

TOWN COUNCIL MEETING

October 22, 2007

The Jamestown Council met at 6:50 p.m. to conduct an interview with Russell C. Benjamin for the position of resident commissioner for the Jamestown Housing Authority.

A regular meeting of the Jamestown Town Council was called to order at the Jamestown Town Hall, 93 Narragansett Avenue at 7:00 PM by Town Council President David J. 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
Peter D. Ruggiero, Town Solicitor

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

- 1) Adoption of Council minutes:
 - a) October 9, 2007 (regular session)
- 2)
- 3) Minutes from Boards, Commissions and Committees:
 - a) Board of Canvassers (10/05/2007)
 - b) Jamestown Substance Abuse Prevention Task Force (09/12/2007)
 - c) Jamestown Philomenian Library (09/04/2007, 09/18/2007)
 - d) Jamestown Harbor Commission (08/08/2007, 09/06/2007, 09/12/2007)

- e) Jamestown Housing Authority (09/12/2007)
- 4) CRMC Notices:
 - a) Newsletter - Coastal Features
- 5) Zoning Board of Review abutter notification
 - a) Application of Rod and Natalie Wright whose property is located at 20 Whittier Rd., and further identified as Tax Assessor's Plat 8, Lot 412 for a variance from Article 3, Section 82-302 (Table 3-2 District Dimensional Regulations) to construct a garage 3.5 feet from rear and west property lines (ten feet required). Said property is located in a R20 zone and contains 16,031 sq. ft.
 - b) Application of Christina Moorehead whose property is located at 7 Watson Ave., and further identified at Tax Assessor's Plat 8, Lot 569 for a special use permit under Article 3, Table 3-1, Mixed Use and 82-1304 to construct a room in existing garage for use as an alterations boutique and install a 30" x 48" sign for said business. Said property is located in a CL zone and contains 5,350 sq. ft.
 - c) Application of Martha Harris, whose property is located at Frigate St. & Beacon Ave., and further identified as Tax Assessor's Plat 16, Lot 65 for a special use permit as required by Section 82-314C. (High ground water table and impervious overlay district) to allow the installation of a new ISDS and the construction of a single-family house on the site as approved under development plan review by the Planning Commission, and a dimensional variance as required by Section 82-308 (Setback from freshwater wetlands) to allow the installation of a new ISDS within 120 ft. from a freshwater wetland edge wherein 150 ft. is required. Said property is located in a R40 zone and contains 7,680 sq. ft.
- 6) Proclamations & Resolutions from other Rhode Island cities and towns
 - a) City of Newport re: Resolution No. 2007-125 opposing the expansion of gambling hours of operation and the introduction of new forms of gambling at the Newport Grand facility
- 7) Abatements/Addenda of Taxes

2) Bills and Payroll

Councilor Kelly requested additional information on the following expenses:

A/C # 11000.729 Jacks Electric, Inc. \$5000.00

The Town Administrator reported that the electrical work at the teen center is completed. The Town Administrator noted that he would give the Council an update on the project when discussing unfinished business.

A/C # Furniture W B Mason \$88,267.88

The Town Administrator informed the Council that the payment to W B Mason is a partial payment towards the total cost of furnishings in the amount of \$135,000.00.

A/C# Town Hall Pezzuco Construction \$466,597.00

The Town Administrator noted that once the punch list for incomplete items is reviewed and the final expenses have been tallied, he would make a full report to the Council.

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

EXECUTIVE SESSION ANNOUNCEMENT

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

- 1) Pursuant to RIGL 42-46-5 (a) (5) real estate
 - a) Dutch Harbor Boat Yard lease

It was announced that the Council would not meet in executive session.

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

- 1) Town Administrator Report (verbal)

Dutch Harbor Boat Yard

The Town Administrator reported that he would be meeting with the Dutch Harbor Boat Yard lessee, their attorney, financial advisor and the Town Solicitor to discuss the lease and rental payment due. The Town Administrator noted that he would report back to the Council at the conclusion of those meetings.

Council/School Committee Budget Review Work Session

The Town Administrator informed the Council that the date for the joint work session has been set for October 29, 2007 at 7:30 p.m. at the Jamestown Town Hall in the Council chambers.

Open House

The Town Administrator reported that the community open house for the town hall will precede the work session scheduled for October 29, 2007. The open house will begin at 6:00 p.m. and end just before the work session.

PUBLIC HEARING

None

ORDINANCES AND RESOLUTIONS

None

COMMUNICATIONS AND PETITIONS

- 1) Copy of Letter to Superintendent of Highways from Lorraine Brothers re: water runoff from street to property located at 20 Deck Street

It was moved by Councilor Szepatowski, seconded by Council President Long to accept the communication from Lorraine Brothers. So unanimously voted.

2) Letter from Nancy Cloud re: concerns about the Jamestown Bike Race. It was moved by Councilor Szepatowski, seconded by Council President Long to accept the letter from Nancy Cloud. So unanimously voted.

Councilor Schnack addressed Ms. Cloud's concerns relating to the Jamestown Bike Race. Councilor Schnack assured the Council that the Rotary Club made every effort to lessen any inconvenience to the community. In addition, Councilor Schnack assured the Council that emergency services and competent staff were on board to address any issue that arose.

XI. 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) Victualing License renewals:
 - a) Letters from the Town Clerk's Office to license holders re: renewal applications
 - b) Victualing License renewal applications:
 - Ace's Pizza, Inc. dba: **Ace's Pizza, Inc.**; 1 Clarke Street
 - BADA Bing, Inc. dba: **Freddie Bing's Hotdog Thing** to operate in the East Ferry area; insurance certificate submitted
 - Barbara & Michael Gallo dba: **Theatre Family Restaurant**; 34 Narragansett Avenue
 - Del's Lemonade & Refreshments, Inc. dba: **Del's of Jamestown** to operate at Fort Getty, Mackerel Cove, Head's Beach and Taylor Point; insurance certificate submitted
 - Doriana Carella dba: **Village Hearth**; 2 Watson Avenue
 - East Ferry Market, Ltd. (S-Corp) dba: **East Ferry Deli & Market**; Unit #1 & 2: 47 Conanicus Avenue
 - TMT, Corp. dba: **McQuade's Supermarket**; 5 Clarke Street

The Town Clerk reported that the renewal applications were in order, further stating that all licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.

It was moved by Councilor DiGiando, seconded by Councilor Szepatowski to approve the victualing license renewals for the following:

- Ace's Pizza, Inc. dba: **Ace's Pizza, Inc.**; 1 Clarke Street
- BADA Bing, Inc. dba: **Freddie Bing's Hotdog Thing** to operate in the East Ferry area; insurance certificate submitted
- Barbara & Michael Gallo dba: **Theatre Family Restaurant**; 34 Narragansett Avenue
- Del's Lemonade & Refreshments, Inc. dba: **Del's of Jamestown** to operate at Fort Getty, Mackerel Cove, Head's Beach and Taylor Point; insurance certificate submitted
- Doriana Carella dba: **Village Hearth**; 2 Watson Avenue
- East Ferry Market, Ltd. (S-Corp) dba: **East Ferry Deli & Market**; Unit #1 & 2: 47 Conanicus Avenue

- TMT, Corp. dba: **McQuade's Supermarket**; 5 Clarke Street
So unanimously voted.

- c) Multi-License renewal application
 - BADA Bing, Inc. dba: **House of Pizza**; 23 Narragansett Avenue: Victualing & Pinball/Video Game (1)

It was moved by Councilor DiGiando, seconded by Councilor Szepatowski to approve the multi-license renewal for BADA Bing, Inc. dba: **House of Pizza**; 23 Narragansett Avenue. So unanimously voted.

- 2) Bingo License Renewal Application
 - a) Letter from Charlotte S. Richardson re: waiver of license fee (\$100.00 per license)
 - b) Application of the Jamestown Senior Citizens Association, Inc. to operate a bingo at
 - 6 West Street (Senior Center) and at
 - 45 Pemberton Avenue in the Pemberton Apartments (community room)

It was moved by Councilor DiGiando, seconded by Councilor Szepatowski to approve the bingo license renewal for the Jamestown Senior Citizens Association, Inc. to operate at 6 West Street and at 45 Pemberton Avenue and to waive the renewal fee. So unanimously voted.

- 3) Exhibition License with Vendors Application
 - a) Conanicut Island Art Association (Craft Show)
76 Melrose Avenue
December 1, 2007
request to waive fee: 31-40 vendors @ \$5.00 per vendor = \$200.00

It was moved by Councilor DiGiando, seconded by Councilor Kelly to approve the exhibition license with vendors permits for the Conanicut Island Art Association at 76 Melrose Avenue on December 1, 2007 and to waive the fee.

The Town Clerk reviewed the Vendor's Permit policy which the Town Council adopted in 2005; whereby the fee for an Exhibition License with Vendors permits was set at \$5.00 per vendor. In addition, the Town Clerk noted that each vendor must also have a valid Rhode Island Sales Permit in order to offer items for sale.

It was moved by Councilor DiGiando, seconded by Councilor Kelly to amend the main motion to **rescind the waiving of the vendors fees**. So unanimously voted.

The main motion as amended was unanimously voted.

OPEN FORUM

- 1) Scheduled request to address

a) Representative Bruce J. Long re: legislative update
Representative Long gave an update on pending legislation and legislation impacting Jamestown.

2) Non-scheduled request to address

None

APPOINTMENTS AND RESIGNATIONS

- 1) Jamestown Housing Authority, one (1) vacancy, term ending 12/31/2008 (duly advertised); if favorable, for appointment
- a) Request for appointment from Russell C. Benjamin
 - b) Letter from J. Peter McGuirl re: Russell C. Benjamin (previously received by Council on 9/24/2007)

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to appoint Russell C. Benjamin to the Jamestown Housing Authority for a term ending 12/31/2008. So unanimously voted.

- 2) Sealer of Weights and Measures
- a) Letter of resignation from James McLoughlin (unspecified term)

It was moved by Councilor Kelly, seconded by Councilor Szepatowski to accept the letter of resignation from James McLoughlin. So unanimously voted. The Council expressed their appreciation for the many years of service that Mr. McLoughlin has given to the community.

It was the consensus of the Council to allow the State to appoint a temporary sealer of weights and measures until such time as the position could be filled by a Jamestown resident.

- 3) Jamestown Planning Commission
- a) Letter of resignation from Betty L. Hubbard, ASLA, (term ending 12/31/2007)

It was moved by Councilor DiGiando, seconded by Councilor Szepatowski to accept the letter of resignation at the end of the term for Betty L. Hubbard. So unanimously voted.

UNFINISHED BUSINESS

- 1) 2006-2007 Budget Review (continued from 10/9/2007)
- a) Date to be scheduled

The Town Administrator again noted that the 2006-2007 budget review would be held on October 29, 2007 at 7:30 p.m. at the Town Hall. The community open house for the town hall will begin at 6:00 p.m. and will be attended by Department Directors.

- 2) Teen Center re: update on the progress and an expected date of completion (per Councilor Szepatowski)

The Town Administrator reported that to date, the partitions have been installed, and the insulation and electrical work are completed. The sheetrock is expected to be completed by the end of next week. It was noted that Melissa Minto, Teen Coordinator, has reported that there have been commitments for donations of computers and furniture for the center. The Town Administrator informed the Council that he would expect a December 1, 2007 grand opening for the teen center.

Councilor Szepatowski suggested that when using town staff to complete projects, it would be helpful if the staff could finish a project prior to beginning another, which would then allow staff and volunteers to work together for the completion of the project in a timelier manner.

NEW BUSINESS

- 1) Engineering Services re: Highway Facility
 - a) Request for qualifications from Crossman Engineering, Inc. (if favorable, authorize entering into a contract)

The Town Administrator updated the Council on the status of the highway facility. Mr. Keiser noted that to date the survey work and wetlands work have been completed. The site investigation work is being coordinated with Rhode Island Turnpike and Bridge Authority, with results from the Town property due within seven to ten days.

In answer to Council questions, the Town Administrator reported that the scope of work which would be completed by Crossman Engineering, Inc. is as follows:

- schematic design and engineering drawings, which include site layout grading, drainage and utility work,
- preparation of plans and permits for the Planning Board, as well as the site plan review process,
- preparation of Special Use Permits for the Zoning Board of Review ,
- preparation of permits to be submitted to the Coastal Resources Management for administrative review, and
- preparation of the bid package for the advertisement of construction services

The Town Administrator stated that the completed bids would be expected by April of 2008, with the award of bids in May 2008. The construction could be completed by November 2008.

The Town Administrator noted that the approval of this request would enable the Town to negotiate a contract with Crossman Engineering, Inc.

It was moved by Councilor Szepatowski, seconded by Council President Long to authorize the Town to enter into a contract with Crossman Engineering, Inc. for engineering services for the highway facility. So unanimously voted.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no further business before the Council, it was moved by Councilor Schnack, seconded by Councilor Szepatowski to adjourn the meeting at 7:40 p.m. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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