 1, 2006
Fort Getty Pavilion

It was moved by Councilor DiGiando, seconded by Councilor Kelly to approve the One Day Entertainment License for Catherine Goode on Saturday, July 1, 2006 at the Fort Getty Pavilion. So unanimously voted.

- b) BARBARA S. HASKELL
Saturday, September 9, 2006
Fort Getty Pavilion

It was moved by Councilor DiGiando, seconded by Councilor Kelly to approve the One Day Entertainment License for Barbara S. Haskell on Saturday, September 9, 2006 at the Fort Getty Pavilion. So unanimously voted.

- c) HARRIET MISTOWSKI dba: JAMESTOWN GOLF COURSE
Sunday, September 10, 2006
Jamestown Golf Course
245 Conanicus Avenue

It was moved by Councilor DiGiando, seconded by Councilor Schnack to approve the One Day Entertainment License for Harriet Mistowski dba: Jamestown Golf Course on Sunday, September 10, 2006. So unanimously voted.

- d) THOMAS INSANA
June 24, 2006

Fort Getty Pavilion

It was moved by Councilor Schnack, seconded by Councilor DiGiando to approve the One Day Entertainment License for Saturday, June 24, 2006 at the Fort Getty Pavilion. So unanimously voted.

- 2) One Day Peddler License Application
 - a) JAMESTOWN MEDICAL FUND
Saturday, May 13, 2006
East Ferry

Councilor Kelly stated that a request has been made to include a rain date of May 14, 2006 for the application from the Jamestown Medical Fund.

It was moved by Councilor Kelly, seconded by Council President Long to approve the One Day Peddler License for the Jamestown Medical Fund for Saturday, May 13, 2006 and a rain date of May 14, 2006 at East Ferry. So unanimously voted.

OPEN FORUM

- 1) Scheduled request to address
 - a) Representative Bruce J. Long re: Legislative updateRepresentative Long was not present.

- 2) Non-scheduled request to address
Laszlo Siegmund, President of Siegmund & Associates, Inc., Providence, presented a letter to the Council. (There were no additional comments made by Mr. Siegmund.)

Charlotte Zarlengo, Seaside Drive, asked what efforts the Town has made to purchase property in the Jamestown Shores area.

William Munger, Cole Street, requested that if Mr. Shutt is not appointed as the Beavertail Lighthouse Keeper, he be given adequate time to relocate.

Phillip Zarlengo, Seaside Drive, requested that the Town Administrator provide him with the power point presentation prior to the May 18 work session.

APPOINTMENTS AND RESIGNATIONS

UNFINISHED BUSINESS

NEW BUSINESS

- 1) 2006 Community Development Block Grant Program re: request from Town Planner for a resolution endorsing the grant application in the amount of \$250,000.00 to implement the activities as proposed and that the Town Administrator is hereby authorized and directed to file the application and to provide any additional information as needed

In answer to inquires by Council members, the Town Planner stated that the Community Development Block Grant is a non-entitlement grant for the Town of Jamestown, and as such, Jamestown competes for funds with other non-entitlement communities. Although Jamestown is requesting \$250,000.00, the maximum amount allowed, the Town does not usually receive the full amount requested.

The Town Planner requested that the Priority List be amended as follows:

Add between priority #4 and #5, add \$5,000.00 for the Community Housing Land Trust of Rhode Island

Change #1 request acquisition funds from \$145,940.00 to \$140,940.00

It was moved by Councilor Schnack, seconded by Council President Long to endorse the filing of this application for the amount of \$250,000.00 to implement the activities proposed and to authorize Bruce R. Keiser, Town Administrator to file this application with the Community Development office, and to provide any additional information or documents required to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and to otherwise act as the Representative of the Town of Jamestown in all matters relating to this application and any award which may be based upon this application. So unanimously voted.

- 2) Fort Getty Land Use Plan as presented by Donald Sharp, Landscape Architect; if favorable, for Council approval

Previously discussed.

- 3) Beavertail Lighthouse Keeper
 - a) Recommendation from Town Administrator

The Town Administrator reported that out of the fourteen applications received for the position of Beavertail Lighthouse Keeper, nine were from Jamestown residents, of which four of those were with children and a financial need. The Town Administrator reviewed the criteria used in the selection process; one being of most importance, the skills in various elements of general home maintenance.

The Town Administrator informed the Council that his recommendation for the lighthouse keeper would be Michael and Cynthia Turillo. Mr. and Mrs. Turillo have three young children, Mr. Turillo is a Supervisor at the Newport Bridge and Turnpike Authority and is an Iraq Veteran. Mrs. Turillo is a stay-at-home Mom.

The Council discussed the termination date for the Shutt lease. The Town Administrator informed the Council that the Trujillo's are on a month-to-month lease and are flexible as to when they can begin their lease.

A motion by Councilor Schnack to terminate the Shutt lease on June 30, 2006 and begin the Turillo lease on July 1, 2006 did not receive a second.

It was moved by Council President Long, seconded by Councilor DiGiando to give Mr. Shutt until August 31, 2006 to vacate the lighthouse property. The vote was Councilor

DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, nay; Council President Long, aye. The motion passed with three in favor and one opposed.

Frank Meyer, Southwest Avenue, Beavertail Park Advisory Committee member, informed the Council that in 2007 it is expected that the lighthouse property will be disposed of by the National Park Services. The lighthouse property would then become used for an educational and historical facility making the lease null and void.

EXECUTIVE SESSION

It was moved by Councilor Schnack, seconded by Councilor Kelly to enter into executive session at 8:48 PM, pursuant to RIGL 42-46-5(a) (5) real estate lease negotiations and RIGL 42-46-5(a) (5) real estate acquisition. The vote was Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye; Council President Long, aye.

Upon return at 9:30PM from executive session, it was moved by Councilor DiGiando, seconded by Councilor Schnack to seal the minutes from the public. The vote was Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye; Council President Long, aye.

Council President Long noted that there was no need to discuss lease negotiations in executive session; therefore, the only Council discussion in executive session was pursuant to RIGL 42-46-5 (a) (5) the acquisition of real estate.

It was moved by Councilor Schnack, seconded by Councilor DiGiando to instruct the Town Administrator and Town Solicitor to follow through with the directions given in executive session.

It was moved by Councilor Kelly, seconded by Councilor Schnack to adjourn the Council meeting at 9:35 PM. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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