



TOWN COUNCIL MEETING
Jamestown Town Hall
Rosamond A. Tefft Council Chambers
93 Narragansett Avenue
Tuesday, June 21, 2022
5:30 P.M.

THIS MEETING WILL BE CONDUCTED IN PERSON ONLY.

THIS MEETING WILL BE LIVE STREAMED: To view the meeting with no interaction:
<http://158.123.195.41/OTRMedia/Town2020/Others2020/StreamPrimJtown.html>

The public is welcome to participate in this Town Council meeting. Open Forum offers citizens the opportunity to clarify an item on the agenda, address items not on the agenda, or comment on a communication or Consent Agenda item. Citizens are welcome to speak to the subject of a Public Hearing and are allowed to speak at the discretion of the Council President or a majority of Councilors present, or at other times during the meeting, in particular during New or Unfinished Business.

Anyone wishing to speak should use the microphone at the front of the room, stating their name and address for the record; comments must be addressed to the Council, not the audience. The Town Council hopes that citizens and Councilors alike will be respectful of each other's right to speak, tolerant of different points of view, and mindful of everyone's time.

Attachments for items on this meeting agenda are available to the public on the Town website at:
<https://jamestownri.gov/town-government/town-council/town-council-meetings-minutes/2022-meetings-minutes>

- I. **ROLL CALL**
- II. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**
- III. **TOWN COUNCIL INTERVIEW SCHEDULE: The Jamestown Town Council will meet to conduct interviews of applicants for the committee vacancies as follows:**

TIME	NAME	COMMITTEE
5:30	Jeremy Collie	Bike Path Committee
5:40	Steve Engberg	Bike Path Committee
5:50	John Hammel	Bike Path Committee
6:00	Michael Hill	Bike Path Committee
6:10	Richard Smith	Bike Path Committee
6:20	Jonathan Valente	Bike Path Committee

IV. TOWN COUNCIL SITTING AS THE BOARD OF WATER AND SEWER COMMISSIONERS

- A) Approval of Minutes; review, discussion, and/or action and/or vote
 - 1) 4/18/22(regular meeting)

- B) Open Forum – Water & Sewer Matters
Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibit the Town Council from discussing, considering, or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.
 - 1) Scheduled request to address - none
 - 2) Non-scheduled request to address

- C) Report of Town Officials:
 - 1) Pumping Report
 - 2) Town Project Reports
 - a) Town Wells
 - b) Water Treatment Plant
 - c) Transfer Pumping/Reservoir
 - d) Distribution System
 - e) Wastewater Treatment Facility
 - 3) Finance Director’s Report: Comparison of Budget to Actuals as of May 31, 2022

- D) Letters and Communication
 - 1) None

- E) Unfinished Business
 - 1) None

- F) New Business
 - 1) Review, Discussion, and/or Action and/or Vote: Application of Robert Braisted of 68 Narragansett Avenue; Plat 8, Lot 122 for Utility Service Expansion/Change of Use
 - 2) Review, Discussion, and/or Action and/or Vote: Proposed Water Budget FY2022/2023 in the amount of 1,454,393.00
 - 3) Review, Discussion, and/or Action and/or Vote: Proposed Sewer Budget FY2022/2023 in the amount of \$905,933.00

The Town Council Adjourns from sitting as the Board of Water and Sewer Commissioners

V. OPEN FORUM

Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council. Note: Section 42-46-6 of the Open Meetings Act and Department of the Attorney General Advisory Opinions relevant to this item on any public body meeting agenda specifically prohibit the Town Council from discussing, considering, or acting on any topic, statement or question presented. The Town Council may, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting.

- A) Scheduled request to address
- B) Non-scheduled request to address

VI. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, PRESENTATIONS, RESOLUTIONS, AND PROCLAMATIONS

- A) None

VII. PUBLIC HEARINGS, LICENSES, AND PERMITS

The Town Council will review each license application and vote on it individually. 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.

- A) **Town Council Sitting as the Alcoholic Beverage Licensing Board.**
 - 1) The Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956, and as amended, the following license application has been received under said Act for a one-day license(s) on the following dates: **July 14th, August 11th, October 13th, November 10th, and December 8th**, 5:00 p.m. to 8:00 p.m. at the Jamestown Arts Center:

CLASS F (NON-PROFIT)

Jamestown Arts Center
18 Valley Street
Jamestown, RI 02835

- a) Review, Discussion, and/or Action and/or Vote for Approval of the **CLASS F (NON-PROFIT) LIQUOR LICENSE**
- 2) The Town Council of the Town of Jamestown, being the Licensing Board in said Town as provided under Title 3, Pursuant to Title 3 Chapter 7 of the General Laws of Rhode Island 1956, and as amended, the following license application has been received under said Act for a one-day license on July 19, 2022, 11:00 a.m. to 3:00 p.m. at the Fort Getty Pavilion:

CLASS F (NON-PROFIT)

Rhode Island Police Chiefs
250 Conanicus Avenue
Jamestown, RI 02835

- a) Review, Discussion, and/or Action and/or Vote for Approval of the **CLASS F (NON-PROFIT) LIQUOR LICENSE**

The Town Council Adjourns from sitting as the Alcoholic Beverage Licensing Board

B) **Licenses and Permits**

- 1) **Vendor/Peddler One-Day License:** All One-Day Vendor/Peddler license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:
 - a) Applicant: Jamestown Chamber of Commerce
Date: July 3, 2022, 3 p.m.- 10 p.m.
Location: Jamestown Village
- 2) **One Day Event/Entertainment License:** All One-Day Entertainment license application approvals are subject to any COVID-19 protocols in effect at the time of the event; Review, Discussion, and/or Take Action and/or Vote for the following:
 - a) Applicant: Jamestown Arts Center
Event: Gallery Night(s)
Date(s): July 14th, August 11th, October 13th,
November 11th, December 8th, 2022
Time: 6:00 p.m. – 8:30 p.m.
Location: Jamestown Arts Center
 - b) Applicant: St. Matthew’s Church
Event: St. Matthew’s Church Summer Fair
Date: Saturday, July 16, 2022, 9 a.m – 1:00 p.m.
Location: 87 Narragansett Avenue
 - c) Applicant: Jamestown Yacht Club
Event: Fool’s Rules Regatta
Date: Saturday, August 6, 2022
Location: East Ferry Beach
 - d) Applicant: Gray Matter Marketing/RITB Foundation
Event: Citizen’s Pell Bridge Run
Date: October 16, 2022, 5 a.m – 7:45 a..m.
Location: RITBA – 1 East Shore Road

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

Please Note the Following Items are Status Reports and Matters of Interest to the Council and are for Informational Purposes unless Indicated Otherwise:

- A) Town Administrator’s Report: Jamie A. Hainsworth
 - 1) Beavertail State Park Master Plan Stakeholder Meeting
 - 2) Jamestown Housing Authority Request Funds to replace the heating system
 - 3) Full Revaluation of Property Update
 - 4) Streetlight Replacement Project
 - 5) Gould Island Committee Update
 - 6) Jamestown Library Renovation Project
 - 7) Zoning Ordinance Revisions, update
 - 8) Covid 19 Testing update
- B) Parks and Recreation Director’s Report: Ray DeFalco

UNFINISHED BUSINESS

- A) Review, Discussion, and/or Action and/or Vote: Lease agreement between the Town of Jamestown and Conanicut Island Sailing Foundation
 - 1) Memorandum from Office of the Town Planner Bryer, recommendation by Town Staff and Draft lease agreement
- B) Review, Discussion, and/or Action and/or Vote: Ferry Landing Improvement Project
 - 1) Memorandum from Public Works Director Gray, recommendations for Ferry Landing Improvement Project
 - 2) CMS Master Plan Proposal for shared use

IX. NEW BUSINESS

- A) Review, Discussion, and/or Action and/or Vote: Marijuana public use and sales law.
 - 1) Consideration of a resolution to opt-out of retail sales of marijuana
 - a) RI Cannabis Control Act 2022: Review, Discussion, and/or Action and/or Vote:
(Shall new cannabis-related licenses for businesses involved in the cultivation, manufacture, laboratory testing, and for the retail sale of adult recreational use cannabis be issued in the Town of Jamestown?)
 - b) Municipal Guide to Initial Implementation of the Rhode Island Cannabis Act
 - c) Rhode Island League of Cities and Towns, Governor's FY 2023 Budget Proposal & Municipal Impacts
 - 2) Consideration by the Town Council to enact an ordinance prohibiting public use of marijuana
 - a) Reference ordinance: City of Lowell, MA Municipal code: §222-19. Consumption of marijuana in public prohibited
- B) Review, Discussion, and/or Action and/or Vote: At the request of Vice President Meagher request of Jean and Jerry McDonough to restore and clean the graves at the cemetery at the four corners (Artillery Park /Churchyard Cemetery).
- C) Review, Discussion, and/or Action and/or Vote: Administrative Subdivision of the application of Palo Alto LLC, to move lot lines between Plat 2 Lots 234 and 302 subject to conditions
 - 1) Jamestown Planning Commission findings and conditional approval letter
 - 2) Draft Maintenance Agreement

X. ORDINANCES, APPOINTMENTS, VACANCIES, AND EXPIRING TERMS

- A) Ordinances; Discussion and Possible Action to ***Order to Advertise*** in the Jamestown Press; Notice of a Public Hearing for Proposed Amendments to the Code of Ordinances, Chapter 10, Animals, Article I -In General; Sections 1-2; Article III Dogs and Cats, Section 10-73. These Amendments are proposed to update and modernize the existing Dog Leash and Dog At Large ordinance

- B) Ordinances; Discussion and Possible Action to **Order to Advertise** in the Jamestown Press; Notice of a Public Hearing for Proposed Amendments to the Code of Ordinances, Chapter 82, Zoning Ordinance, Sections 103, 178, 301; Article VII Commercial Services, B. Personal services, 8 Pet Grooming.
- C) Appointments, Vacancies, and Expiring Terms; Review, Discussion, and/or Action and/or Vote:
 - 1) Jamestown Bike Committee
 - a) Letter of Interest for appointment
 - i) James Schewe
 - ii) Jeremy Collie
 - iii) Steve Engberg
 - iv) John Hammel
 - v) Michael Hill
 - vi) Richard Smith
 - vii) Jonathan Valente

XI. 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 the approval of each item as if it had been acted upon separately for review, discussion, and/or potential action and/or vote. A Consent Agenda item or items may be removed by the Town Council for review, discussion, and/or potential action and or vote.

- A) Minutes of Boards/Commissions/Committees
 - 1) Affordable Housing Committee (April 12, 2022)
 - 2) Planning Commission (April 20, 2022)
 - 3) Planning Commission (May 4, 2022)
 - 4) Planning Commission (May 18, 2022)
 - 5) Zoning Board of Review (April 26, 2022)

- B) Tax Assessor’s Abatements and Addenda of Taxes

MOTOR VEHICLE ABATEMENTS TO THE 2021 TAX ROLL		
01-0005-44M	SOLDIER & SAILOR EXEMPT	\$ 89.01
19-1623-01M	CAR TOTALED OR STOLEN	\$ 55.13
TOTAL ABATEMENTS TO 2021 TAX ROLL		\$144.14
TOTAL ADDENDA TO 2021 TAX ROLL		\$ 0.00
GRAND TOTAL		\$144.14

- C) Town of Jamestown as an abutter. Town property: Plat 9, Lot 34
Application of Laura Carlson (Michael McQuade, owner), whose property is located at 5 Clarke St., and further identified as Assessor's Plat 9, Lot 105 for an appeal of Zoning Officer Determination Article 3, Section 82-301 use table 3-1, Section VII B.6 does not apply to dog grooming, and Article 5, Section 82-503(A) Appeal of Zoning Enforcement Officer. Said property is in a CD zone and contains 39,455 sq. ft
- D) Resolution of The Town Council Authorizing Issuance Of Up To \$400,000 In Bonds And/Or Notes For The Purchase Of Development Rights To Certain Farmland And Other Real Estate And Related Costs, No 2022-07
- E) Resolution of The Town Council Appropriating And Authorizing \$75,000 Emergency Grant To The Jamestown Housing Authority.
- F) Finance Director's Report: Budget to Actual General Fund as of May 31, 2022.
- G) Authorize Town Administrator Hainsworth to sign the Energy Agreement with Constellation:
 - 1) Energy Agreement with Constellation

XII. COMMUNICATIONS, PETITIONS, AND PROCLAMATIONS AND RESOLUTIONS FROM OTHER RHODE ISLAND CITIES AND TOWNS

The Council may acknowledge any of the listed Communications and Proclamations and Resolutions. Should any member wish to have a conversation on any of the matters, the item will be placed on a future agenda for review, discussion, and/or potential action and/or vote.

- A) Communications Received:
 - 1) Copy of Email to: Town Council
From: J. Christopher Powell
Dated: May 19, 2022
Re: Hot Dog Cart
 - 2) Copy of Email to: Town Council
From: J. Christopher Powell
Dated: May 21, 2022
Re: Dogs and wildlife
 - 3) Copy of Email to: Town Council
From: Bill Sokolowski
Dated: May 24, 2022
Re: Dog Ordinance Public Hearing
 - 4) Copy of Email to: Town Administrator Hainsworth
From: Brian Gardner
Dated: May 23, 2022
Re: Heads Beach signs forbidding dogs

- 5) Copy of Letter to: Town Council
From: Beth Herman and Michael Kazan
Dated: June 1, 2022
Re: Town Parcel on Coronado Street
- 6) Copy of Letter to: Town Council
From: Baxter Dansereau & Associates, LLP
Dated: June 8, 2022
Re: Annual Audit Engagement Letter
- 7) Copy of Letter to: Town Council President Beye
From: Rhode Island Conservation Commission
Dated: June 2, 2022
Re: Land and Water Conservation Summit

XIII. EXECUTIVE SESSION

The Town Council may seek to enter into Executive Session for review, discussion, and/or potential action and/or vote on the following:

- A) Review, Discussion, and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Collective Bargaining (NAGE 68 AND NAGE 69 tentative agreements as a result of contract negotiations). Included is the Finance Director's Fiscal Note
- B) Review, Discussion, and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (2) Pending or Potential Litigation in regards to police retiree benefits.
- C) Review, Discussion, and/or Action and/or Vote in Executive Session and/or open session pursuant to RIGL § 42-46-5(a) Subsection (1) Personnel, Non-Union Personnel Manual recommended salary adjustments including the Finance Director's Fiscal Note.

XIV. ADJOURNMENT OF EXECUTIVE SESSION

XV. ADJOURNMENT

Pursuant to RIGL § 42-46-6(c), Notice of this meeting shall be posted on the Secretary of State's website and at the Town Hall and the Jamestown Philomenian Library. Notice is also posted at the Jamestown Police Station and on the Internet at www.jamestownri.gov.

ALL NOTE: If communications assistance is needed or other accommodations to ensure equal participation, please call 1-800-745-5555, or contact the Town Clerk at 401-423-9800, via facsimile to 401-423-7230, or email to rfagan@jamestownri.net not less than three (3) business days prior to the meeting.

Posted on the RI Secretary of State website on June 17, 2022