

TOWN COUNCIL MEETING

March 22, 2004

A special meeting of the Jamestown Town Council was called to order at the Jamestown Philomenian Library, 26 North Road, by Council President Kenneth G. Littman for the purpose of holding an executive session at 6:15 PM, pursuant to RIGL 42-46-5 (a) (2) to discuss collective bargaining and to conduct a regularly scheduled meeting at 7:00 PM. The following members were present:

David J. Long, Vice President
Julio J. DiGiando
Claire M. Ferguson

Absent: Guy J. Settipane

also present:

Maryanne Crawford, CPA, Town Administrator
J. William W. Harsch, Town Solicitor
Arlene D. Petit, Town Clerk
Lisa Bryer, Town Planner
James R. Bryer, Fire Chief
Thomas P. Tighe, Police Chief
Steven J. Goslee, Public Works Director
Fred Pease, Town Sergeant
Victor Calabretta, Planning Commission
Betty Hubbard, Planning Commission

Thomas P. Tighe left at 7:10 PM

EXECUTIVE SESSION

It was moved by Councilor DiGiando, seconded by Councilor Ferguson to enter into executive session at 6:20 PM, pursuant to 42-46-5 (a) (2) collective bargaining. The vote was Councilor DiGiando, aye; Councilor Ferguson, aye; Councilor Long, aye; Council President Littman, aye.

Upon the return of the Council from executive session at 6:48 PM, it was moved by Councilor Long, seconded by Councilor DiGiando seal the minutes of the executive session from the public. It was voted Councilor DiGiando, aye; Councilor Ferguson, aye; Councilor Long, aye; Council President Littman, aye.

It was moved by Councilor Long, seconded by Councilor DiGiando to put the International Brotherhood of Police Officers (IBPO) contract on the agenda for the April 12, 2004 Town Council meeting. So unanimously voted.

Council President Littman called for a break at 6:50 PM.

The Council returned to the regular meeting at 7:03 PM.

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

- 1) Jamestown Police Department: Presentation and award ceremony re: swearing in for probationary Police Officers:
 - a) John Areson
 - b) Derek Carlino

Council President Littman administered the oath of office to John Areson and Derek Carlino as probationary officers to the Jamestown Police Department.

- 2) Presentation of Rhode Island for Health to present resolution re: adopting “Rhode Island for Health Care”

Erin Howard presented a resolution regarding the high cost of health care. Ms. Howard requested that the Council consider the adoption of the resolution and forward it to Rhode Island Legislatures.

It was moved by Councilor DiGiando, seconded by Councilor Long to put the Resolution regarding Rhode Island for Health Care on the April 12, 2004 agenda for the Council’s consideration. So unanimously voted.

Council President Littman requested that item #4 be taken next.

Education Awareness Day, Saturday March 27

School Superintendent Katherine Sipala and PTO President Karen Rafanelli invited the Town Council to join the community in celebrating Community Week, March 27 – April 3, 2004.

- 3) Presentation from Vollmer Associates re: cost estimates for new Highway Facility (cont. from 02/23/2004)

In attendance for the presentation by Vollmer Associates:

John T. Hannigan

Joseph Donovan

Mr. Hannigan presented a summary of the cost estimates for the construction of the highway facility. The total project cost, which consists of construction, engineering, administration and contingency costs is \$3,800,000.00. The summary included the following breakdown:

| | |
|---------------------------------|-----------|
| Site Preparation | \$26,400 |
| Earthwork | \$255,700 |
| Pavements | \$112,500 |
| Walls | \$535,000 |
| Drainage | \$74,675 |
| Water Quality Enhancement Areas | \$34,710 |

| | |
|----------------------------|----------------|
| Landscaping | \$105,300 |
| Relocation of Path | \$10,000 |
| Building | \$1,084,800 |
| Mechanical Electrical | \$566,000 |
| Diesel Fuel Storage | \$80,000 |
| Engineering and Permitting | \$575,000 |
| Contingency/Administration | \$350,000 |
| Total estimated costs | \$3,810,085.00 |

Following Mr. Hannigan's review of each aspect of the summary, Council President Littman invited Council comment.

The Council discussed in great detail ways in which costs could be reduced without jeopardizing the safety and durability of the project. Areas discussed for potential savings included mechanical systems, architectural building style, yard size and outdoor storage area.

Mr. Hannigan noted that the retaining walls needed for the site work were extensive and costly. Additionally, Mr. Hannigan stated that in his experience with construction in that particular area of Jamestown the costs estimated for ledge removal are adequate. Mr. Hannigan reported that it is expected that RIDEM will allow a normal gravity system which would assist in the protection of the wetland area.

It was the consensus of the Council to have Vollmer Associates return to the April 12, 2004 meeting with recommendations on reducing the cost of the highway facility project.

It was the consensus of the Council to instruct the Town Administrator to provide an estimate on the cost for bonding this project.

- 4) Jamestown School Department represented by Katherine Sipala, Superintendent and Karen Rafenelli, Jamestown PTO President re: Education Awareness Day, Saturday, March 27

Previously discussed.

SITTING AS ALCOHOLIC BEVERAGE LICENSING COMMISSION

None

CONSENT AGENDA

It was moved by Councilor Long, seconded by Councilor Ferguson to approve the Consent Agenda. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:

- a) 02/25/2004 Special Meeting
- b) 03/01/2004 Financial Town Meeting
- c) 03/04/2004 Special Meeting
- d) 03/08/2004 Regular Meeting
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
 - a) Conservation Commission (02/10/2004)
 - b) Jamestown Housing Authority (02/11/2004)
 - c) Personnel Board (02/12/2004)
 - d) Board of Canvassers (01/14/2004)
- 4) CRMC Notices:
 - a) Revised Public Notice to Bradford Swett, 201 E. 86th St., Ste 404, NY, NY re: proposed residential boating facility located at plat 9 lot 300; Walcott Avenue
- 5) Statewide Planning Program re: Public Notice of hearing on Wednesday, April 21st at 4:00 PM
- 6) Proclamations & Resolutions from other Rhode Island cities and towns:
 - a) Town of Bristol
 - i) Resolution in support for "Healthy Cat Rooms"
 - b) Town of North Kingstown
 - i) Resolution re: the old Jamestown Bridge
 - ii) Resolution re: property tax burden
 - c) Town of Middletown
 - i) Resolution re: Open Space & Recreation Bond

EXECUTIVE SESSION ANNOUNCEMENT

Pursuant to RIGL 42-46-5 (a) (2) collective bargaining and agenda notice the executive session was scheduled and held at 6:15 PM.

Council President Littman requested that item #6 under New Business be moved up on the agenda.

Award bid for the Jamestown Fire Department for a fire/rescue boat to Protector Boats not to exceed \$145,632.75

Council President Littman noted that the purchase of a fire/rescue boat has been discussed several times at previous Council meetings. Additionally, President Littman mentioned that the price of the boat is significantly lower than expected.

Captain Gladding informed the Council that the original cost of the rescue boat included a pump. The price as submitted to the Council is lowered because it was decided that the pump on the old boat could be retrofitted for the new boat for a cost savings of approximately \$200,000.

It was moved by Councilor Ferguson, seconded by Councilor Long to accept the bid as presented. So unanimously voted. The motion to award the bid for the Jamestown Fire Department for a fire/rescue boat to Protector Boats, not to exceed \$145,632.75 passed.

PUBLIC HEARING

- 1) Proposed Zoning Ordinance Amendment to Subsection 61 and 104 of Section 82-103 re: Protection of Critical Lands
 - a) Letter from the President of the Jamestown Shores Association re: proposed amendment change

Council President Littman opened the public hearing relating to the proposed zoning ordinance amendment to Section 314 – High Ground Water Table and Impervious Layer Overlay District at 8:15 PM.

Town Planner Lisa Bryer reviewed the changes to the Zoning Ordinance stating that the new paragraph in section 314 describes how the building official determines whether an application is in sub-district A or sub-district B. This change is an in-house administrative procedure and has been added to the ordinance as the official methodology so that it would leave a little less up to the discretion of the building official while giving additional guidance. Additionally, the Town Planner noted that there was a change in the definition of impervious layer and seasonal high ground water table, bringing them more in line with the definitions used by RIDEM.

Council President Littman opened the public hearing for comment.

Daniel Silva, attorney representing several builders and land owners of property located in the Jamestown Shores, stated that RIDEM looks at the percolation rate when identifying impervious layers and not just soil types. The ordinance will not be consistent with RIDEM regulations. Mr. Silva asked that the Council not adopt the change as presented in the proposed ordinance as this might interfere with the development rights of landowners in the Jamestown Shores area.

Charlotte Zarlango, Seaside Drive, Chair of the Jamestown Shores Groundwater Committee stated that the committee has been working on safeguards for the shores area. Ms. Zarlango stated that some areas in the Jamestown Shores are at flood levels and therefore, soil data is extremely important for groundwater control. Ms. Zarlango encouraged the Council to adopt the proposed amendment.

Councilor DiGiando noted that the High Ground Water Table ordinance is stating that there must be a minimal impact upon the land. The ordinance does not take the development rights away; however, it may be necessary to limit the size of the house.

Sav Rebecchi, Ship Street, representing the Jamestown Shores Association, stated that the Shores Association is in support of the proposed amendments to the Zoning Ordinance related to the High Ground Water Table and Impervious Layer Overlay District.

There being no further comments, it was moved by Councilor Long, seconded by Councilor Ferguson to close the hearing at 8:30 PM. So unanimously voted.

It was moved by Councilor DiGiando, seconded by Councilor Long to adopt the amendments to the High Ground Water Table and Impervious Layer Overlay District. So unanimously voted.

- 2) Proposed Code of Ordinance Amendment to Section 66-64 re: Elderly Tax Relief

Council President Littman opened the public hearing relating to the proposed changes to Section 66 – 64 relating to elderly tax relief at 8:35 PM.

There being no public comment or comment from the Council, it was moved by Council President Littman, seconded by Councilor Long to close the hearing at 8:39 PM.

It was moved by Councilor Long, seconded by Councilor DiGiando to adopt the proposed amendment to Section 66-64 relating to the Elderly Tax Relief as presented. So unanimously voted.

OPEN FORUM

- 1) Scheduled request to address
 - a) Mary McDonagh of 02835 Jamestown Journal re: advertising bid

E. Mary McDonagh, Executive Editor and Publisher of 02835, The Jamestown Journal thanked the Council for the opportunity to bid on the advertising for the Town of Jamestown. Ms. McDonagh requested that the Council consider her bid in it's entirety and that the spirit of the competitive process be upheld.

- 2) Non-scheduled request to address

Dennis Webster, Mt. Hope Avenue, presented several cost estimates for several recently-built highway facilities to be used as comparisons by the Council when considering the Jamestown highway facility.

Carol Nelson Lee, Buoy Street, suggested that the Council consider alternate energy sources for any new projects; in particular, ultra violet light rather than chlorine at the Waste Water Treatment Plant and radiant heat at the highway facility.

Representative Bruce Long reported on the following:

- State hearings will begin on Tuesday regarding health insurance and costs
- The Rhode Island House has formed a safety committee to monitor the implementation of fire safety codes
- The Governor will be holding several Town meetings throughout the State

- The Rhode Island Turnpike and Bridge Authority has provided \$10,000.00 to the Jamestown Fire/Rescue boat fund
- It is expected that there will be community forums to discuss the storage and transportation of Liquefied Natural Gas (LNG)

Council President Littman noted that Newport has adopted a resolution relating to LNG and will be holding an informational meeting regarding the issue.

REPORTS OF BOARDS, COMMITTEES AND TOWN OFFICIALS

- 1) Town Administrator's report (attached)

In addition to the Town Administrator's report, the following information was discussed:

Jamestown Bridge Demolition

The Town Administrator assured that Council that the State has agreed to the placement of the waterline from North Kingstown to Jamestown on the Jamestown-Verrazano Bridge.

- 2) Fort Getty Master Plan Committee
 - a) One (1) vacancy exists for a resident-at-large member, term ending 180 days from the commencement of the committee; duly advertised and interviews complete. If favorable:
 - i) Letters of Interest:
 - Frank D. Meyer
 - Mary Meagher
 - Rachel C. Burnett
 - David C. Pritchard

It was moved by Council President Littman, seconded by Councilor DiGiando to appoint Mary Meagher to the Fort Getty Master Plan Committee. So unanimously voted.

- 3) Personnel Board
 - a) Letter from Chair re: request of Town Council

It was the consensus of the Council that it would not be necessary to create financial incentives to attract volunteers for boards and commissions.

- 4) Jamestown Housing Authority
 - a) Letter from F. Galvin Fitzgerald re: resignation

It was moved by Councilor Long, seconded by Councilor Ferguson to accept the letter of resignation from F. Galvin Fitzgerald. So unanimously voted.

It was the consensus of the Council that because advertising for vacancies had recently been posted it would not be necessary to readvertise for this vacancy.

- 5) Planning Department
 - a) Memorandum from the Town Planner re: 2004 Community Development Block Grant Program

Following a presentation by the Town Planner, it was moved by Councilor DiGiando, seconded by Councilor Ferguson to approve the priority grant list and that the application for the amount of \$263,090 be submitted by the Town Administrator, Maryanne Crawford. So unanimously voted.

- 6) Town Clerk's Office
 - a) Reminder from Town Clerk re: March 24, 2004 meeting
 - i) Harbor appeal
 - ii) Continuation of hearing on Harbor Ordinance

No action taken.

UNFINISHED BUSINESS

- 1) Touch & Go Dock at East Ferry (cont. from 03/08/2004)
 - a) Report from Harbor Management Commission

Councilor DiGiando stated that Town Solicitor Parks submitted an opinion which states that the existing touch & go dock and the future touch & go dock could be limited to no fishing and no swimming.

It was the consensus of the Council to have this item continued so that the Town Solicitor could draft language for an ordinance relating to the touch & go docks at East Ferry.

- 2) Notice from Coalition for Responsible Siting of LNG Facilities (cont. from 03/08/2004)

It was the consensus of the Council that the siting of LNG facilities remain on the agenda for additional information from the Town Administrator following discussion with other community administration.

COMMUNICATIONS

- 1) Letter from Debra A. D'Agostino re: variance request for Plat 5 Lot 94

It was moved by Councilor Long, seconded by Councilor Ferguson to accept the letter from Debra A. D'Agostino. So unanimously voted.

It was the consensus of the Council to forward the letter from Debra A. D'Agostino to the Conservation Commission.

NEW BUSINESS

- 1) Sunday Sales Licenses - renewals
 - a) Stonecraft Sterling
 - b) Zeek's Creek

It was moved by Council DiGiando, seconded by Council Long to approve of the Sunday Sales License renewal for Stonecraft Sterling and Zeek's Creek, subject to the resolution of debts, taxes and appropriate signatures. So unanimously voted.

- 2) Peddler License – renewals
 - a) Del's of Jamestown

It was moved by Council DiGiando, seconded by Councilor Long to approve of the Peddler License renewal for Del's of Jamestown at the following locations: Mackerel Cove Beach, Fort Getty and the Jamestown Shores Beach; pursuant to receipt of an updated liability insurance certificate and subject to the resolution of debts, taxes and appropriate signatures. So unanimously voted.

- 3) One Day Peddler License Application
 - a) Quononoquott Garden Club to hold a plant sale at East Ferry on Saturday, May 15, 2004 (rain date: May 16)

It was moved by Councilor Long, seconded by Councilor DiGiando to approve of the One Day Peddler License for Quononoquott Garden Club for Saturday, May 15, 2004 with a rain date of May 16, 2004, subject to the resolution of debts, taxes and appropriate signatures. So unanimously voted.

- b) Junior Women's Club of Jamestown to sell balloons and phone books on Narragansett Avenue during the Memorial Day Parade on Monday, May 31st

It was moved by Councilor Long, seconded by Councilor Ferguson to approve of the One Day Peddler License for the Junior Women's Club of Narragansett for Monday, May 31, 2004, subject to appropriate signatures. So unanimously voted

- 4) Award bid for local advertising
 - a) Memorandum of recommendation from the Town Clerk

It was moved by Councilor Long, seconded by Councilor Ferguson to accept the bid for advertising from the Jamestown Press. So unanimously voted.

- 5) Claim from Walter James Anderson, Jr.

It was moved by Councilor Long, seconded by Councilor Ferguson to accept the letter from the office of Peter M. Iascone & Associates, LTD, regarding a claim submitted on behalf of Walter James Anderson, Jr. So unanimously voted.

It was the consensus of the Council to refer the letter regarding Walter James Anderson, Jr. to the Jamestown Housing Authority.

- 6) Award bid for the Jamestown Fire Department for a Fire/Rescue boat to Protector Boats not exceed \$145,632.75

Previously discussed.

There being no further business before the Council, it was moved by Councilor Long, seconded by Councilor DiGiando to adjourn the meeting at 9:30 PM. So unanimously voted.

Attest:

Arlene D. Petit
Town Clerk

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