

TOWN COUNCIL MEETING
July 10, 2006

A regular meeting of the Jamestown Town Council was called to order at the Melrose Avenue School, 76 Melrose Avenue at 7:01 PM by Council President Long. The following members were present:

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

also present:

Bruce R. Keiser, Town Administrator
Arlene D. Petit, Town Clerk
J. William W. Harsch, Town Solicitor
Lisa Bryer, Town Planner
Matthew Bolles, Parks and Recreation Director

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

None

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.

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 items numbered 1(a), 2 and 3(a) be removed from the Consent Agenda. It was moved by Councilor Schnack, seconded by Councilor Kelly to accept the Consent Agenda as amended. so unanimously voted. The Consent Agenda Consisted of the following:

- 1) Adoption of Council minutes:
 - a)
- 2)
- 3) Minutes from Boards, Commissions and Committees:
 - a)
 - b) Jamestown Substance Abuse Prevention Task Force (06/14/2006)
 - c) Jamestown Zoning Board of Review (04/25/2006)
 - d) Jamestown Planning Commission (04/05/2006, 04/19/2006, 05/03/2006, 05/17/2006, 06/07/2006)
- 4) CRMC July 2006 Calendar
- 5) Abatements/Addenda of Taxes

- 1) Adoption of Council minutes:
 - a) June 26, 2006 (regular meeting)

Councilor DiGiando stated that the vote on page 6 regarding the request for funding from the Conservation Agency for the coyote study was incorrectly recorded and asked that it be corrected. The motion to award the amount of \$5,000.00 towards the study and education of the public in the management of coyotes on Jamestown *was voted, Councilor DiGiando, aye; Councilor Kelly, nay; Councilor Schnack, aye; Councilor Szepatowski, aye; Council President Long, aye. The motion passed with four in favor and one opposed.*

- 3) Minutes from Boards, Commissions and Committees:
 - a) Tree Preservation and Protection Committee (05/15/2006)

Councilor DiGiando expressed concern that the Tree Warden would consider hiring an assistant without first making a request to the Council. The Town Administrator noted that Michaela Kennedy did fill that position for a short time; however, it was found that there was a conflict because of her work as a newspaper reporter. Presently, there is no assistant, nor are there plans for one.

- 2) Bills and Payroll

Councilor Kelly inquired if the payment made to D & D Fence Co., Inc. completes the repairs for the ball field fencing. The Town Administrator reported that there is additional work to be completed on the fencing. The total project for the repair and replacement of fencing is expected to cost \$7,600.00.

Councilor Schnack asked how many times each year the catch basins were cleaned and if R. Bruce Briggs is the same company used for the sewer system. The Town Administrator stated that he would provide the additional information as requested.

EXECUTIVE SESSION ANNOUNCEMENT

Council President David Long announced that there would be an executive session later in the evening to discuss real estate acquisition, pursuant to RIGL 42-46-5 (a) (5) real estate.

- 1) Pursuant to RIGL 42-46-5 (a) (5) real estate acquisition

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

- 1) Town Administrator's Report (verbal); items to be added as needed
 - a) Landfill closure

The Town Administrator addressed the report received from RIDEM entitled "Public Comments and RIDEM Responses Regarding the Remedial Action Work Plan and 50% Design Drawings" for the former Jamestown landfill. Mr. Keiser outlined the requirements proposed by RIDEM for the siting of the highway facility at the former landfill:

1. The access road to the upper storage area must have a paved surface over the landfill cap. The 90% design should include the detail of road construction and grading.
2. The solid waste must be excavated from the footprint of the highway facility. All soil/waste material that is excavated and mechanically screened must be laboratory tested in accordance with the approved soil/waste sampling plan. If the soil/waste meets requirements, it can be reused; if not, it must be disposed of offsite at an appropriately licensed solid waste management facility.
3. RIPDES permitting would be necessary.
4. ISDS to service the needs of the highway facility would require permitting.
5. RIDEM will allow the waterline from lot 47 to the highway facility; however, the piping must be encased and buried in clean fill.

The Town staff will work with a consultant to look at the costs and make a determination on how to proceed.

The Town Administrator updated the Council on several other issues.

Town Hall

The administration is working to modify the specifications for the construction of the new town hall in order to reduce the costs to less than \$3,000,000.00. One item being reviewed for cost-cutting is the HVAC system. It was found that the system, as specified, was more than the 10,000 square foot building would require. In addition to other cost-cutting reviews, the Town Administrator suggested that there is the possibility of using fund raising as a way of providing some landscaping improvements and the addition of architectural features. The Town Administrator hoped to have a recommendation to the Council within two to three weeks.

Councilor Kelly suggested that fundraising be used for landscaping and aesthetics only.

School Committee/Town Council Meeting

Due to vacation and enrollment schedules the School Committee has requested that the Council delay the joint meeting until October.

Councilor DiGiando commented that he would like to have met with the School Committee to discuss alterations in staffing prior to the start of school.

Weaver's Cove Energy

Arrangements are being made to invite representatives from the Weavers Cove Energy Group to be present at the July 24, 2006 Town Council meeting for a presentation to the Council.

Councilor Szepatowski suggested that the Council meet in the school gymnasium for the Weaver's Cove Energy meeting.

Councilor DiGiando requested that the report from RIDEM be put on the July 24 Council meeting for further discussion.

2) Quonset Development Corporation, Sav Rebecchi, Jamestown's representative re status report
Council President Long thanked Mr. Rebecchi for the report on the Quonset Development Corporation. No action taken.

Report from the Town Solicitor

Mr. Harsch presented the Council with a written report on the proposed Liquefied Natural Gas (LNG) facility at Weaver's Cove, as well as a draft of the Amicus Brief urging the Commission to reverse their Order and reject the Weaver's Cove applications. Mr. Harsch noted that the filing date has been delayed and suggested that this be put on the Council agenda for July 24, 2006.

PUBLIC HEARING - BOARD OF WATER AND SEWER COMMISSIONERS

Meeting as the Board of Water and Sewer Commissioners, Commissioner Long opened the hearing on the proposed municipal water conservation measures for the summer of 2006 at 7:30 PM.

1) Proposed Municipal Water Conservation Measures for Summer 2006
Commissioner Long opened the hearing to public comment:

William Munger, Conanicut Marine Services, explained the process involved when CMS is required to purchase water for boat washing from a vendor. Mr. Munger asked why water is restricted for boat washing, car washing and house washing when the water is over the spillway.

Raymond Iannetta, North Main Road, suggested that the annual restrictions on businesses and some condominiums are only needed in the summer months and should be lifted for other months or when there is an excess of water.

Heidi Moon, Bay View Condominium, stated that the water tank at the marina is unattractive and encouraged the Commission to consider other alternatives.

Craig Amerigan, Narragansett Avenue, explained the reasons why, in the past, the Commission used these restrictions to conserve water during dry spells, and now, with the improvements to the system and the amount of rainfall this year, it may be prudent to allow water usage for boat washing, car washing and house washing for the month of July.

There being no further comments, it was moved by Commissioner Schnack, seconded by Commissioner Kelly to close the public portion of the hearing at 7:45 PM. So unanimously voted.

The Commissioners pointed out the improvements made to the municipal water system allowing for the retention and treatment of a greater amount of water available to consumers. In addition, the Commissioners commented that the conservation program allowing only low-flow toilets, faucets, showers and washers and the efforts to conserve water usage by the consumers has also been responsible for more available water. However, the amount of rainfall this year and in other years is an unpredictable factor in determining the annual restrictions, necessitating seasonal reviews such as presently before the Commissioners.

Of particular concern was any discussion relating to the expansion of use or the expansion of the water district because of a seasonal high in rainfall. It was the consensus of the Commissioners that it must be very clear that the lifting of restrictions is for exceptional circumstances.

The Commissioners considered the following change to the Municipal Water Conservation Methods for the Summer 2006:

Lift the restriction for (this year only):

No boat washing, house washing, car washing for the month of **July**

Change the wording as follows:

Effective August 1: if the reservoir is ~~less than~~ from zero to eighteen inches below the spillway, boat washing, house washing, and car washing will be....

The Town Solicitor advised that any permanent changes to the Rules and Regulations of the Board of Water and Sewer Commissioners should be made in the form of a formal resolution.

It was the consensus of the Commissioners that there should be a review of all the Rules and Regulations in the Fall.

It was moved by Commissioner DiGiando, seconded by Commissioner Szepatowski to continue the hearing on the proposed municipal water conservation measures for summer 2006 to the Board of Water and Sewer Commissioners' meeting on July 17, 2006. so unanimously voted.

ORDINANCES AND RESOLUTIONS

- 1) Proposed ordinance relating to the tax exemption for the totally disabled (submitted by Town Solicitor Parks); if favorable, set date for public hearing

It was the consensus of the Council to schedule the hearing on the proposed ordinance relating to the tax exemption for the totally disabled at the July 24, 2006 Council meeting.

COMMUNICATIONS AND PETITIONS

1) East Bay Community Action Program re: appreciation for contribution
It was moved by Councilor Schnack, seconded by Councilor Szepatowski to accept the communication from the East Bay Community Action Program. So unanimously voted.

2) Jamestown School Committee re: requesting support for the changing of the high school start time to between 7:25 – 7:35 AM
It was moved by Councilor Schnack, seconded by Councilor Szepatowski to support the changing of the high school start time to between 7:25 – 7:35 AM. So unanimously voted.

3) Patience Cary re: request for Council to oppose RIDEM ISDS variance application for Plat 1, Lot 33, Summit Avenue
It was moved by Councilor DiGiando, seconded by Councilor Kelly to accept the letter from Patience Cary regarding Plat 1, Lot 33. So unanimously voted.

The Council expressed their continued concern about the cumulative impact on the high groundwater district.

4) Matthew Largess re: request to remain on the Tree Preservation and Protection Committee
It was moved by Councilor DiGiando, seconded by Council President Long to accept the communication from Matthew Largess. So unanimously voted.

LICENSES & PERMITS

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None

OPEN FORUM

1) Scheduled request to address
2) Non-scheduled request to address
William Levin, Mizzen Avenue, asked the Council to consider the request of the Jamestown Striper Club to hold the “Kid’s Fishing Derby” at the North Reservoir on July 29, 2006.

It was the consensus of the Council to refer Mr. Levin’s request to the Town Administrator and to schedule the application for the July 24, 2006 Council meeting.

Fred Pease, Maple Avenue, (former member of the Jamestown Town Administrator Search Committee) informed the Council that he has been asked to meet with the Town Administrator Search Committee from North Kingstown.

APPOINTMENTS AND RESIGNATIONS

None

UNFINISHED BUSINESS

1) Teen Center (continued from 06/26/2006)

Councilor Szepatowski stated that she is concerned because there is still no location in Jamestown for the teens to meet. Presently, the Teen Coordinator is carrying supplies around in her car and using temporary locations to meet with the teens. Councilor Szepatowski stated that she would like the Recreation Center to be opened for a teen center until a more permanent location can be found.

It was the consensus of the Council to request recommendations from the Town Administrator and Parks and Recreation Director as to how the teens can be accommodated.

2) Wood pile pier; East Ferry

a) Progress report from the Town Administrator (continued from 06/26/2006)

The following was reported by the Town Administrator:

- The restrooms will continue to be open twenty-four hours per day throughout the summer and will be cleaned two times per day
- Litter management will include more frequent pick-ups
- Police and RIDEM patrols to be increased
- Police will increase bicycle patrols in the area
- The installation of additional port-a-jons will be looked into
- Cost sharing with the harbor fund and general fund, along with outside donations will be considered

The Town Administrator will continue to keep the Council informed regarding this issue.

NEW BUSINESS

1) Bid Awards; if favorable award the following bids

a) Electrical Improvements at the Golf Course to Jack's Electric, Inc. for an amount not to exceed \$9,496.50

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to award the bid for the electrical improvements at the Golf Course to Jacks Electric, Inc. for an amount not to exceed \$9,496.50. So unanimously voted.

b) 2006/2007 Town and School Annual Audit to Parmelee, Poirier & Associates for an amount not to exceed \$25,000.00

The Town Administrator reported that although Parmelee, Poirier & Associates were not the lowest bidder, the level of service to be provided to the Town was substantially higher. Mr. Keiser supported the recommendation of the Finance Director.

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to award the 2006/2007 Town and School Annual Audit to Parmelee, Poirier & Associates for an amount not to exceed \$25,000.00. So unanimously voted.

- 2) Champlin Foundation Grant Endorsement re: request for Council support to submit a grant application in the amount of \$17,431.00 for the purchase and installation of 35 bike racks throughout the island

It was moved by Councilor Kelly, seconded by Councilor DiGiando to endorse the submission of a grant application as prepared by the Town of Jamestown in cooperation with the Rolling Agenda Committee in the amount of \$17,431.00 for the purchase and installation of 35 bike racks throughout the island. So unanimously voted.

- 3) Jamestown Historical Society re: building at 92 Narragansett Avenue (Jamestown Museum) lease and renovations

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to authorize the Town Administrator and Town Solicitor to prepare legal documents between the Town of Jamestown and the Jamestown Historical Society which would allow the following:

- that the Town give the Jamestown Historical Society (Society) a 99-year lease for the museum building (not including the lot on which it stands) for \$1.00 per year
- that the Society make extensive improvements to the building at its own expense and pay for the building's maintenance over the period of the lease; all improvements being subject to the approval of the Town Administrator
- that the Town agree to permit the Society to make appropriate use of the lot on which the building stands for handicap access, should that be deemed necessary in the future
- that the Town Administrator meets yearly with the Society to conduct an inspection of the premises.

So unanimously voted.

- 4) Amicus Brief (draft #1) re: LNG facility at Weaver's Cove

Previously addressed.

- 5) Notice of Proposed ISDS requiring a variance from ISDS regulations; application number 0515-0016; Plat 5, Lots 175 and 194; Riptide Street; John P. Somyk (all notifications regarding the hearing of this matter were sent out on June 5, 2006)

It was moved by Councilor DiGiando, seconded by Councilor Kelly to forward a letter of concern regarding the cumulative impact for the issuance of ISDS variances in the high groundwater district of the Jamestown Shores. So unanimously voted.

- 6) Council Liaison appointment for Conanicut Community Coalition re: teen program (per Councilor Szepatowski)

Councilor Szepatowski reported that the Conanicut Community Coalition is in the second year of grant funding, with one more year to go. It is expected that the Town would support the future needs of the group at the end of the grant funding. The Coalition consists of a member from each of the following entities:

- Parks and Recreation Department
- School Department

- Substance Abuse Task Force
- Library
- Police Force

The funding for the coalition is managed by the Parks and Recreation Director. In a letter from the Teen Program Coordinator, Melissa Minto, it was suggested that the Council appoint a liaison to the coalition to encourage direct communication.

The Council discussed the duties of a Council liaison; that being, for the purpose of sharing information.

It was moved by Councilor DiGiando, seconded by Councilor Schnack to appoint Councilor Szepatowski as the Council liaison to the Conanicut Community Coalition. So unanimously voted.

EXECUTIVE SESSION

It was moved by Councilor Schnack, seconded by Councilor DiGiando to enter into executive session at 8:45 PM pursuant to RIGL 42-46-5 (a) (5) to discuss the acquisition of real estate. It was voted, Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye; Council President Long, aye.

Upon the return of the Council to the regular meeting, it was moved by Councilor DiGiando, seconded by Council President Long to seal the minutes to the public. It was voted, Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye; Council President Long, aye.

There being no further business before the Council, it was moved by Councilor DiGiando, seconded by Councilor Schnack to adjourn at 9:00 PM. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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