

TOWN COUNCIL MEETING  
September 10, 2007

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 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  
Wyatt A. Brochu, Town Solicitor

present for the presentation by the Wind Energy Committee were:

Donald E. Wineberg, Chair  
William (Bucky) C. Brennan  
Abigail Anthony  
Michael J. Larkin  
Robert Bowen  
Clayton Carlisle  
William W. Smith, III

**AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS**

- 1) Proclamation No. 07-019 honoring Island Rubbish for their efforts in the success of Jamestown's participation in recycling and obtaining \$7,000 in grant funding

The accepted Proclamation, No. 07-019, honoring Island Rubbish, was read by Council President Long. Present to accept the proclamation was Island Rubbish representative Michael Tiexiera.

Councilor Kelly noted that because of the success of this program, the Town may be eligible for additional grant funding.

- 2) Proclamation No. 07-020 honoring Zachary Robert Volpe in reaching the rank of Eagle Scout
- 3) Proclamation No. 07-021 honoring Brian Kenneth Volpe in reaching the rank of Eagle Scout

Council President Long read the accepted proclamations honoring Zachary Robert Volpe and Brian Kenneth Volpe for their achievements in scouting.

- 4) Jamestown Wind Energy Committee re: cost breakdown for a request for funding as outlined in their July 17 letter to the Council

Donald Wineberg opened the presentation by identifying the need for a feasibility study and the associated costs. In addition, the committee proposed that the zoning for Open  
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Space II (Parks and Recreation) be changed to allow for wind energy generators by a special use permit.

Bucky Brennan presented a slide show further emphasizing the aspects of the feasibility study:

- Why Wind Power in Jamestown
- Wind Speed Map for Jamestown
- Purpose of Feasibility Study
- Options for the Feasibility Study
- Rhode Island Wind Program Objectives
- Rhode Island Wind Program Phase I Siting Study
- Costs of Jamestown Feasibility Study
  - Full Scale \$40,000 - \$50,000
  - Reduced \$25,000 - \$35,000
- Potential Funding sources
  - Town of Jamestown Commitment
    - \$10,000 Present Commitment
  - Rhode Island Office of Energy Resources (loan)
  - DOE (Department of Energy)

Council comments related to the savings in energy costs and the expense of funding the study. In addition, such specifics as:

- Retail savings (energy user directly connected to the wind generator)
- Wholesale (energy sold back to the National Grid)

As part of the discussion, the Town Administrator stated that possible funding could consist of the following:

\$10,000 Town Commitment – Budgeted 2006-2007

\$15,000 Town Incidentals and Emergency Account 2007-2008

\$25,000 Loan from BOE

This would be possible through a phased payment schedule.

It was the consensus of the Council to continue discussion relating to funding information from the Town Administrator to the September 25, 2007 meeting.

### **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.*

### **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 moved by Councilor DiGiando, seconded by Councilor Szepatowski to accept the Consent Agenda as presented. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
  - a) August 27, 2007 (regular session)
  - b) August 30, 2007 (special session)
  - c) August 30, 2007 (executive session)
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
  - a) Jamestown Substance Abuse Prevention Task Force (07/11/2007)
  - b) Jamestown Zoning Board of Review (07/11/2007)
  - c) Jamestown Conservation Commission (07/10/2007)
  - d) Beavertail State Park Advisory Committee (draft of 05/15/2007)
  - e) Jamestown Tree Preservation and Protection Committee (07/17/2007)
- 4) CRMC Notices:
  - a) Calendar (September 2007)
- 5) Zoning Board of Review Notice of Administrative Decision re: application of Jack Phelan, whose property is located at Gondola Avenue, Plat 3, Lot 269, for a variance under Article 3, Table 3-2 to construct a single-family dwelling which will be 30' from the front property line instead of the required 40' (abuts town-owned property located on plat 3, lot 258)
- 6) Proclamations & Resolutions from other Rhode Island cities and towns
  - a) Resolution from Glocester Town Council requesting support in the repeal of Senate Bill 461 and House Bill 5661 (attached)
- 7) Abatements/Addenda of Taxes

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

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

- 1) Town Administrator Report (verbal)
  - a) Special FTM

The Town Administrator reported that the Special Town Meeting has for funding for the farmland acquisition has been scheduled for September 18 at 7:00 p.m. at the Lawn Avenue School. The final details of the funding for this acquisition will be announced later this week in Thursday's Jamestown Press.

b) Highway facility

Rhode Island Turnpike and Bridge Authority will be considering the Purchase and Sales Agreement for that portion of property owned by the Rhode Island Turnpike and Bridge Authority. The next steps following the purchase will be to provide a site plan for the review of the Planning Commission and to request a Special Use Permit from the Zoning Board of Review. The Town Administrator will continue to keep the Council updated.

c) Budget workshop

The Town Administrator informed the Council that there is a delay in scheduling the budget workshop and suggested that it be rescheduled to early October.

Harbor Commission Work Session

Councilor DiGiando asked that issues from the Harbor Commission work session be addressed at the October 9, 2007 Town Council meeting.

It was the consensus of the council that the item under new business be moved up to this point in the meeting.

New Business

- 1) Contract Negotiations re: status of all contract negotiations (per Councilor Szepatowski)

The Town Administrator reported that there have been tentative agreements reached with the IBPO and NAGE Local 69; however, he is waiting for ratification of those contracts prior to bringing them before the Council for review and approval. The Town Administrator noted that he is waiting for the business agent for the NAGE Clerical Union to begin negotiations. The Town Administrator stated that he believed there was a delay in the Clerical Union negotiations because all three unions have the same business agent.

- 2) Newport County Convention and Visitors Bureau

- a) Report from Jamestown Representative, Donna Olney Kohler

Donna Olney Kohler reviewed her written report to the Council outlining the achievements of the Newport County Convention and Visitors Bureau as it relates to the hospitality and business community in Jamestown.

Ms. Kohler expressed her desire to be reappointed to the Newport County Convention and Visitors Bureau as the Jamestown representative.

It was the consensus of the Council to move the appointment to the Newport County Convention and Visitors Bureau up on the agenda.

Appointments

- 1) Newport County Convention and Visitors Bureau
  - a) Reappointment of Donna Olney Kohler, Jamestown Representative, term ending September 2009 (per Newport County Convention and Visitors Bureau)

It was moved by Councilor DiGiando, seconded by Councilor Szepatowski to reappoint Donna Olney Kohler as the Jamestown Representative to the Newport County Convention and Visitors Bureau, term ending September 2009. So unanimously voted.

## **PUBLIC HEARING**

None

## **ORDINANCES AND RESOLUTIONS**

None

## **COMMUNICATIONS AND PETITIONS**

- 1) Copy of letter from the Town Solicitor to Barbara Patterson, Operations Manager, DHBV, LLC re: rent payment due to Town of Jamestown

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to accept the copy of the letter from the Town Solicitor to Barbara Patterson, Operations Manager, DHBV, LLC re: rent payment due to the Town of Jamestown. So unanimously voted.

The Town Administrator reported that the Town has received a small partial payment of the \$16,000 owed to the Town.

Councilor DiGiando expressed concern regarding the users of the marina and how non-payment of rent by the lessee would affect those users.

It was the consensus of the Council to instruct the Town Administrator and Town Solicitor to continue updating the Council on the past due rental payments from DHBV, LLC until the matter is resolved.

- 2) Letter from Dennis Webster re: request to reconsider sale of Lot 47

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to accept the letter from Dennis Webster. So unanimously voted.

- 3) Letter from Wind-Smart re: feasibility study and launch of a potential turbine project in Jamestown

It was moved by Councilor Schnack, seconded by Council President Long to accept the letter from Wind-Smart. So unanimously voted.

- 4) Letter from Charlotte Zarlengo re: Harbor Commission decision to designate Head's Beach as a mooring field

It was moved by Councilor Schnack, seconded by Councilor Szepatowski to accept the letter from Charlotte Zarlengo. So unanimously voted.

Councilor DiGiando suggested that the Council receive a report on the history of all mooring fields and the policies and procedures relating to the management of those fields for a future agenda.

### **LICENSES & PERMITS**

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None

### **OPEN FORUM**

1) Scheduled request to address  
a) Representative Bruce J. Long re: legislative update  
Representative Long provided the Council with a verbal legislative update.

b) Marilyn A. Ardente re: real estate tax bill  
Marilyn Ardente read her letter to the Council requesting that she be excused from late payment fees because of a mailing error of her tax payment.

The Town Administrator reviewed the policy late payment of tax and water bills.

There was no Council action taken.

2) Non-scheduled request to address  
Frank Meyer, member of the Beavertail State Park Advisory Committee, asked if he could correct the draft minutes forwarded to the Council.

Council President Long advised Mr. Meyer to correct the minutes with Beavertail State Park Advisory Committee and forward the amended minutes to the Council.

Valarie Molloy, Columbia Avenue, commented that there was no urgency for the Council to make a decision on the wind energy project and asked that they take more time in their decision.

### **APPOINTMENTS AND RESIGNATIONS**

1) Newport County Convention and Visitors Bureau  
a) Reappointment of Donna Olney Kohler, Jamestown  
Representative, term ending September 2009 (per Newport County  
Convention and Visitors Bureau)  
Previously addressed.

### **UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

- 1) Contract Negotiations re: status of all contract negotiations (per Councilor Szepatowski)

Previously addressed.

## **EXECUTIVE SESSION**

It was moved by Councilor Schnack, seconded by Councilor DiGiando to enter into executive session at 8:21 p.m. pursuant to RIGL 42-46-5 (a) (5) real estate (farmland acquisition). 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 from executive session, at 8:40 p.m., Councilor Schnack announced that there were no votes taken in executive session.

It was moved by Councilor Schnack, seconded by Szepatowski to seal the minutes of the executive session from the public. It was voted, Councilor DiGiando, aye; Councilor Kelly, aye; Councilor Schnack, aye; Councilor Szepatowski, aye; Council President Long, aye.

## **ADJOURNMENT**

It was moved by Councilor Schnack, seconded by Council President Long to adjourn from the regular meeting at 8:42 p.m. So unanimously voted.

Attest:

Arlene D. Petit  
Town Clerk

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