



**NARRAGANSETT TOWN COUNCIL
REGULAR MEETING
AGENDA
OCTOBER 19, 2020
7:30 PM**

Narragansett Town Hall
25 Fifth Avenue
Narragansett, RI 02882
(401) 789-1044
www.narragansettri.gov

The Narragansett Town Council will conduct this meeting remotely.
No in-person attendance will be allowed.

**NARRAGANSETT
TOWN COUNCIL**

President

Matthew M. Mannix

President Pro Tem

Jill A. Lawler

Members

Richard M. Lema
Patrick W. Murray
Jesse Pugh

Town Manager

James R. Tierney

Town Clerk

Theresa C. Donovan, CMC

Town Solicitor

Mark A. Davis, Esq.

Please click the link below to join the webinar:

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Or Telephone dial:

833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 873 0100 8568

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Posted 10-15-2020

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

- June 15, 2020 Regular Meeting
- June 26, 2020 Public Hearing
- June 29, 2020 Special Meeting
- June 29, 2020 Executive Session
- July 6, 2020 Regular Meeting
- July 20, 2020 Regular Meeting
- July 27, 2020 Special Meeting

ANNOUNCEMENTS/PRESENTATIONS:

- [Codification](#) of 2012 Town Charter Amendments

PUBLIC HEARING/DECISION – 8:00 PM:

A [MOTION TO SCHEDULE](#) a public hearing on a request from Sally E. Lapidis (applicant) and JJP Properties LLC (owner) to amend the Comprehensive Plan's Text and Land Use Map for Assessor's Plat C, Lot 344-B (83 Narragansett Avenue) from medium residential land use district (R-10) to a commercial land use district (B-A)

- A MOTION TO REFER the application to the Planning Board for review and recommendation.

A [MOTION TO SCHEDULE](#) a public hearing on a request from Sally E. Lapidis (applicant) and JJP Properties LLC (owner) to amend the Zoning Map for Assessor's Plat C, Lot 344-B (83 Narragansett Avenue) from an R-10 Zoning District to a B-A Zoning District

- A MOTION TO REFER the application to the Planning Board for review and recommendation.

CONSENT AGENDA:

All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the Town Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

1. A [MOTION](#) TO APPROVE the list of Real Estate abatements in the amount of \$1,172.71 in a report dated October 7, 2020.
2. A [MOTION](#) TO APPROVE the services to upgrade and convert the existing Itron MV-RS (Multi-Vendor Reading System) water meter reading software to Itron FCS (Field Collection System) water meter reading software on the Water Department meter reading computer station and remote meter reading devices from Raybern Utility Solutions in the amount of \$7,017.00.
3. A [MOTION](#) TO APPROVE the installation of one (1) electric panel at Gazebo Park, to be completed by E.W. Audet & Sons, Inc., utilizing the General Electrical Services contract, in the amount of \$5,411.52.
4. A [MOTION](#) TO AWARD the contract for the Festival of Lights Holiday Fireworks Display to American Fireworks Display, LLC in the amount of \$3,998.00 and authorizes the Town Manager to sign the contract after review by the Town Solicitor.
5. A [MOTION](#) TO APPROVE the modifications to the Library restrooms and kitchen for continued operations during the COVID-19 pandemic. These

modifications include the purchase and installation of a water heater valve, touchless toilets, and touchless faucets from Atlantic Control Systems, Inc., in the amount of \$7,394.51.

OLD BUSINESS:

NEW BUSINESS:

POLICE DEPARTMENT

6. A [MOTION](#) TO READ, PASS AND ADOPT as a second reading an ordinance in amendment of Chapter 74 of the Code of Ordinances of the Town of Narragansett, Rhode Island entitled "Traffic and Vehicles".

FIRE DEPARTMENT

7. A [MOTION](#) TO READ, PASS AND ADOPT as a second reading an ordinance in amendment of Chapter 26 of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled "Fire Prevention and Protection".
8. A [MOTION](#) TO READ, PASS AND ADOPT as a second reading an ordinance in amendment of Chapter 10 – Buildings and Building Regulations, Article II entitled "Permit" within Section 10-32 entitled "Plan Review Fees (fire safety)" of the Code of Ordinances of the Town of Narragansett, Rhode Island.
9. A [MOTION](#) TO ACCEPT a reimbursable FY2020 Department of Homeland Security (DHS): Emergency Management Preparedness Grant (EMPG) in the amount of \$8,650.00 from the Rhode Island Emergency Management Agency and for the Town Manager to sign acceptance of said grant.

PUBLIC WORKS DEPARTMENT

10. A [MOTION](#) TO APPROVE the purchase and installation of touchless faucets and flush valves for all sinks and toilets located at the Narragansett Town Hall, The Towers and Narragansett DPW as an added safety protection against COVID-19 from Atlantic Control Systems, Inc. in the total amount of \$21,213.35.

PARKS AND RECREATION DEPARTMENT

11. A [MOTION](#) TO WAIVE the current policy and authorize the use of the General Construction Services contract with Abcore Restoration Company, Inc., for the second phase renovations to the Recreational Building at the Camp on Clark Road in the amount of \$78,640.00.
12. A [MOTION](#) TO APPROVE the Narragansett Historical Society request to amend the 25-year Windmill lease agreement and extend the improvement and occupancy clause by two years in item seven of the lease.

ENGINEERING DEPARTMENT

13. A [MOTION](#) TO AWARD the bid for Veterans' Memorial Park Landscape Improvements to the lowest bidder, Key Corporation, in the amount of \$190,684.00.

TOWN CLERK

14. A [MOTION](#) TO REFER a proposed amendment to the Conservation Easement on Plat K, Lot 460-8 (1034 Ocean Road) to the Planning Board and Town Solicitor for review and report.
15. A [MOTION](#) TO APPROVE the digital conversion of the Land Evidence Records beginning January 1, 1985 and working backward to be completed by Kofile Technologies Inc. in an amount not to exceed \$50,000.00.
16. A [MOTION](#) TO APPROVE a Victualling License application for Beverly Fournier dba Gansett Nutrition of Mariner Square at 140 Point Judith Road, Suite 39, Narragansett, RI, subject to local and state regulations.
17. A [MOTION](#) TO APPOINT/REAPPOINT four individuals to the Towers Committee.
18. A [MOTION](#) TO APPOINT/REAPPOINT three individuals to the Zoning and Platting Board.
19. A [MOTION](#) TO APPOINT/REAPPOINT five individuals to the Historic District Committee.
20. A [MOTION](#) TO APPOINT/REAPPOINT one individual to the Library Board of Trustees.

TOWN MANAGER

21. A [MOTION](#) TO ADOPT a resolution extending the existing Administrative Compensation Schedule for Fiscal Year 2020-2021, with no changes in the Schedule.
22. A [MOTION](#) TO INTRODUCE, READ, PASS AND ACCEPT as a first reading an ordinance in amendment of Chapter 14 of the Code of Ordinances of the Town of Narragansett, Rhode Island entitled "Businesses", specifically Sec. 14-521. - Fee.

TOWN COUNCIL

23. A [MOTION](#) TO CANCEL the regular Town Council Meeting scheduled for November 16, 2020 due to the Governor's Executive Order 20-82, which extends all Rhode Island Election Certifications up to 30 days.

OPEN FORUM/PUBLIC COMMENT:

Please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but are heard as requested.

EXECUTIVE SESSION:

ADJOURNMENT:

This meeting is being called in accordance with all of Governor Gina M. Raimondo's Executive Orders in effect at the time of agenda posting.

Note: Documentation (if any) for items listed on this Agenda is available for public inspection, a minimum of 24 hours prior to the meeting, at any time during regular business hours at Town Clerk's Office, 25 Fifth Avenue, Narragansett, RI 02882. Interpreters for the hearing impaired can be made available at any meeting provided a request is received a minimum of three (3) business days prior to said meeting.



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**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: _____

Amend No. _____

**Date Prepared: October 15, 2020
Council Meeting Date: October 19, 2020**

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Approval of Town Council Minutes

RECOMMENDATION:

That the Town Council approves the minutes from the following meeting:

- June 15, 2020 Regular Meeting
- June 26, 2020 Public Hearing
- June 29, 2020 Special Meeting
- June 29, 2020 Executive Session
- July 6, 2020 Regular Meeting
- July 15, 2020 Special Meeting
- July 20, 2020 Regular Meeting
- July 27, 2020 Public Hearing

SUMMARY:

Attached are the minutes as in accordance with state law. Executive Session minutes have been voted sealed.

ATTACHMENTS:

1. June 15, 2020 regular meeting minutes
2. June 26, 2020 public hearing minutes
3. June 29, 2020 special meeting minutes
4. July 6, 2020 regular meeting minutes
5. July 15, 2020 special meeting report
6. July 20, 2020 regular meeting minutes
7. July 27, 2020 public hearing minutes

NARRAGANSETT TOWN COUNCIL

REGULAR MEETING

JUNE 15, 2020 MINUTES

A Regular Meeting of the Town of Council of the Town of Narragansett was held on Monday, June 15, 2020 at 7:30 PM. In accordance with Governor Gina Raimondo’s Executive Orders, live participation of all members was accomplished via Zoom teleconference connection.

Present: Matthew M. Mannix, President
Jill A. Lawler, President Pro Tem
Richard Lema, Member
Patrick W. Murray, Member
Jesse Pugh, Member
James R. Tierney, Town Manager
Mark A. Davis, Esq., Town Solicitor
Andrew Berg, Esq., Assistant Town Solicitor

APPROVAL OF MINUTES:

Motion by Councilor Lawler, seconded by Councilor Lema to approve the minutes of the March 30, 2020 special meeting. So unanimously voted.

Motion by Councilor Lawler, seconded by Councilor Lema to approve the minutes of the April 29, 2020 consolidated special meeting. So unanimously voted.

CONSENT AGENDA: Motion by Councilor Lawler, seconded by Councilor Lema to approve the consent agenda as presented (3 items). So unanimously voted. The consent agenda consisted of:

1. A MOTION TO APPROVE the **waiver of interest** for taxpayers in accordance with Ordinance 2010-936, as detailed in a report dated June 3, 2020.
2. A MOTION TO APPROVE the 2020 **renewal applications** for Miscellaneous Licenses, Peddlers Licenses, Soldier and Sailor Peddler Licenses, Private Detective Licenses and Mobile Food Establishment Licenses, all subject to state and local regulations.
3. A MOTION TO APPROVE the purchase of **office partition panels** from Global Industrial in the amount of \$4,682.49.

OLD BUSINESS:

NEW BUSINESS:

FIRE DEPARTMENT

4. Motion by Councilor Lawler, seconded by Councilor Lema to approve the purchase of one (1) new 2021 custom built **Ferrara Pumper** from Ferrara Fire Apparatus, Inc. (thru

Bulldog Fire Apparatus, Inc.) in the total amount of \$598,000.00, using the HGACBuy Program. So unanimously voted.

BUILDING INSPECTION DEPARTMENT

5. Motion by Councilor Lawler, seconded by Councilor Lema to approve the contractual agreement between the Town of Narragansett and James Harris to perform **plumbing and mechanical inspections** for the Building Official's Office from July 1, 2020 to June 30, 2021. So unanimously voted.
6. Motion by Councilor Lawler, seconded by Councilor Lema to approve the contractual agreement between the Town of Narragansett and Anthony D. Wojcik to perform **electrical inspections** for the Building Official's Office from July 1, 2020 to June 30, 2021. So unanimously voted.

POLICE DEPARTMENT

7. Motion by Councilor Lawler, seconded by Councilor Lema to approve the Police Department's request to hire one new **Probationary Public Safety Dispatcher/Clerk**. So unanimously voted.

PARKS AND RECREATION DEPARTMENT

8. Motion by Councilor Lawler, seconded by Councilor Lema to approve the plumbing services and supplies for the installation of **hands-free sensors and valves** in the two (2) South Pavilion rest rooms of the Town Beach, to be completed by Stedman & Company Plumbing & Heating, Inc., in the amount of \$12,196.00. So unanimously voted.

ENGINEERING DEPARTMENT

9. Motion by Councilor Lawler, seconded by Councilor Lema to approve, ratify and confirm the **pavement restoration work** associated with various new water service installations and water main break repairs by George Sherman Sand & Gravel Co. Inc. in the amount of \$13,632.00. So unanimously voted.

FINANCE DIRECTOR

10. Motion by Councilor Lawler, seconded by Councilor Lema to approve the professional services contract with GZA GeoEnvironmental, Inc, and their partner iParametrics for **Disaster Recover Administrative Services** for Covid-19 in an amount not to exceed \$14,816.00 and authorizes the Town Manager to sign the contract after review by the Town Solicitor. So unanimously voted.

TOWN CLERK

11. Motion by Councilor Lawler, seconded by Councilor Lema to approve a **Victualling License** application for Bucktown Gansett LLC dba Dockside Provisions, 294 Great

Island Road, Narragansett, RI, subject to local and state regulations. So unanimously voted.

12. Motion by Councilor Lawler, seconded by Councilor Lema to approve a **Mobile Food Establishment License** application for Marc Mauricio dba The Cupcakory LLC, subject to local and state regulations. So unanimously voted.

TOWN MANAGER

13. Motion by Councilor Lawler, seconded by Councilor Lema to read, pass and adopt as a Second Reading the **Appropriation Ordinance** for the 2020-2021 Fiscal Year. Finance Director Christine Spagnoli identified four amendments resulting from the first reading: additional savings of \$26,831; replenished contingency fund now \$283,147; total operating budget total \$61,176,312; .3% increase over FY2020; 2.2% increase in the tax levy. Stanley Wojciechowski said the surplus should be reduced from \$7 million to \$5 million to effect a 0% tax increase. Mary Nadeau said the library budget should be reconsidered as it will not cover salaries. Catherine Celeberto questioned the school budget. Director Spagnoli said a third School Resource Officer was eliminated. Council President Mannix stated the school budget allocation increase had been reduced to 1% from 1.35%, with the total allocation being \$26,669,361. Suzan Amoruso asked that library funding be restored to the 2018 level. Dr. Albert Alba spoke in support of restoring library funding. Discussion ensued among Council members and Manager Tierney with regard to library operations and annual allocations. Motion approved with 4 in favor, Councilor Pugh opposed.

[The agenda was interrupted at this point for the scheduled public hearing matters at 8:22 PM.]

PUBLIC HEARING/DECISION – 8:00 PM:

Motion by Councilor Lawler, seconded by Councilor Lema to reschedule a public hearing on the issue of amending Narragansett's **Harbor Management Plan** addressing changes to the time frame for mooring field operations in the South Ferry, Anawan, and Harbor of Refuge fields to Monday, July 20, 2020 at 8:00 PM. So unanimously voted.

[Agenda resumed following public hearing matter at 8:24 PM.]

TOWN COUNCIL

14. A motion by Councilor Lawler, seconded by Councilor Lema to approve the **alterations to the Children's Room** for the reopening of the Maury Loontjens Memorial Library building in order to keep both library staff and users safe. The alterations would be completed by Abcore Reconstruction Company, Inc. in the amount of \$43,730 for FY2020. Councilor Pugh noted he sponsored this agenda item, the Library Director was not able to be present for the meeting, and the Purchasing Manager was not involved in the preparation of the agenda item. Consequently, the motion was withdrawn without further consideration.

15. Motion by Councilor Lawler, seconded by Councilor Lema to instruct the Town Solicitor to prepare/amend an ordinance or **ordinances governing student and other short-term rentals** in single-family neighborhoods, based on the R.I. Supreme Court's ruling in Federal Hill Capital, LLC v. City of Providence. Assistant Solicitor Berg said the Town had the option of adopting a new ordinance and or enforcing the existing ordinance and, with the recent decision, it would hold up to any Constitutional challenge. Councilor Lema said Providence's success was a victory for neighborhoods and should be mirrored (no more than 3 college students per dwelling). Councilor Murray said he supported enforcing existing legislation (limit of 4 unrelated people per dwelling). Councilor Pugh supported modeling Providence's ordinance. Councilor Lawler said URI had not been supportive in controlling students, and that she supported this ordinance. Council President Mannix said the Supreme Court held that quality of life could be protected in this way, and he supported an ordinance with a 3-student limit. He said this ordinance did not address other short-term rentals, and the Solicitor should address that as well. Dr. Alba, Stephen Ferrandi, Paul Ferrandi, Paul Zonfrillo, Harold Schofield and Catherine Celeberto spoke in favor of a new ordinance modeling that of Providence. Mr. Wojciechowski and Jeff Dentler said enforcement and policing issues needed to be addressed. Keith Carvalho and David Macca spoke in opposition, citing owner rights and tax burden issues. Motion to direct the Solicitors to prepare an ordinance to the effect of Providence's ordinance (3 college student limit) so unanimously voted.
16. Discussion regarding scheduling and rescheduling of upcoming public hearing(s) in light of the effect of the Rhode Island Supreme Court's ruling in Federal Hill Capital, LLC v. City of Providence on the Town of Narragansett's "four-unrelated" ordinance: Solicitor Berg said a court order currently prevents the Town from moving forward with bulk zoning amendment, unless the court grants relief. Mr. Wojciechowski said an unwelcoming message is being sent by the town. Mr. Schofield said summer rentals would not be affected by a 3-student limit ordinance. Mr. S. Ferrandi said the bulk zoning changes were still needed as an integral part of neighborhood relief. Arman Abraham asked the Council to be clear on rental limitations. Dr. Alba said he supported bulk zoning amendment. Motion by Councilor Lawler, seconded by Councilor Lema to request the Planning Board's recommendation on the **amendment of the Town's ordinances to reflect the 3-student limit** of Providence's ordinance and refer it to the June 29, 2020 agenda. So unanimously voted. Motion by Councilor Lawler, seconded by Councilor Lema to continue the public hearing regarding **bulk Zoning Ordinance amendment** from June 29 at 6:30 PM to July 20, 2020 at 8:00 PM. So unanimously voted.

TOWN SOLICITOR

17. Motion by Councilor Lawler, seconded by Councilor Lema to amend the existing **lease agreement** between the Town and DSM Pier Realty, LLC, subject to the execution of a settlement agreement between Love Your Library, Inc., Friends of the Narragansett Library, Inc., Susan Cicilline Buonanno, Winters B. Hames III, and Laurie Kelly (collectively "Plaintiffs") and DSM Pier Realty, LLC as it pertains solely to DSM Pier Realty, LLC as a defendant and/or the Court's consent/order. Solicitor Davis said there was conflicting information about an agreement between the parties and, therefore, he

recommended the Council not take action unless and until a fully signed agreement was presented. The motion was withdrawn without consideration.

OPEN FORUM/PUBLIC COMMENT:

Please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but are heard as requested.

Mary Nadeau said the Council must consider the best interests of the town, not individual businesses in the Pier area.

Mr. Wojciechowski said everything related to the library and perhaps the community center should be placed on hold during the pandemic.

Nancy DeNuccio said the court recently ruled in favor of a voter initiative, so volunteers would be collecting signatures on the related petition at various locations.

Jeff Dentler said Pier Liquors might be in a position to have to move or close, due to unprecedented circumstances.

Dr. Alba said library building should commence, and beach congestion needed to be monitored.

Mr. Schofield said Pier Liquors was wedged in the library quagmire and he encouraged the parties to settle. He said the 4-unrelated ordinance could now be enforced.

Laurie Kelly said the Town Charter allows funding allocation to the school and library, with those agencies controlling their budgets. She said it was reprehensible to continually call out one person's salary and healthcare benefits. She said library donations were comingled in an account with taxpayer funding. She said the Town's allocation was \$841,000 for years, but has now been reduced to \$400,000.

Ms. Nadeau said she supported Pier Liquors, but not at the library's expense.

Mr. Zonfrillo said there were no national standards for the size of libraries, and that the current pandemic could affect state funding, including that from OLIS.

Ms. Celeberto said the Council only appoints two members to the Pension Board. Referencing a recent court ruling overturning the Board's decision, she said the Town must appeal.

Margaret Rogers referred to adverse publicity and rulings against the Town.

Jennifer Armstrong spoke of safety issues at the beach and conflict resolution.

Ms. Amoruso referred to national recognition for the library staff.

Ms. Nadeau said the Tiverton library cost \$12 – 15 million about 5 years ago.

Councilor Pugh said he supported a long-term lease for Pier Liquors, and wanted them to be secure in their space without cutting into the library space. He noted a peaceful protest organized

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by two young people for Black Lives Matter was conducted on June 7 and was well attended.

Councilor Murray said the Belmont location was vetted and determined to be a perfect location for the library. He said he never wanted Pier Liquors to move from their current location.

ADJOURNMENT: There being no further business before the Council, motion by Councilor Lawler, seconded by Councilor Lema to adjourn at 11:00 PM. So unanimously voted.

Attest:



Theresa C. Donovan, CMC
Council Clerk

Minutes Accepted as Amended/Presented:

Theresa C. Donovan, CMC
Council Clerk

A digital format has been made a part of the record for a complete account of the Council meeting.

<https://www.youtube.com/watch?v=LxQg6HOAT4E&list=UUaXrjLKjolyaFtqVXBLwEfg&index=14>

NARRAGANSETT TOWN COUNCIL

PUBLIC HEARING

JUNE 26, 2020 MINUTES

A Public Hearing of the Town Council of the Town of Narragansett was held on Friday, June 26, 2020 at 12:00 PM. In accordance with Governor Gina Raimondo's Executive Orders, live participation of all members was accomplished via Zoom teleconference connection.

Present: Jill A. Lawler, President Pro Tem
Richard Lema, Member
Patrick W. Murray, Member
Jesse Pugh, Member [arrived at 12:12 PM]
James R. Tierney, Town Manager
Mark A. Davis, Town Solicitor

Absent: Matthew M. Mannix, President

Council President Pro Tem Lawler called the meeting to order at 12:01 PM and led those in attendance in Pledging Allegiance to the Flag.

PUBLIC HEARING/DECISION

Motion by Councilor Lema, seconded by Councilor Murray to open a public hearing at 12:02 PM on the application of **Captain's Deck LLC, dba Captain's Deck** for a new Class B-Victualler Alcoholic Beverage License at Assessor's Plat I-G, Lot 243-S, 33 State Street, Narragansett, RI. So unanimously voted (3 – 0).

John Kenyon, Esq., attorney for the applicant, said the property is owned by the State of Rhode Island and is leased to Miss Frances Inc. (Frank and Christine Blount). Restaurants with liquor licenses have operated at that location for many years, but it has been vacant since 2016 and the license has not been renewed. If the license is approved, the premises would be sublet to Captain's Deck LLC (Marc Alderucci) who is planning substantial renovation. The building is surrounded by parking areas; there are no churches, schools or residential uses in close proximity. Mr. Alderucci has experience operating restaurants.

Applicant Marc Alderucci of 377 Thompson Street, South Glastonbury, CT was sworn in by Solicitor Davis and testified that he has operated eight restaurants in Connecticut over the years with no violations. He described his renovation and operation plans.

Mr. Kenyon said prior licenses at that location were limited to ending liquor service at 12:30 AM and indoor-only music.

[Councilor Pugh joined the meeting at 12:12 PM.]

Councilor Murray said he had listed the property for lease and was paid for his services in February, when his contract ended, and has had no further commitment to the lessee or lessor.

Clerk Donovan described the Council imposed conditions of the liquor license last held at that location:

- a) Closing time will be 12:30 AM.
- b) Live entertainment is limited to the inside of the restaurant and will not be allowed on the outside deck.
- c) All windows and doors on the water side of the restaurant be closed at 10:00 PM on evenings when there is musical entertainment.

Mr. Kenyon said the applicant would like outside acoustic music during the day. Mr. Alderucci requested outdoor entertainment until dusk.

There was no one present on the call requesting to testify in favor of or in opposition to the application.

Motion by Councilor Lema, seconded by Councilor Murray to close the public hearing at 12:23 PM. So voted by 3 in favor, Councilor Murray recusing.

Motion by Councilor Lema, seconded by Councilor Pugh to grant a new Class B-Victualler alcoholic beverage license at Assessor's Plat I-G, Lot 243-S (33 State Street) to Captain's Deck LLC, dba Captain's Deck, with the following conditions:

- a) Closing time will be 12:30 AM.
- b) Live entertainment will be allowed on the outside deck, limited to an acoustic guitar until 7:30 PM.
- c) All windows and doors on the water side of the restaurant be closed at 10:00 PM on evenings when there is musical entertainment indoors.

So voted by 3 in favor, Councilor Murray recusing.

ADJOURNMENT Motion by Councilor Lema, seconded by Councilor Murray to adjourn at 12:25 PM. So unanimously voted.

(Reference is made to the stenographer's transcript for verbatim record.)

ATTEST:



Theresa C. Donovan, CMC
Council Clerk

MINUTES ACCEPTED AS
PRESENTED/AMENDED

Theresa C. Donovan, CMC
Council Clerk

NARRAGANSETT TOWN COUNCIL

SPECIAL MEETING

JUNE 29, 2020 MINUTES

A Special Meeting of the Town of Council of the Town of Narragansett was held on Monday, June 29, 2020 at 6:30 PM. In accordance with Governor Gina Raimondo's Executive Orders, live participation of all members was accomplished via Zoom teleconference connection.

Present: Matthew M. Mannix, President
Jill A. Lawler, President Pro Tem
Richard Lema, Member
Patrick W. Murray, Member
Jesse Pugh, Member
James R. Tierney, Town Manager
Mark A. Davis, Esq., Town Solicitor
Andrew Berg, Esq., Assistant Town Solicitor

NEW BUSINESS:

1. Motion by Councilor Lawler, seconded by Councilor Lema to refer to the Planning Board for review and recommendation a proposed **amendment to the zoning ordinances** prohibiting more than three college students from occupying a dwelling. Assistant Solicitor Berg reviewed the draft amendment to Sections 2.2 and 7 of the Zoning Ordinance that he prepared at the Council's direction, modeled after Providence's ordinance. Comments were taken from Allie Hunt, Dr. Albert Alba, Catherine Celeberto, Denise Dezendorf, Jeff Dentler, Jay Rumas, Stephen Ferrandi, Harry Schofield, Tori Hunt, Sara benn, Robert Lefoley, Paul Zonfrillo, Susan Molica, Winters Hames III, Anthony Lupino and Donna Benson. Motion so unanimously voted.
2. Motion by Councilor Lawler, seconded by Councilor Lema to reconsider the November 18, 2019 vote amending restrictions on the Class A Alcoholic Beverage License for **Pier Liquors Inc. dba Pier Liquors**. Council President Mannix reviewed the history of this license's restrictions, renewal and purchase and sale agreement. He said the RI Attorney General issued a ruling on the Council's November 18, 2019 vote, with which the Council would comply. Solicitor Davis said the status of the purchase and sale agreement and related court ruling were independent matters, and not affected by amendment of restrictions. Motion so unanimously voted.
3. Motion by Councilor Lawler, seconded by Councilor Lema to renew the Class A Alcoholic Beverage License for **Pier Liquors Inc. dba Pier Liquors** through November 30, 2020 and remove the restriction on transfer of ownership. Solicitor Davis said, to his knowledge, ownership of all other Narragansett liquor licenses can be transferred. He said he was not sure of the motive or logic when this condition was originally imposed. Dr. Alba said all businesses should be treated equally. Laurie Kelly said Pier Liquors should be allowed to move and/or transfer the license, but should be tabled for now. Mr. Hames said the restrictions were initially put in place to keep liquor stores separate from

15. Motion by Councilor Lema, seconded by Councilor Pugh to approve the renewal of the annual **VOIP phone system hardware support and maintenance agreement** with Carousel Industries, Inc., in the amount of \$10,578.44 for Fiscal Year 2021 and authorizes the Town Manager to sign the agreement, after review by the Town Solicitor. So unanimously voted.

PARKS AND RECREATION DEPARTMENT

16. Motion by Councilor Lema, seconded by Councilor Pugh to approve the **“Five Year Use Agreement”** between the Narragansett Little League and the Parks and Recreation Department starting April 1, 2020 and ending October 31st 2024 and authorize the Town Manager to sign it. So unanimously voted.
17. Motion by Councilor Lema, seconded by Councilor Pugh to approve the Boston Chapter of BMW CCA Rhode Island Group’s request for a **Show & Shine Car Show** at Veterans Memorial Park on Sunday, August 23, 2020, subject to state and local laws. So unanimously voted.

COMMUNITY DEVELOPMENT DEPARTMENT

18. Motion by Councilor Lema, seconded by Councilor Murray to approve a request from MSJS QOF I LLC to amend a utility easement on Plat K, Lot 460-D. Director DeLuca said the Planning Board had reviewed the request and recommended approval. John McGreen, Esq. (representing MSJS QOF I LLC) explained the need for the easement amendment, and said the only property affected would be the subject lot. Realignment of the cul de sac in 2004 created the deed for the easement relocation. Motion so unanimously voted.

TOWN CLERK DEPARTMENT

19. Motion by Councilor Lema, seconded by Councilor Pugh to approve a Mobile Food Establishment License application for Peter Embury dba Pasta Pete Food Trucks, subject to local and state regulations. So unanimously voted.

TOWN COUNCIL

20. Motion by Councilor Pugh, seconded by Councilor Murray to approve the Children’s Room alterations for the reopening of the Maury Loontjens Memorial Library to be completed by Abcore Restoration Company, Inc. in the amount of \$43,730.00. Councilor Pugh said these alterations were per OLIS’ recommendations. Finance Director Christine Spagnoli said it could be reviewed for FEMA reimbursement. Library Board of Trustees Chair Laurie Kelly said the alterations included changing traffic flow within the library and adding tempered glass sneeze guards. Councilor Lema said he would like to see an RFP for continued use and possible expansion of the building instead of spending \$43,730 on one project. Chair Kelly said alternatives had been reviewed, including architectural cost estimates, and the current site would cost \$2 million more than moving to the Belmont building, and there would be insufficient parking. Councilor Murray said he did not think he could support the alterations without seeing a plan. Councilor Lawler agreed an RFP was needed to be sure all needs were being met. Comments were made

NARRAGANSETT TOWN COUNCIL

SPECIAL MEETING

JULY 15, 2020

A Special Meeting of the Town of Council of the Town of Narragansett was scheduled for Wednesday, July 15, 2020 at 4:15 PM on-site at the Maury Loontjens Memorial Library, 3 Kingstown Road, Narragansett.

No quorum was achieved. Therefore, no meeting took place.

20. Motion by Councilor Lawler, seconded by Councilor Lema to approve the purchase of three (3) new 2020 Ford **Police Utility AWD vehicles** from Colonial Municipal Group, in the amount of \$103,534.80. So unanimously voted.

TOWN CLERK

21. Motion by Councilor Lawler, seconded by Councilor Lema to approve a **Mobile Food Establishment License** application for Linnette Lopez Torres dba Helado Taiyaki, subject to local and state regulations. So unanimously voted.

TOWN COUNCIL

22. Motion by Councilor Lawler, seconded by Councilor Lema to allow the Coast Guard House Restaurant to use **The Towers**, at no cost, to conduct dinners twice a week during July and August, with the concept being one seating for no more than 25-30 guests. Motion by Councilor Lawler, seconded by Councilor Murray to amend the motion to allow any Narragansett restaurant to use The Towers for the reasons stated, with the same conditions. So voted by 4 in favor, Council President Mannix abstaining. Main motion, as amended, so unanimously voted.

TOWN MANAGER

23. Motion by Councilor Lawler, seconded by Councilor Lema to approve, ratify and confirm the enactment of an **emergency order** issued by the Town Manager designating all “No Parking” zones as “Tow Away Zones”. So unanimously voted.

OPEN FORUM/PUBLIC COMMENT:

Please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but are heard as requested.

Casey Montanari stated her opposition to closing a portion of Boon Street for expansion of outdoor dining.

Stanley Wojciechowski said the new library should be financed by donations, not tax dollars.

Motion by Councilor Pugh, seconded by Councilor Murray at 11:00 PM to extend the meeting by 15 minutes. So unanimously voted.

Dr. Albert Alba spoke in support of a new library.

Edward “Ted” DiStefano spoke about the response from RI Supreme Court’s attorney disciplinary board to his complaint against Council President Mannix.

Margaret “Peg” Fradette referred to the Boon Street issue as an idea to assist businesses, and not yet a plan.

NARRAGANSETT TOWN COUNCIL

PUBLIC HEARING

JULY 27, 2020 MINUTES

A Public Hearing of the Town Council of the Town of Narragansett was held on Monday, July 27, 2020 at 1:00 PM. In accordance with Governor Gina Raimondo's Executive Orders, live participation of all members was accomplished via Zoom teleconference connection.

Present: Jill A. Lawler, President Pro Tem
Richard Lema, Member
Patrick W. Murray, Member
Jesse Pugh, Member
James R. Tierney, Town Manager
Mark A. Davis, Town Solicitor

Absent: Matthew M. Mannix, President

Council President Pro Tem Lawler called the meeting to order at 1:05 PM and led those in attendance in Pledging Allegiance to the Flag.

PUBLIC HEARING/DECISION

Motion by Councilor Lema, seconded by Councilor Pugh to open and hold a public hearing at 1:02 PM on the application of Monahan's Restaurant, Inc. dba Monahan's Clam Shack, Matthew Combs, President, for a new Class B-Victualler Limited Alcoholic Beverage License at Assessor's Plat E, Lot 150, 190 Ocean Road, Narragansett, RI. So unanimously voted.

Matthew Landry, Esq. (attorney for applicant) said his client had received a zoning permit to serve beer and wine at the restaurant. The owners are all Narragansett residents. All necessary paperwork has been filed and abutters were notified of the hearing.

Matthew Combs (owner) was sworn in by Solicitor Davis. He testified as to their process of obtaining zoning permission, and preparing for obtaining a liquor license. He said customers would be served at tables by wait staff. Service area signs would be prominently posted. Responding to Council questions, he said he requested service being allowed until 10:00 PM, noted customers would not be allowed to order alcoholic beverages at the window, that service would be at tables and only in conjunction with food, and there would be no expansion of seating (currently 96 seats).

Chief of Police Sean Corrigan testified that he had personally visited the site and said he had no objections. He said the owners were conscientious. He said emergency access is always a concern in congested areas, but he saw no additional issues with this application.

Dr. Albert Alba was sworn in by Solicitor Davis. He testified that Monahan's was a good neighbor with conscientious owners that hired local workers.

Kristen Connell was sworn in by Solicitor Davis. She testified in support of the application, as a neighbor that recognized the business as a great local employer owned by residents that maintain their property well.

Stephen Clegg was sworn in by Solicitor Davis. He testified in support of the application, stating the owners are invested in the community.

Clerk Donovan noted two communications (Paul Hermenze and RI Department of Environmental Management) had been received and forwarded to Council members.

There was no one else wishing to speak in favor or in opposition to the application.

Motion by Councilor Lema, seconded by Councilor Murray to close the public hearing at 1:31 PM. So unanimously voted.

Motion by Councilor Lema, seconded by Councilor Pugh to grant a new Class B-Victualler Limited alcoholic beverage license at Assessor's Plat E, Lot 150 (190 Ocean Road) to Monahan's Restaurant, Inc. dba Monahan's Clam Shack, subject to state and local regulations, including the conditions specified in the special use permit granted by the Zoning Board of Review, dated June 24, 2020. Clerk Donovan clarified that the Council was not restricting closing time or hours of service of alcohol, and Council confirmed. Motion so unanimously voted.

ADJOURNMENT Motion by Councilor Lema, seconded by Councilor Pugh to adjourn at 1:34 PM. So unanimously voted.

(Reference is made to the stenographer's transcript for verbatim record.)

ATTEST:

MINUTES ACCEPTED AS
PRESENTED/AMENDED



Theresa C. Donovan, CMC
Council Clerk

Theresa C. Donovan, CMC
Council Clerk

A digital format has been made a part of the record for a complete account of the Council meeting.
<https://www.youtube.com/watch?v=9uhkxYszXjU&list=UUaXrjLKjolyaFtqVXBLwEfg&index=9>

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: _____
Amend No. _____

Date Prepared: October 15, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Codification of 2012 Town Charter Amendments

PRESENTATION:

In 2012, the voters of Narragansett approved eight local questions amending the Town Charter. These amendments were not codified in the aftermath of that election.

The attached documents include the eight questions (Questions #9 through #16) approved in 2012, as well as the newly amended versions of each of the Charter sections that were changed by these questions.

Question #12 is not included in this presentation because it calls for a new Article 10, and that codification will require more staff time to complete.

ATTACHMENTS:

1. Copy of November 6, 2012 ballot including Local Questions 9 through 16
2. Charter sections with corresponding amendments

Precinct ID 2001
 Congressional District 2
 Senate District 35
 Representative District 33
 Voting District 1

MAIL VOTER

Ballot 2

**OFFICIAL ELECTION BALLOT
 STATE OF RHODE ISLAND
 TOWN OF NARRAGANSETT
 TUESDAY, NOVEMBER 6, 2012**



128

198

To Vote: Complete the arrow(s) ← pointing to your choice(s) with a single bold line, like this ←

LOCAL QUESTIONS

8.
FINANCE THE IMPROVEMENT, REPLACEMENT, CONSTRUCTION, RENOVATION, REPAIR, RECONSTRUCTION AND/OR RESTORATION OF ROADWAYS, SIDEWALKS AND STORM DRAINS IN THE TOWN OF NARRAGANSETT AND TO ISSUE NOT MORE THAN \$17,000,000 BONDS AND NOTES
 (Chapter 323 - Public Laws of 2012)

"Shall an act, passed at the 2012 session of the General Assembly, entitled 'AN ACT AUTHORIZING THE TOWN OF NARRAGANSETT TO FINANCE THE IMPROVEMENT, REPLACEMENT, CONSTRUCTION, RENOVATION, REPAIR, RECONSTRUCTION AND/OR RESTORATION OF ROADWAYS, SIDEWALKS AND STORM DRAINS IN THE TOWN OF NARRAGANSETT AND TO ISSUE NOT MORE THAN \$17,000,000 BONDS AND NOTES THEREFOR' be approved?"

Question 8 **APPROVE** ←

Question 8 **REJECT** ←

**QUESTIONS 9 - 16
 AMENDMENTS TO THE NARRAGANSETT HOME RULE CHARTER**
 (Resolution of the Town Council adopted 7-16-2012)

9.
**ARTICLE 2
 TOWN COUNCIL**

Shall Section 2-1-7 of the Home Rule Charter of the Town of Narragansett be amended to add an additional subsection granting the Town council the authority to organize and reorganize any departments or agencies created by the Charter?

Question 9 **APPROVE** ←

Question 9 **REJECT** ←

10.
**ARTICLE 4
 ELECTIONS**

Shall Section 4-1-2 of the Home Rule Charter of the Town of Narragansett entitled "Board of Canvassers" be amended to permit the appointment of alternate members by the Town Council?

Question 10 **APPROVE** ←

Question 10 **REJECT** ←

LOCAL QUESTIONS

11.
**ARTICLE 8
 FIRE DEPARTMENT**

Shall Chapter 3 of ARTICLE 8 of the Home Rule Charter of the Town of Narragansett entitled "Fire Department" be amended to modify Section 8-3-1 entitled "Organization" and eliminate Sections 8-3-4 entitled "Disciplinary Action" and 8-3-5 entitled "Cause for Removal of Disciplinary Action"?

Question 11 **APPROVE** ←

Question 11 **REJECT** ←

12.
**ARTICLE 10
 BOARDS & COMMISSIONS**

Shall the Home Rule Charter of the Town of Narragansett be amended to add a new Article 10 entitled "Boards and Commissions" which will provide consistent structure and organization for boards and commissions, establish term limits and allow for the appointment of alternate members to boards and commissions?

Question 12 **APPROVE** ←

Question 12 **REJECT** ←

13.
**ARTICLE 15
 INAUGURATION, SUCCESSION AND AMENDMENT TO CHARTER**

Shall Sections 1,2,3,4, and 5 of Chapter 2 of Article 15 of the Home Rule Charter of the Town of Narragansett entitled "Succession in Government" be deleted?

Question 13 **APPROVE** ←

Question 13 **REJECT** ←

14.
**ARTICLE 16
 CODE OF ETHICS**

Shall Article 16 of the Home Rule Charter entitled "Ethics" be amended to streamline and simplify its provisions, empower and require the Town Council to enact a Code of Ethics ordinance and create an enforcement mechanism?

Question 14 **APPROVE** ←

Question 14 **REJECT** ←

15.
 Shall the Home Rule Charter of the Town of Narragansett be amended to make the existence of the positions of Animal Control Officer, Town Sergeant, Purchasing Agent, Director of Public Works, Town Engineer, Director of Parks and Recreation and the departments of Public Works and Parks and Recreation optional?

Question 15 **APPROVE** ←

Question 15 **REJECT** ←

LOCAL QUESTIONS

16.
 Shall the Home Rule Charter of the Town of Narragansett be amended to adopt the language modernization changes, format changes and section numbering changes proposed by the Charter Review Commission and approved by the Town Council?

Question 16 **APPROVE** ←

Question 16 **REJECT** ←



2012 LOCAL QUESTION #9

Sec. 2-1-7. - Powers.

All legislative powers of the town shall be vested in the council except such powers as are or may be vested otherwise by the State Constitution, by this Charter, and by laws enacted by the General Assembly in conformity with the powers reserved to the General Assembly. The council may enact and amend ordinances relating to the town's property, affairs and government not inconsistent with the State Constitution and laws enacted by the General Assembly in conformity with the powers reserved to the General Assembly. The council shall have under this Charter, and may exercise all such additional powers and authority as are consistent with this Charter and have been granted or may hereafter be granted to it under the Constitution or laws of the state. The council, by ordinance, may assign additional functions or duties to employees, departments or agencies established by or under this Charter. The council has the authority to organize/reorganize from time to time any department or agency established by the Charter, and to establish or alter divisions within any department in order to promote efficiency and economy of operations. Without limiting the generality of the foregoing, the council shall have and exercise the following specific powers, subject to the provisions of this Charter and all applicable provisions of general and special laws:

- a. To enact, amend, or repeal as hereinafter provided ordinances and resolutions for the preservation of the public peace, health, safety, and welfare of the inhabitants of the town and for the protection of persons and property. The council may provide reasonable penalties for the violations of any ordinance.
- b. To amend, after notice as prescribed by statute and public hearing, the zoning ordinance.
- c. To adopt rules governing the condition of its meetings and to appoint regular, standing or special committees. To keep a journal of its meetings and such journal shall be open to the public.
- d. To appoint or remove the town manager.
- e. To authorize the issuance of notices by ordinance.
- f. To have the powers and authority conferred upon it by the general laws and applicable special laws concerning the speed, management and control of all vessels on the public waters within the confines of the Town of Narragansett, and to regulate the size, type, location and use of all town owned anchorages and town owned moorings, and collection of fees for the same, within the waters or harbors of the town; provided, nevertheless, that the harbormaster shall be appointed pursuant to section 3-1-2a. of this Charter.
- g. To fix the amount of official bonds of all employees of the town, who in its opinion should be bonded, the premium on such bonds to be paid by the town.
- h. To provide for the audit at any time of the accounts of the town or any of its departments and to provide for an annual audit as hereinafter prescribed in article 6, chapter 2, section 7 of this Charter.

- i. To investigate the conduct of any employees, departments, or agencies of the town government and in furtherance thereof to subpoena witnesses, administer oaths, and compel the production of books, records, and other data to be used as evidence therein.
- j. To adopt a personnel ordinance which shall include the table of organization and job description for all municipal employees, not inconsistent with applicable general or special laws or the provisions of this Charter.
- k. To determine by resolution the compensation of the town manager and the compensation of all agents and employees of the town, except the employees of the school department.
- l. For all positions created by the Charter which require appointment by the Town Manager, the appointment shall be done with the advice and consent of the town council.
- m. To establish by ordinance a policy of competitive bidding for purchases and contracts.
- n. The town council from time to time, when necessary, shall establish boards, commissions, and committees to support, do research, and assist in appropriate ways, the town council on behalf of the town's business. The town council shall be responsible for formulating the policy, procedure, and implementation of such, for appointment to boards, commissions, and committees. Such policy shall include public notice for any vacancy and criteria for removal of appointees.

2012 LOCAL QUESTION #10

Sec. 4-1-2. - Board of canvassers.

The town council shall appoint a board of canvassers of three (3) qualified electors of the town, not more than one (1) of whom shall belong to the same political party, and may appoint two (2) alternate members, not more than one of whom shall belong to the same political party. At any meeting of the canvassing authority at which a member is to be absent, the member may request that an alternate replace him or her for that meeting; provided, that the alternate member must be of the same political party as the member. It is the intent of the town that the board of canvassers be a board on which all qualified electors of the town, regardless of their political affiliation or the lack thereof, will be eligible to serve. The town council, in making the appointments, shall strive to select a board whose membership shall be representative of all citizens of the town and of their diverse points of view. The board of canvassers shall be vested with all the powers and duties now or hereafter vested by law in the board of canvassers of the town. All members of said board now in office shall continue in said positions as members thereof until the expiration of the terms for which respectively they were chosen.

2012 LOCAL QUESTION #11

CHAPTER 3. - FIRE DEPARTMENT

Sec. 8-3-1. - Organization.

There may be a fire department, the head of which shall be a fire chief, who shall be appointed by the town manager. In addition to said fire chief, there may be such other subordinate officers and members of such ranks and grades as shall from time to time be determined by the council. Said chief, subordinate officers and the members of the fire department shall constitute the permanent fire department of the town. In addition to said permanent fire department there may be such volunteer and call firemen as shall be determined by the council upon recommendation of the director of public safety and the fire chief. Said department may be organized into such divisions as shall be from time to time required by the council.

Sec. 8-3-2. - Appointment of the fire chief.

The fire chief shall have at least five (5) years' experience above the rank of private in any organized permanent fire department, and have expertise in the organization, administration, management and direction of fire personnel and shall possess such other qualifications as the council may prescribe by ordinance.

Sec. 8-3-3. - Appointment, promotion and discipline of subordinate officers and members.

All permanent members of the fire department below the rank of chief shall be appointed or promoted, as the case may be, by the fire chief with the approval of the director of public safety provided that said member shall have satisfactorily passed such qualifying tests as the council shall have prescribed by ordinance. The fire chief shall be responsible for all disciplinary matters subject to the approval of the director of public safety.

~~Sec. 8-3-4. - Disciplinary action.~~

~~The director of public safety shall have the power to reduce in rank any member of the permanent fire department, below the rank of chief, for a period of not more than thirty (30) days calendar days for cause, provided, however, that in the case of any such reduction the same procedure shall be followed as in the case of removal or suspension of any municipal employee. The chief may discipline any member of the permanent fire department for cause, provided, however, that in the case of any such discipline the same procedure shall be followed as in the case of removal or suspension of any municipal employee.~~

~~Sec. 8-3-5. - Causes for removal or disciplinary action.~~

~~It shall be the duty of the director of public safety and the chief of the fire department to prepare rules and regulations for the conduct of all members of the department, including appropriate penalties for their violation which, when approved by the council by ordinance, shall have the force of law and shall be the basis for removals and suspensions and other disciplinary action as provided therein. Changes in such rules and regulations shall be made from time to time in the same manner.~~

Sec. 8-3-6 4. - Interference with fire chief.

No member of the council and no member of the administrative departments of the town shall interfere with or attempt to interfere directly or indirectly with the performance of duties by the fire chief, provided nevertheless, that nothing herein shall be construed to prevent the director of public safety from exercising the general supervision over the fire department and its affairs or to prevent the council from making an investigation of said department authorized by the provisions of this Charter.

2012 LOCAL QUESTION #13

ARTICLE 15. - INAUGURATION, ~~SUCCESSION~~ AND AMENDMENT TO CHARTER

CHAPTER 1. - INAUGURATION OF CHARTER GOVERNMENT

Sec. 15-1-1. - Effective date.

All of the provisions of this Charter which do not require validation by the General Assembly shall become effective on the first Monday following the certification by the board of canvassers of the adoption of this Charter by the qualified electors of the Town of Narragansett; and all employees, including the town manager, departments and agencies, shall be appointed and qualified pursuant to the provisions of this Charter as promptly as possible.

Sec. 15-1-2. - Transfer of appropriations.

The council shall have authority to make any changes or transfers in appropriations existing when this Charter takes effect which may be required for the operation of the town government under the provisions of this Charter.

Sec. 15-1-3. - Ordinances to implement Charter.

The town council shall proceed to enact or adopt as promptly as possible all ordinances, resolutions, rules and regulations which may be necessary to implement the provisions of this Charter.

Sec. 15-1-4. - Continuation of laws.

The laws of the state in their application shall continue in effect except insofar as they are inconsistent with the provisions of this Charter or any legally adopted ordinance of the town.

Sec. 15-1-5. - Continuance of ordinances.

All ordinances, resolutions, rules and regulations of the town in force at the time when this Charter takes effect, not inconsistent with this Charter, shall continue in force until amended or repealed.

Sec. 15-1-6. - Continuation of tax obligation.

All taxes levied or assessed by the town prior to the effective date of this Charter, which have not been collected by the town shall be collected with any interest and penalties thereon, by the town government hereby established, in accordance with law.

Sec. 15-1-7. - Pending actions and proceedings.

No action or proceedings, civil or criminal, in law or in equity, pending at the time when this Charter shall take effect, brought by or against the town, or any office, department or agency or officer thereof, shall be affected or abated by the adoption of this Charter or by anything in this Charter contained.

Sec. 15-1-8. - Continuation of agencies.

All commissions, boards, departments or employees, whether elective or appointive, shall continue in the performance of their powers, duties and functions until successors have been elected or appointed as provided by this Charter to perform their respective powers, duties and functions.

CHAPTER 2. --SUCCESSION IN GOVERNMENT

Sec. 15-2-1. -- Continuation of agencies.

All commissions, boards, departments or officers, whether elective or appointive, shall continue in the performance of their powers, duties and functions until successors have been elected or appointed as provided by this Charter to perform their respective powers, duties and functions. Notwithstanding the provisions hereof the town clerk, town moderator, town treasurer, town sergeant, highway surveyor, board of tax assessors, elected in 1966 shall serve the respective term for which they have been qualified and thereupon said elective offices shall be abolished.

Sec. 15-2-2. -- Agencies abolished.

The following departments, agencies, commissions, boards and offices are hereby abolished and the terms of office of each member thereof are hereby terminated; provided, however, that in order to facilitate an orderly transition in the town government they shall continue in office until the appointment and qualification of their respective successors as provided in this Charter: beach commission; planning board; budget committee; water commission and sewer commission.

Sec. 15-2-3. -- Continuation of present personnel.

All persons regularly employed in the services of the town at the effective date of this Charter, shall continue in such employment until promoted, demoted or removed in accordance with the provisions of this Charter. Those holding other positions shall retain their respective offices or positions and continue in the performance of their duties until provisions shall be made in accordance with the provisions of the Charter for the performance of such duties or the discontinuance of such position.

Sec. 15-2-4. -- Transfer of records and property.

All records, property and equipment of any office, department or agency, the powers and duties of which are assigned by or in accordance with this Charter to another office, department or agency, shall be transferred and delivered to the office, department or agency to which such powers and duties are so assigned. In the event of disagreement over the transfer of same, the town manager shall make the final decision.

Sec. 15-2-5. -- Continuance of contracts and obligations.

All contracts or obligations entered into by the town prior to the effective date of this Charter shall continue in full force and effect.

CHAPTER 2. -- AMENDMENT OF CHARTER

Sec. 15-2-1. - Amendment of Charter.

This Charter may be amended at any time, or a new Charter adopted in the manner provided by the State Constitution. Should two (2) or more amendments adopted at the same election having conflicting provisions, the one (1) receiving the largest affirmative vote shall prevail. The sections of any amendments in addition to this Charter shall be numbered by the town clerk and inserted in their appropriate places or added to the Charter.

Sec. 15-2-2. - Form of ballot.

It shall not be necessary for the full text of a Charter or amendments to a Charter to be printed upon the ballot. Any digest or description thereof or any question or statement which substantially expresses the purpose or identifies the subject matter to be voted upon shall be sufficient. When any question is to be submitted to the voters, the council shall approve the statement of the question as it shall appear on the ballot.

Sec. 15-2-3. - Partial invalidity.

If any section or part of a section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter, nor the context in which such section or part of a section so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holdings shall directly apply; and if any section or part of a section concerned with election procedures shall be held invalid by such court, the pertinent election procedures set forth in the laws of the State of Rhode Island shall apply.

2012 LOCAL QUESTION #14

Article 16. CODE OF ETHICS

CHAPTER 1. ~~GENERALLY~~

Sec. 16-1-1. ~~Public office as a public trust.~~

~~Public servants should treat their office as a public trust, only using the powers and resources of public office to advance public interests, and not to attain personal benefits or pursue any other private interest incompatible with the public good.~~

~~1. Pursuit of public interest. In treating their office as public trust, public servants, whatever their role, should diligently and in good faith pursue the public interest to the best of their ability and subordinate self-interest to the public good.~~

Sec. 16-1-2. ~~Ensuring public respect.~~

~~In treating their office as a public trust, public servants should act so as to ensure the reality and perception that government is conducted according to the highest principles of democracy with honesty, integrity and a concern for justice and is, therefore, worthy of respect, trust and support.~~

~~a. Avoiding impropriety. Public servants should maintain public trust in government by avoiding acts which place personal or private interests above pursuit of the public interest.~~

~~b. Avoiding appearances of impropriety. Public servants should avoid conduct which tends to undermine public trust by creating in the minds of reasonable impartial observers the perception that government office has been used improperly.~~

Sec. 16-1-3. ~~Formulation of public policy.~~

~~Persons with the responsibility for making public policy and laws should place the public interest over all other considerations.~~

~~a. Elected officials should make policy. In a representative democracy, public interest should be determined and translated into policies and programs by or under the direction of elected officials who are ultimately accountable to the public.~~

~~b. Dealing with conflicting loyalties. In pursuing the public interest, public servants should put loyalty to democratic principles and to the broadest public good above loyalty to political party, their constituencies and individuals.~~

~~c. Ranking loyalty obligations. When allocating public funds and formulating general public policies, elected officials should evaluate information objectively and decide what is best for the public as a whole, not just for a narrow constituency.~~

~~d. Organizational vs. personal loyalties. Public servants with supervisory authority should safeguard and protect the public interest, the reputation of government and the integrity and efficiency of their department, even at the cost of injuring a superior, colleague or friend.~~

e. Protection of minority rights. It is in the overall public interest that the will of the majority is tempered by a commitment to consider and protect the rights and advance the interests of minorities, especially those that are not sufficiently represented in the normal decision-making process.

Sec. 16-1-4. Implementation of policy.

Public administrators and executives should interpret and implement policies and laws in good faith and energetically pursue the goals of policy and lawmakers.

a. Subordination of personal views. Public servants charged with the administration of policies and laws should do so as equitably, efficiently and economically as possible, regardless of their personal views.

b. Dealing with policy disagreements. Public servants who find that their personal convictions are irreconcilably incompatible with lawful policies should openly state their conflict and, in some cases, withdraw from the administration of such policies.

c. Whistle Blowing. Disclosure of unlawful or improper policies or actions. Public servants who have a good faith belief that the public interest requires the disclosure of governmental policies or actions thought to be unlawful or improper should reveal their information to appropriate authorities.

d. Leaking. Except in matters of great public importance where identifying oneself as the source of information would involve unreasonable personal risks, public servants should not secretly reveal confidential governmental matters or allege improprieties.

Sec. 16-1-5. Personal gain from the performance of public duties.

Except for official compensation, public servants should neither seek nor accept any form of payment, gratuity or other personal benefit relating to the performance of their responsibilities.

a. Performance of duty. Public servants should neither seek nor accept any form of personal benefit for the performance of their duty to deal with a matter promptly, efficiently or fairly or for the exercise of appropriate but discretionary representational authority.

b. Accessibility of elected officials. Elected officials should assure that constituents and others who may be affected by public policies have a fair and equal opportunity to express their concerns, grievances and ideas without regard to their willingness or ability to provide personal benefits or political support to the officials.

c. Personal benefits should never appear to be necessary. Public servants should not engage in any conduct which could create in the mind of a reasonable observer the belief that persons "I receive better or different service if they provide personal benefits or political support to a government official.

Sec. 16-1-6. Use of public employees for personal benefit.

Public servants should not use public employees on government time for private benefit.

a. Subordinate's responsibility to say no. Public employees should refuse to perform improper personal tasks on government time.

~~Sec. 16-1-7.— Use of government property for personal benefit.~~

~~A public servant should not use government property or facilities for private benefit.~~

~~Sec. 16-1-8.— Use of title or prestige for personal benefit.~~

~~Public servants should not use, nor allow others to use, the authority, title or prestige of public office for the attainment of private financial, social or political benefits in any manner that is inconsistent with public interests.~~

~~a. Use for commercial purposes. Public servants should not permit their names or official titles to be used by a nonpublic enterprise in any manner which would lead reasonable observers to believe that those who deal with the enterprise may receive special treatment or advantages as a result of a formal association with the public servant.~~

~~b. Exploitative fees. The present or former holder of a high public office which carries with it substantial prestige should not appear to sell the stature of the office by accepting sums that create a general perception that the office has been exploited for private gain.~~

~~c. Use for private advantage. Public servants should not use official letterhead or refer to their public position as a means of inducing or intimidating persons to resolve disputes more favorably, provide preferential treatment, or give free tickets, discounts, favors or other advantages.~~

~~Sec. 16-1-9.— Use of public powers for political advantage.~~

~~A public servant should not use the resources, prerogatives and powers of office primarily to advance political interests.~~

~~a. Use of public employees. A public servant should not use or seek to use public employees, on government time, to assist in political party activities, campaigning, fundraising, or other partisan or personal political activities.~~

~~b. Use of public facilities. A public servant should not conduct nor allow campaign and fundraising activities on government premises nor use government resources for these purposes.~~

~~c. Use of public authority. A public servant should not use public authority primarily to achieve personal political advantage or favorable press coverage.~~

~~Sec. 16-1-10.— Use of campaign funds for private benefit.~~

~~Public servants who run for Office should use campaign funds only for expenses directly relating to campaign (e.g., salaries, consultant fees, travel, printing, media, polling, communication with voters and constituents) and not for personal or other political purposes.~~

~~a. Improper expenditures. Campaign funds should not be used to supplement personal income or enhance a personal life style.~~

~~b. Loans. Candidates should not borrow from campaign funds nor loan them to any other person, whether or not interest is paid.~~

c. Disclosure above the use of funds. Public servants who raise campaign funds with the intent or known possibility that they will be used for a purpose other than direct campaign expenses relating to a current election should disclose their intent to the donor in order to avoid any possibility of raising money under false pretenses.

CHAPTER 2.— CONFLICTS OF INTEREST

Sec. 16-2-1.— Principle of independent objective judgment.

Public servants should employ independent objective judgment in performing their duties, deciding all matters on the merits, free from conflicts of interest and both real and apparent improper influences.

Sec. 16-2-2.— Conflict of interest.

Public servants should safeguard their ability to make independent, objective, fair and impartial judgments by scrupulously avoiding financial, social and political relationships and transactions which may compromise or give the appearance of compromising their objectivity, independence or honesty.

a. Disclosure of financial conflicts of interest. Public servants subject to disclosure of financial interest requirements should comply with both the letter and spirit of the regulations and not seek to circumvent them by evasion strategies or legalisms.

b. Avoidance of financial conflicts. Despite laws that permit financial conflicts, public servants should make all reasonable efforts to avoid transactions which may compromise or give the appearance of compromising their objectivity, independence or honesty.

c. Benefits intended to influence. Public servants should not accept benefits of any sort under circumstances in which it could be reasonably inferred that the benefit was intended to influence them in the performance of their public responsibilities.

d. Duty to report improper offers. When the possibility of improper motive requires refusal of a gratuity, the official should firmly warn the person about bribery laws and improper influence; if the attempt to unduly influence is clear, the matter should be reported to law enforcement authorities.

e. Appearance of undue influence. Regardless of the actual intent of the provider or recipient, public servants should not accept benefits of any sort under circumstances which would create in the mind of a reasonable observer the belief the benefit may influence them in the performance of their public responsibilities.

i. Earned income from persons directly affected by actions or decisions. Public servants should avoid engaging in financial relationships that might reasonably be construed to affect their judgment or actions, especially from lobbyists or other persons who are likely to be affected directly by their actions or decisions.

ii. Gratuities from persons directly affected by actions or decisions. Public servants should refuse to accept any gratuities which may reasonably be construed to affect their judgment or actions, especially from lobbyists or other persons who are likely to be affected directly by their actions or decisions.

iii. Campaign contributions from persons directly affected by decisions. Public servants should be cautious about accepting campaign contributions which may reasonably be construed to affect their

judgment or actions, especially from lobbyists or other persons who are likely to be affected directly by their decisions.

Sec. 16-2-3.—Recusal and disqualification.

Public servants should not take any public action under circumstances where, due to a conflict in interest, they are not certain that they can do so fairly and objectively.

Sec. 16-2-4.—Bias or favoritism.

Public servants should exercise the powers and prerogatives of office fairly and without prejudice or favoritism. It is improper to use public authority to reward relatives, friends or political supporters or to hinder or punish enemies and opponents.

Sec. 16-2-5.—Intervening on behalf of constituents and friends.

Public officials should be extremely cautious about directly or indirectly intervening with normal decision making, investigatory or adjudicative processes of governmental bodies on behalf of constituents or friends since such intervention can threaten the ability of government administrators to exercise independent objective judgment on the merits.

a. General rule. Generally, intervention on behalf of constituents or friends is proper only if it is strictly limited to assuring fairness of the procedures and the intervener consciously avoids seeking to unduly influence the decision making process. Those who intervene should firmly, explicitly and unambiguously convey their limited purposes to reduce the possibility of direct or indirect pressure on administrators which could reasonably appear to influence the substantive decision.

CHAPTER 3.—ACCOUNTABILITY, LEADERSHIP, RESPECTABILITY AND FITNESS FOR PUBLIC OFFICE

Sec. 16-3-1.—Principle of accountability.

Public servants should ensure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold government officials accountable.

1. Oversight. Public servants should assure that those to whom they have delegated public power, including their staffs and administrative agencies, carry out their responsibilities efficiently, equitably and ethically.

2. Openness. Public servants should exercise the authority of their offices openly so that the public is informed about governmental decisions and the citizenry can hold them accountable for their actions.

3. Duty to improve the system. Public servants who believe that a law or policy is not achieving its intended purpose, is creating unintended harms, or is wasteful or inefficient, should take affirmative steps to improve procedures in a way that will increase the fairness and quality of government services and assure that policies are implemented equitably, efficiently and economically.

a. Making changes. Public servants should take whatever actions they can to correct problems, streamline procedures and improve services. Where desirable changes exceed authority, public servants should promptly and forcefully recommend reform to the appropriate person or body.

b. Supervisor's duty. In order to encourage a broad sense of responsibility for both the results and methods of government action, supervisors should develop a working environment that fosters constructive criticism and creative problem solving.

4. Self-policing. Public servants should maintain the integrity and trustworthiness of government by taking whatever steps are necessary, including reporting improper conduct to appropriate authorities, to prevent the unlawful or unethical use of public position, authority or resources.

Sec. 16-3-2. Principle of democratic leadership.

Public servants should honor and respect the principles and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws and rules.

1. Obeying all laws. Public servants have a special obligation to obey all laws and regulations.

2. Artifices and schemes. Public servants should not engage in artifices and schemes to exploit loopholes or ambiguities in the law in a way that undermines their spirit and purpose.

3. Integrity of the process. In using procedural rules, public servants should maintain the integrity, fairness and efficiency of the process by honoring the substance and spirit of the rules and by refraining from conduct which undermines the principles of representative democracy.

4. Use of leadership power. Legislative leaders and committee chairs should use their leadership powers only in a manner consistent with representative democracy.

5. Civic disobedience. In rare cases, a public servant may exercise the prerogative of conscientious objection by disobeying the law. In such cases, the illegal behavior should be open and the official should be willing to bear the appropriate legal and political consequences.

Sec. 16-3-3. Principle of respectability and fitness for public office.

Public servants should safeguard public confidence in the integrity of government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of impropriety or which is otherwise unfitting a public official.

1. Fitness for public office. Public servants should conduct their professional and personal lives so as to reveal character traits, attitudes, and judgments that are worthy of honor and respect and demonstrate fitness for public office.

a. Honesty. Public servants should be scrupulously honest, avoiding any form of lying, deception, deviousness, hypocrisy and cheating in their professional and personal lives.

b. Integrity. A public servant should reflect personal integrity in all matters, placing principle over expediency and demonstrating courage of convictions.

c. Private personal conduct. Public servants should avoid engaging in any conduct which is likely to bring discredit on themselves and the governmental bodies in which they serve.

2. Campaigning. Those seeking public office should conduct their campaigns in a way that aids the citizenry to make an informed choice on appropriate criteria and which casts credit on government and the election process.

~~Sec. 16-3-4. State ethics provision.~~

~~The provisions of G.L. 1956, § 36-14-1 et seq. entitled Code of Ethics are incorporated herein by reference and applicable to the Town of Narragansett.~~

Section 16-1. Policy.

It is the policy of the Town of Narragansett that its public officials, elected or appointed, and its employees must:

- a. Adhere to the highest standards of ethical conduct
- b. Respect the public trust and right of all persons
- c. Be open, accountable, and responsive to the people
- d. Avoid the appearance of impropriety
- e. Not use their positions for private gain or advantage

Section 16-2. Code of Ethics Ordinance.

The town council is empowered to enact a Code of Ethics Ordinance pursuant to the procedures set forth in Section 2-1-7 of this charter. Included in such ordinance shall be a mechanism for code enforcement, such as a commission and/or ethics officer, and appropriate penalties.

Until such ordinance is adopted, the Town of Narragansett specifically adopts as its Code of Ethics, the Rhode Island Code of Ethics currently in effect when this charter is adopted and all future amendments and re-enactments thereof including provisions properly adopted by the Rhode Island Ethics Commission, except that the applicability of the Code of Ethics of Narragansett shall be limited to public officials, both elected and appointed, and employees of the Town of Narragansett and the code shall be so construed to effect this limitation.

Section 16-3. Removal from Office.

Any elected official or appointed official of the town may be removed from office by the town council upon determining to its satisfaction that a serious, knowing and willful violation of the Narragansett Code of Ethics has been committed by said official.

Section 16-4. Contract Voidance.

Any contract or agreement entered into in violation of the Narragansett Code of Ethics shall be voidable by the town council.

2012 LOCAL QUESTION #15

Sec. 8-6-1. - Animal control officer.

There ~~shall~~ may be an animal control officer appointed pursuant to section 3-1-2a.

2012 LOCAL QUESTION #15

Sec. 14-1-1. - Town sergeant.

There ~~shall~~ may be a town sergeant who shall be appointed by the town council to serve at the pleasure of the council. The town sergeant shall have all the powers, privileges and immunities of his office, and shall perform all the duties as prescribed by the general laws and applicable special laws and ordinances. The compensation of the town sergeant shall be set by the town council.

2012 LOCAL QUESTION #15

Sec. 6-5-1. - Purchasing agent.

The finance department shall may include a purchasing agent. The finance director may serve as the purchasing agent. The purchasing agent shall be qualified for appointment by education and/or experience and shall be appointed by the town manager. The responsibilities of the purchasing agent shall include, but are not limited to, the administration of central purchasing of equipment and supplies as required by the town; the supervision of all inventory; the establishment of procedures to monitor all inventory; the transfer of items between offices, departments or agencies, of equipment and supplies; and the authority to sell any surplus or obsolete supplies and equipment subject to the approval of the town manager and council. Other duties of the purchasing agent may be defined by job description and prescribed by ordinance by the town council.

2012 LOCAL QUESTION #15

ARTICLE 7. - DEPARTMENT OF PUBLIC WORKS

Sec. 7-1-1. - Organization.

There ~~shall~~ may be a department of public works, the head of which ~~shall~~ may be the public works director. The public works director shall be appointed by the town manager and qualified by education and/or experience. The public works director shall have overall responsibility for the efficient operation of all activities of the public works department. The organization of the department of public works into different divisions and offices shall be made by the town manager. The responsibilities of the public works director may include, but are not limited to, the functions and services of the town relating to highways, bridges, engineering, street lighting, public parking lots, waste disposal, sewers, water supply and public buildings and other public works activities as may be defined by ordinance. The public works director shall not be responsible for the buildings of the school department, unless requested by the school committee and approved in accordance with section 9-1-10 of this Charter. Other duties of the public works director may be defined by job description and described by ordinance by the town council.

Sec. 7-1-2. - Town engineer.

There ~~shall~~ may be a town engineer who shall be a person appointed by the town manager. The town engineer shall be licensed as a professional engineer by the State of Rhode Island and otherwise qualified by education and/or experience. The town engineer shall be the engineer for the town; the engineering advisor to the town manager, town council, and all other departments, offices and agencies of town government. The town engineer's responsibilities shall include, but are not limited to, making surveys, plans, and maps, as well as resolving such engineering problems as may be necessary in carrying out any public works projects in the town. The town engineer shall perform other duties as may be required by the town manager, ordinance, vote of the council, or the laws of the State of Rhode Island. Other duties of the town engineer may be defined by job description and prescribed by ordinance by the town council.

2012 LOCAL QUESTION #15

Sec. 11-1-1. - Director of parks and recreation.

There shall ~~shall~~ may be a department of parks and recreations, the head of which shall ~~shall~~ may be the parks and recreations director. The parks and recreations director shall be qualified by education and/or experience and shall be appointed by the town manager. General responsibilities shall include the creation and implementation of a comprehensive recreation program for the town; the maintenance and operation of public beaches, parks, playgrounds; the operation of all recreational buildings and activities; and the recommendation of fees for the utilization of recreational facilities to the town manager. Other duties of the director of parks and recreation may be defined by job description and prescribed by ordinance by the town council.

2012 LOCAL QUESTION #16

Language Modernization

Article/Chapter/Section	Current Language	Proposed Language
8-1-1	civil preparedness	emergency management
8-2-4	Police Surgeon	Town Physician
8-4-1	Building Inspector	Building Official
8-5	civil preparedness	emergency management
8-5-1	Director of civil preparedness	Director of emergency management
9	SCHOOLS	SCHOOL COMMITTEE
9-1-1	Membership	Number, Term, Selection
9-1-5	Personal Benefit	Conflict of Interest

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: _____

Amend No. _____

Date Prepared: October 8, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager

FROM: Theresa C. Donovan, CMC, Town Clerk

SUBJECT: Schedule a Public Hearing on a Request from Applicant Sally E. Lapidés and owner JJP Properties LLC to Amend the Comprehensive Plan's Text and Land Use Map for Assessor's Plat C, Lot 344-B (83 Narragansett Avenue)

RECOMMENDATION:

That the Town Council schedule a public hearing on a request from Sally E. Lapidés (applicant) and JJP Properties LLC (owner) to amend the Comprehensive Plan's Text and Land Use Map for Assessor's Plat C, Lot 344-B (83 Narragansett Avenue) from medium residential land use district (R-10) to a commercial land use district (B-A), and

That the Town Council refer the application to the Planning Board for review and recommendation.

SUMMARY:

An application has been submitted by Christopher J. Zangari, Esq., on behalf of Sally E. Lapidés (applicant) and JJP Properties LLC (owner) to amend the Comprehensive Plan's Text and Land Use Map for Assessor's Plat C, Lot 344-B (83 Narragansett Avenue) from medium residential land use district (R-10) to a commercial land use district (B-A).

A Public Hearing should be scheduled in order to hear the application on the proposed amendment. When the public hearing date has been set by the Town Council, an advertisement will be placed in the Narragansett Times at least once each week for three successive weeks before the hearing date.

Suggested date for Public Hearing is Monday, December 21, 2020 at 8:00 PM.

ATTACHMENTS:

1. Letter from Christopher J. Zangari, Esq.
2. Application

RECEIVED:
OCT 08, 2020 01:18:25 PM
Theresa C. Donovan, CMC
Narragansett Town Clerk

LAW OFFICES OF CHRISTOPHER J. ZANGARI
935 Jefferson Boulevard, Suite 3001
Warwick, RI 02886
401-732-1999
(f)401-633-6690
chris@zangarilawri.com

October 8, 2020

Town of Narragansett
Town Council
25 Fifth Street
Narragansett, RI 02882

Re: 83 Narragansett Avenue, Narragansett, RI
Assessor's Plat C, Lot 344B

Dear Members of the Town Council:

I represent Sally E. Lapidis, (hereinafter, the "Applicant"), who is seeking to renovate and use 83 Narragansett Avenue, Narragansett, Rhode Island, Assessor's Plat C, Lot 344B, (hereinafter, the "Property"), which is presently owned by JJP Properties, LLC and or John J. Paglia & Joseph Paglia (hereinafter, the "Seller"). The Property is located in the Pier Area pursuant to the Town of Narragansett's Comprehensive Plan (hereinafter, the "Plan") and currently zoned R-10. The Property is now being used as a restaurant and seven (7) room hotel and was formerly known as the Grinnell Inn.

My client wishes to repurpose the Property to be used as a commercial office for Realtors which would be home to approximately ten (10) to twelve (12) real estate agents. The current uses of a restaurant and hotel would be abandoned by my client. A Zone Change from R-10 to B-A, for the Property, and only the Property would be necessary for my client to operate a commercial office on the Property. The Property is currently the subject of a Purchase and Sales Agreement between the Seller and the spouse of the Applicant. In fact, the Applicant obtaining a Zone Change to utilize the Property as a commercial office is a contingency that must be met for the purchase and sale of the Property to be consummated.

The Plan identifies economic growth as higher intensity in the Pier Area. On page 63 of the Plan, regarding Development-"Supporting Community Structure", states that the existing structure of Narragansett consists of a mixed use focal point in the Pier Area with several

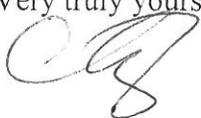
Page 2

October 8, 2020

secondary activity centers in outlying areas of the community. The Plan goes on to state “this overall structure should be continued and reinforced through land use.” More importantly, in the Development portion of the Plan on page 70, “Guiding Business Development”, identifies the Pier Area for mixed uses, hotel, retail, and professional offices. There are presently three commercial uses on the same block as the Property, a surf shop/exercise studio, the Property (Mexican restaurant and Hotel) and a gas station. A strong argument can be made for a zone change to allow for commercial offices on the Property. The use my client proposes for the Property would be less intense than the present use and more closely adhere to the Plan.

Enclosed are the applications for Amendment to Zoning Map and/or Ordinance and Amendment to Comprehensive Plan with attachments and exhibits. I have also enclosed the design plans and renderings for the proposed renovations to the structure on the Property. On September 8, 2020, the Historic District Commission held a Pre-Application Review for the proposed renovations to the Property and voted to draft a letter of recommendation to the Department of Community Development in support of the Applicant’s proposal for the Property.

Very truly yours,

A handwritten signature in black ink, appearing to read 'CJZ', written over a horizontal line.

Christopher J. Zangari

CJZ/bah

Cc: James Tierney, Town Manager

TOWN OF NARRAGANSETT
APPLICATION FOR AMENDMENT TO
COMPREHENSIVE PLAN

TO: Town Council CC: Planning Board DATE:
c/o Town Clerk
25 Fifth Avenue
Narragansett, RI 02882

APPLICATION FOR:

Fee Paid:

- A. Land Use Map Amendment
- B. Comprehensive Plan Text Amendment

The undersigned hereby applies to the Town Council for an amendment to the Comprehensive Plan/Land Use Map as set forth in Section 2-127 of the Narragansett Code of Ordinances and RIGL Section 45-22-2 et seq, affecting the following premises hereinafter set forth.

A. Complete this Section if applying for Land Use Map Amendments

Applicant:

Applicant Address:

Owner:

Owner Address:

Address of Premises:

Assessor's Plat: Lot:

Current Land Use District:

Proposed Land Use District:

Description of Existing Structures:

19th to 20th century, 3 story, wood shingled, gabled front building. Structure was noted on plat records to be constructed in 1926. However, maps indicate it has been there since 1910 and has evidence of being earlier. Various renovations through the years include additions and code enhancements to commercial use. Replacement 1/1 sash windows were added, a metal roof over the porch, and multiple exterior doors were added where windows would be. One historical detail remains, ornamental trim detail on the porch columns.

Present Use(s) of the Premises:

Mexican Restaurant and Boarding house.

Proposed Use(s) of the Premises:

Commercial Offices for a Real Estate Agency and one apartment.

Attach a map and/or Site Plan of the subject Site showing the following items:

- A. Site boundaries, plat and lot numbers, land use designation(s) boundaries from approved Land Use Map.
- B. Existing land use of the Site and surrounding area within 500' of the perimeter of the Site.
- C. Existing and proposed Land Use District boundaries, existing streets and roads by name and the Town boundaries (where appropriate).
- D. Existing roadway networks designated limited access highways, arterials, collectors, and other state, town, and private roads.

B. Complete this Section if applying for Comprehensive Plan Text Amendments

Identify existing text which the amendment is being sought, and provide draft of proposed new text by chapter and section.

- Attach a copy of the proposed text change to this application.
For map changes, attach a list of the names and mailing addresses of all persons owning property within 200' of the proposed comprehensive plan change according to the most recent list provided by the Tax Assessor. The list shall include the plat map and lot designations as listed on tax records.
- For map changes, attach a list of the names and mailing addresses of all persons owning property within 200' of the proposed comprehensive plan change according to the most recent list provided by the Tax Assessor. The list shall include the plat map and lot designations as listed on tax records.
- In the case of a split-designated parcel or a parcel proposed for two (2) separate land use designations, a metes and bounds description of that portion of the property affected by the application shall be required to be attached to this application.

State the grounds for this Land Use Map or Comprehensive Plan text amendment and/or reasons for the requested action. Please indicate and/or refer to applicable portion(s) of the Narragansett Comprehensive Plan to demonstrate the consistency of this amendment request and the remainder of the Plan.

See addendum A

Are there any outstanding easements, covenants, liens currently affecting in any way the subject property? If yes, explain the source and nature in the following text box. Failure to disclose any of this information will constitute an invalid application.

Yes

See Addendum B

Owner's Signature: _____

Telephone: _____ E-mail: _____

Applicant Signature: _____

Telephone: _____ E-mail: _____

- Attach a copy of the proposed ordinance to this application.
- Attach a list of the names and mailing addresses of all persons owning property within 200' of the proposed zone change according to the most recent list provided by the Tax Assessor. The list shall include the plat map and lot designations as listed on tax records.
- In the case of a split-zoned parcel or a parcel proposed for two (2) separate zoning designations, a metes and bounds description of that portion of the property affected by the application shall be required to be attached to this application.

State the grounds for this Zoning Map or Zoning Ordinance amendment and/or reasons for the requested action. Please indicate and/or refer to the applicable portion of the Narragansett Comprehensive Plan to demonstrate the consistency of this Zoning Ordinance request and the Plan.

Are there any outstanding easements, covenants, liens currently affecting in any way the subject property? If yes, explain the source and nature in the following text box. Failure to disclose any of this information will constitute an invalid application.

Owner's Signature:



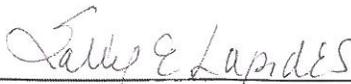
Telephone:

401-864-3230

E-mail:

ARTUROJONES@YAHOO.COM

Applicant Signature:



Telephone:

401-524-4110

E-mail:

SLAPIDES@RESIDENTIALPROPERTIES.COM

ADDENDUM "A"

The subject property is located in what the Comprehensive Plan identifies as the "Pier Area". The location of economic growth is of higher intensity in the Pier Area. The Development section of the Comprehensive Plan states that "The existing structure of Narragansett consists of a mixed use focal point in the Pier area with several secondary activity centers in outlying areas of the community... This overall structure should be continued and reinforced through land use." Page 70 of the Comprehensive Plan, "Guiding Business Development" identifies the Pier Area for mixed uses such as hotel, retail and professional offices. Additionally, Narragansett Avenue is a State Highway.

ADDENDUM "B"

There is presently a Mortgage to Coastway Community Bank in the amount of \$487,000.00 recorded August 5, 2015; a UCC filing statement to Coastway Community Bank recorded August 5, 2015; and a Collateral Assignment of Leases and Rents to Coastway Community Bank recorded August 5, 2015. A perpetual maintenance easement that affects the subject property which is described in that certain deed recorded in Book 861 at page 496, a copy of which is attached hereto.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **STUART A. TUCKER**, of the Town of North Kingstown, County of Washington, State of Rhode Island, for consideration in the amount of SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) paid, grant to **JJP PROPERTIES, LLC**, a Rhode Island Limited Liability Company of Narragansett, RI with **WARRANTY COVENANTS**:

That certain tract or parcel of land, delineated as Parcel B on that certain "SITE PLAN for Dolores Gaess d.b.a. Wakefield Realty, Inc. Assessor's Plat C Lot 344 in the Town of Narragansett, RI ENGINEER: James P. Lawless, P.E. 58 Sunset View Blvd. Wakefield, RI SCALE: 1" = 20' DATE 12/5/91 REVISED 4/30/92 7/31/92 11/5/92", received for record on 11-19-92 at 10:20 a.m., and recorded as Instrument # 30243 at Plat Book 9, Page 72 in the Land Evidence Records of the Town of Narragansett, Rhode Island, said plan being incorporated herein by reference, together with all rights appurtenant, licenses, privileges, improvements and structures located thereon, and subject to easements, conditions and restrictions of record.

The above-described premises are conveyed together with a perpetual maintenance easement appurtenant to and for the benefit of Parcel B, as delineated on the above-referenced plan, said maintenance easement to be used solely for the purpose of performing maintenance and repairs to the buildings or structures located on said Parcel B and shall not be used for ingress or egress to Parcel B. Parcel A shall at its own cost and expense be responsible for the repair and maintenance of the herein described easement.

The above-described premises are conveyed subject to a perpetual easement appurtenant to and for the benefit of Parcel A, over and across the contiguous paved portions of Parcel B as delineated on the above-referenced plan, said easement to be used solely for ingress and egress by vehicles or otherwise, in the singular event of physical blockage or inaccessibility of Parcel A, due to use by Parcel B of the maintenance easement upon Parcel A as delineated on the above-referenced plan, for the sole benefit of said Parcel A.

Being a lesser portion of those certain lots or parcels of land laid out and delineated as Lots 343A, 343B and 344, Assessor's Plat C, in the records of the Tax Assessor of the Town of Narragansett, and a lesser portion of the premises conveyed to Wakefield Realty, Inc. by Warranty Deed of Erik B. Siborg, Sr., Signie M. Siborg, Erik B. Siborg, Jr., and Mary B. Siborg, of record at Book 85, Pages 253-254 in the Land Evidence Records of the Town of Narragansett, RI.

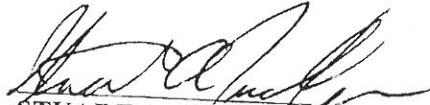
TAX \$ 2999.00
DATE 8-5-14
REORDER mdc
CITY/TOWN OF Narragansett
012708
RHODE ISLAND
REAL ESTATE COMMISSION
RECORDS TAX

Subject to taxes assessed December 31, 2014.

BK: 861 PG: 497
INST: 2545

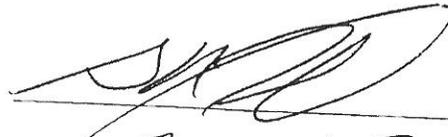
I, **STUART A. TUCKER**, do hereby covenant no R.I.G.L. 44-30-71.3 withholding is required as I am a Rhode Island resident as evidenced by Affidavit.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31st day of July, 2015.


STUART A. TUCKER

STATE OF RHODE ISLAND
COUNTY OF WASHINGTON

In South Kingstown, on the 31st day of July, 2015, before me personally appeared **STUART A. TUCKER** to me known and known by me to be the person whose name is signed on the preceding document and he acknowledged said instrument and the execution thereof, to be his free act and deed.


Thomas W. Barzani
Notary Public
my commission expires 6-22-17

Property Address:
83 Narragansett Avenue
Narragansett, RI 02882

Grantee's Address:
39 Thayer Avenue
Narragansett, RI 02882

RECEIVED FOR RECORD
Aug 05, 2015 02:02:05P
ANNE M. IRONS
TOWN CLERK
NARRAGANSETT, RI

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: _____

Amend No. _____

Date Prepared: October 8, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager

FROM: Theresa C. Donovan, CMC, Town Clerk

SUBJECT: Schedule a Public Hearing on a Request from Applicant Sally E. Lapedes and owner JJP Properties LLC to Amend the Zoning Map on Assessor's Plat C, Lot 344-B (83 Narragansett Avenue) from an R-10 Zoning District to a B-A Zoning District.

RECOMMENDATION:

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That the Town Council refer the application to the Planning Board for review and recommendation.

SUMMARY:

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A Public Hearing is needed in order to hear the application on the proposed amendment to the official zoning map. When the public hearing date has been set by the Town Council, an advertisement will be placed in the Narragansett Times at least once a week for three successive weeks before the hearing date.

Suggested date for the Public Hearing is Monday, December 21, 2020 at 8:00 PM.

ATTACHMENTS:

1. Letter from Christopher J. Zangari, Esq.
2. Application

RECEIVED:
OCT 08, 2020 01:18:25 PM
Theresa C. Donovan, CMC
Narragansett Town Clerk

LAW OFFICES OF CHRISTOPHER J. ZANGARI
935 Jefferson Boulevard, Suite 3001
Warwick, RI 02886
401-732-1999
(f)401-633-6690
chris@zangarilawri.com

October 8, 2020

Town of Narragansett
Town Council
25 Fifth Street
Narragansett, RI 02882

Re: 83 Narragansett Avenue, Narragansett, RI
Assessor's Plat C, Lot 344B

Dear Members of the Town Council:

I represent Sally E. Lapidès, (hereinafter, the "Applicant"), who is seeking to renovate and use 83 Narragansett Avenue, Narragansett, Rhode Island, Assessor's Plat C, Lot 344B, (hereinafter, the "Property"), which is presently owned by JJP Properties, LLC and or John J. Paglia & Joseph Paglia (hereinafter, the "Seller"). The Property is located in the Pier Area pursuant to the Town of Narragansett's Comprehensive Plan (hereinafter, the "Plan") and currently zoned R-10. The Property is now being used as a restaurant and seven (7) room hotel and was formerly known as the Grinnell Inn.

My client wishes to repurpose the Property to be used as a commercial office for Realtors which would be home to approximately ten (10) to twelve (12) real estate agents. The current uses of a restaurant and hotel would be abandoned by my client. A Zone Change from R-10 to B-A, for the Property, and only the Property would be necessary for my client to operate a commercial office on the Property. The Property is currently the subject of a Purchase and Sales Agreement between the Seller and the spouse of the Applicant. In fact, the Applicant obtaining a Zone Change to utilize the Property as a commercial office is a contingency that must be met for the purchase and sale of the Property to be consummated.

The Plan identifies economic growth as higher intensity in the Pier Area. On page 63 of the Plan, regarding Development-"Supporting Community Structure", states that the existing structure of Narragansett consists of a mixed use focal point in the Pier Area with several

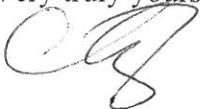
Page 2

October 8, 2020

secondary activity centers in outlying areas of the community. The Plan goes on to state “this overall structure should be continued and reinforced through land use.” More importantly, in the Development portion of the Plan on page 70, “Guiding Business Development”, identifies the Pier Area for mixed uses, hotel, retail, and professional offices. There are presently three commercial uses on the same block as the Property, a surf shop/exercise studio, the Property (Mexican restaurant and Hotel) and a gas station. A strong argument can be made for a zone change to allow for commercial offices on the Property. The use my client proposes for the Property would be less intense than the present use and more closely adhere to the Plan.

Enclosed are the applications for Amendment to Zoning Map and/or Ordinance and Amendment to Comprehensive Plan with attachments and exhibits. I have also enclosed the design plans and renderings for the proposed renovations to the structure on the Property. On September 8, 2020, the Historic District Commission held a Pre-Application Review for the proposed renovations to the Property and voted to draft a letter of recommendation to the Department of Community Development in support of the Applicant’s proposal for the Property.

Very truly yours,



Christopher J. Zangari

CJZ/bah

Cc: James Tierney, Town Manager



RECEIVED:
OCT 08, 2020 01:18:34 PM
Theresa C. Donovan, CMC
Narragansett Town Clerk

TOWN OF NARRAGANSETT

APPLICATION FOR AMENDMENT TO ZONING MAP AND/OR ORDINANCE

TO: Town Council
c/o Town Clerk
25 Fifth Avenue
Narragansett, RI 02882

DATE:

APPLICATION FOR:

- A. Zoning Map Amendment
- B. Zoning Ordinance Amendment

Fee Paid:

The undersigned hereby applies to the Town Council for an amendment to the Zoning Ordinance/Map as set forth in Chapter 751, Section 20 of the Zoning Ordinance and RIGL Section 45-24 affecting the following premises hereinafter set forth.

A. Complete this Section if applying for Zoning Map Amendments

Applicant:

Applicant Address:

Owner:

Owner Address:

Address of Premises:

Assessor's Plat: Lot:

Current Zoning District:

Proposed Zoning District:

Description of Existing Structures:

19th to 20th century, 3 story, wood-shingled, gabled front building. Structure was noted on plat records to be constructed in 1926. However, maps indicate it has been there since 1910 and has evidence of being earlier. Various renovations through the years include additions and code enhancements for commercial use. Replacement 1/1 sash windows were added, a metal roof over the porch, and multiple exterior doors were added where windows should be. One historical detail that remains is the ornamental trim detail on the porch columns.

Present Use(s) of the Premises:

Mexican restaurant and boarding house.

Proposed Use(s) of the Premises:

Commercial Office for Realtor's Office with one residential apartment.

Attach a map and/or Site Plan of the subject Site showing the following items:

- A. Site boundaries, plat and lot numbers, zoning district boundaries as available from the Town Assessor's records.
- B. Existing and proposed Zoning District boundaries, existing streets and roads by name and the Town boundaries (where appropriate).
- C. Existing land use of the Site and surrounding area within 500' of the perimeter of the Site.
- D. Existing roadway networks designated limited access highways, arterials, collectors, and other state, town, and private roads.

B. Complete this Section if applying for Zoning Text Amendments

State the provisions of the Zoning Ordinance for which this Zoning Amendment is being sought.

- Attach a copy of the proposed ordinance to this application.
- Attach a list of the names and mailing addresses of all persons owning property within 200' of the proposed zone change according to the most recent list provided by the Tax Assessor. The list shall include the plat map and lot designations as listed on tax records.
- In the case of a split-zoned parcel or a parcel proposed for two (2) separate zoning designations, a metes and bounds description of that portion of the property affected by the application shall be required to be attached to this application.

State the grounds for this Zoning Map or Zoning Ordinance amendment and/or reasons for the requested action. Please indicate and/or refer to the applicable portion of the Narragansett Comprehensive Plan to demonstrate the consistency of this Zoning Ordinance request and the Plan.

Please see attached addendum A

Are there any outstanding easements, covenants, liens currently affecting in any way the subject property? If yes, explain the source and nature in the following text box. Yes
Failure to disclose any of this information will constitute an invalid application.

Please see attached addendum B

Owner's Signature:

Telephone: E-mail:

Applicant Signature:

Telephone: E-mail:

- Attach a copy of the proposed text change to this application.
For map changes, attach a list of the names and mailing addresses of all persons owning property within 200' of the proposed comprehensive plan change according to the most recent list provided by the Tax Assessor. The list shall include the plat map and lot designations as listed on tax records.
- In the case of a split-designated parcel or a parcel proposed for two (2) separate land use designations, a metes and bounds description of that portion of the property affected by the application shall be required to be attached to this application.

State the grounds for this Land Use Map or Comprehensive Plan text amendment and/or reasons for the requested action. Please indicate and/or refer to applicable portion(s) of the Narragansett Comprehensive Plan to demonstrate the consistency of this amendment request and the remainder of the Plan.

Are there any outstanding easements, covenants, liens currently affecting in any way the subject property? If yes, explain the source and nature in the following text box. Failure to disclose any of this information will constitute an invalid application.

Owner's Signature:



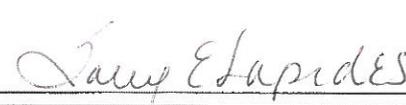
Telephone:

401-864-3230

E-mail:

ARTURO.JOES@YAHOO.COM

Applicant Signature:



Telephone:

401-524-4110

E-mail:

SLAPIDES@RESIDENTIALPROPERTIES.COM

ADDENDUM "A"

The subject property is located in what the Comprehensive Plan identifies as the "Pier Area". The location of economic growth is of higher intensity in the Pier Area. The Development section of the Comprehensive Plan states that "The existing structure of Narragansett consists of a mixed use focal point in the Pier area with several secondary activity centers in outlying areas of the community... This overall structure should be continued and reinforced through land use." Page 70 of the Comprehensive Plan, "Guiding Business Development" identifies the Pier Area for mixed uses such as hotel, retail and professional offices. Additionally, Narragansett Avenue is a State Highway.

ADDENDUM "B"

There is presently a Mortgage to Coastway Community Bank in the amount of \$487,000.00 recorded August 5, 2015; a UCC filing statement to Coastway Community Bank recorded August 5, 2015; and a Collateral Assignment of Leases and Rents to Coastway Community Bank recorded August 5, 2015. A perpetual maintenance easement that affects the subject property which is described in that certain deed recorded in Book 861 at page 496, a copy of which is attached hereto.

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **STUART A. TUCKER**, of the Town of North Kingstown, County of Washington, State of Rhode Island, for consideration in the amount of SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) paid, grant to **JJP PROPERTIES, LLC**, a Rhode Island Limited Liability Company of Narragansett, RI with **WARRANTY COVENANTS**:

That certain tract or parcel of land, delineated as Parcel B on that certain "SITE PLAN for Dolores Gaess d.b.a. Wakefield Realty, Inc. Assessor's Plat C Lot 344 in the Town of Narragansett, RI ENGINEER: James P. Lawless, P.E. 58 Sunset View Blvd. Wakefield, RI SCALE: 1" = 20' DATE 12/5/91 REVISED 4/30/92 7/31/92 11/5/92", received for record on 11-19-92 at 10:20 a.m., and recorded as Instrument # 30243 at Plat Book 9, Page 72 in the Land Evidence Records of the Town of Narragansett, Rhode Island, said plan being incorporated herein by reference, together with all rights appurtenant, licenses, privileges, improvements and structures located thereon, and subject to easements, conditions and restrictions of record.

The above-described premises are conveyed together with a perpetual maintenance easement appurtenant to and for the benefit of Parcel B, as delineated on the above-referenced plan, said maintenance easement to be used solely for the purpose of performing maintenance and repairs to the buildings or structures located on said Parcel B and shall not be used for ingress or egress to Parcel B. Parcel A shall at its own cost and expense be responsible for the repair and maintenance of the herein described easement.

The above-described premises are conveyed subject to a perpetual easement appurtenant to and for the benefit of Parcel A, over and across the contiguous paved portions of Parcel B as delineated on the above-referenced plan, said easement to be used solely for ingress and egress by vehicles or otherwise, in the singular event of physical blockage or inaccessibility of Parcel A, due to use by Parcel B of the maintenance easement upon Parcel A as delineated on the above-referenced plan, for the sole benefit of said Parcel A.

Being a lesser portion of those certain lots or parcels of land laid out and delineated as Lots 343A, 343B and 344, Assessor's Plat C, in the records of the Tax Assessor of the Town of Narragansett, and a lesser portion of the premises conveyed to Wakefield Realty, Inc. by Warranty Deed of Erik B. Siborg, Sr., Signie M. Siborg, Erik B. Siborg, Jr., and Mary B. Siborg, of record at Book 85, Pages 253-254 in the Land Evidence Records of the Town of Narragansett, RI.

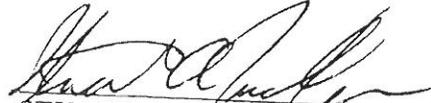
Subject to taxes assessed December 31, 2014.

TAX \$ 29900.00
DATE 6-5-15
RECORDER mdc
CITY/TOWN OF Narragansett
019908
RHOE ISLAND
REAL ESTATE
RECORDS
DIVISION
MAY 15 2015
TAX

BK: 861 PG: 497
INST: 2545

I, **STUART A. TUCKER**, do hereby covenant no R.I.G.L. 44-30-71.3 withholding is required as I am a Rhode Island resident as evidenced by Affidavit.

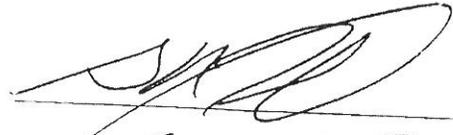
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31st day of July, 2015.



STUART A. TUCKER

STATE OF RHODE ISLAND
COUNTY OF WASHINGTON

In South Kingstown, on the 31st day of July, 2015, before me personally appeared **STUART A. TUCKER** to me known and known by me to be the person whose name is signed on the preceding document and he acknowledged said instrument and the execution thereof, to be his free act and deed.



Thomas W. Torzewski
Notary Public

my commission expires

022-1)

Property Address:
83 Narragansett Avenue
Narragansett, RI 02882

Grantee's Address:
39 Thayer Avenue
Narragansett, RI 02882

RECEIVED FOR RECORD
Aug 05, 2015 02:02:05P
ANNE M. IRONS
TOWN CLERK
NARRAGANSETT, RI

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 1
Amend No. _____

Date Prepared: October 7, 2020
Council Meeting Date: October 19, 2020

TO: James Tierney, Town Manager
FROM: Christine Spagnoli, Finance Director
SUBJECT: Real Estate Abatements

RECOMMENDATION:

That the Town Council approves the list of Real Estate abatements in the amount of \$1,172.71.

SUMMARY:

- (1) An appeal was filed with the Tax Assessor, after a field review and inspection of the property, an adjustment was made to this account; the reduction to the assessed value was applied for the 12/31/2019 assessment date and an adjustment for the July 2020 tax bill will be generated.

The abatement process involves corrections of errors that are found as a matter of our daily tasks. They may be found by our office, or the property owner may have a property characteristic corrected upon an inspection. Many homes are not inspected during the reval process, and when an absent landlord finds an incorrect property characteristic, they schedule a complete inspection

ATTACHMENTS:

- (1) Copy of spreadsheet for real estate abatements.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 2
Amend No. _____

Date Prepared: October 8, 2020
Council Meeting Date: October 19, 2020

TO: James Tierney, Town Manager
FROM: Jonathan Gerhard, P.E., Town Engineer
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Water Meter Reading Software Upgrade Conversion

RECOMMENDATION:

That the Town Council approves the services to upgrade and convert the existing Itron MV-RS (Multi-Vendor Reading System) water meter reading software to Itron FCS (Field Collection System) water meter reading software on the Water Department meter reading computer station and remote meter reading devices from Raybern Utility Solutions in the amount of \$7,017.00.

SUMMARY:

Remote water meter reading equipment is essential for Water Department operations and Water and Wastewater Department utility billing activities. Itron discontinued the MV-RS water meter reading software that is currently utilized by the Water Department equipment in 2016 and is phasing out all technical support for this system. Our existing software must be upgraded and converted to FCS in order to maintain functionality and reliability of our water metering system and to sustain our utility billing activities. We have a current maintenance agreement with for the existing software system, and Itron will waive the cost for the replacement software license provided that installation is completed by an Itron certified FCS installer. Raybern Utility Solutions is the certified installer recommended by Itron for New England water utility conversions.

The total cost of \$7,017.00 includes the conversion cost of \$6,325.00 plus travel expenses (based on the GSA per diem rates) in an amount not to exceed \$692.00.

Funding is available in the Water Fund Operating Account #0030 50505, Office Equipment Maintenance and Repair.

ATTACHMENTS:

1. Quote from Raybern Utility Solutions for Itron MV-RS to FCS conversion.



Proposal

Itron MV-RS to FCS Conversion

Professional Services

Raybern Utility Solutions
40 Shawmut Rd
Canton, MA 02021

Quote for

Narragansett Water Division

25 5th Ave
Narragansett, RI 02882

Item	Itron Part #	Description	Qty	Unit Price	Ex. Price	Notes
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MVRS-FCS Conversion

Professional Services

1		FCS v4.x Implementation, Training, and Support			\$ 6,325.00	
		Professional Services Total			\$ 6,325.00	

****Price does not include travel - Travel will be charged actual costs, not to exceed GSA per diem rates for mileage (\$.575 X 100 miles X 2) and lodging of \$192 not to exceed 3 nights. Travel costs not to exceed \$692*

Total Professional Services

\$ 6,325.00

Notes and Assumptions

- (1) All Professional Services include Tier 1 FCS Support to begin after formal transition to Itron Technical Support. Support includes troubleshooting billing files/data, reading devices, and training updates as needed.
- (2) Pricing does not include third party products needed for this system such as servers, PCs, Operating systems, and Oracle or SQL Server database server.
- (3) FCS Services Include: Kickoff meeting/system requirements remote FCS installation on single system in one environment, End to end testing, Route training, On-site/Remote support throughout project, Go Live support and formal transition to Itron Technical Support Services. Standard Business hours 8AM to 5PM M-F. No weekend services.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 3
Amend No. _____

Date Prepared: September 29, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Steve Wright, Director Parks and Recreation
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Gazebo Park Electrical Panel Installation

RECOMMENDATION:

That the Town Council approves the installation of one (1) electric panel at Gazebo Park, to be completed by E.W. Audet & Sons, Inc., utilizing the General Electrical Services contract, in the amount of \$5,411.52.

SUMMARY:

The installation of a new electric panel is required at Gazebo Park due to safety concerns with the existing deteriorated electrical panel and control. Patron safety and liability with the existing outdated control panel has increased over the past years. The breaker panel will be enclosed in a stainless steel enclosure as with similar projects at Sprague and Veteran's Park.

This project is part of the Parks and Recreation five (5)-year Capital Development Program documented as priority electrical repairs and installation required for safety throughout the parks system.

E.W. Audet & Sons, Inc. holds the current contract for General Electric Services (extension most recently approved by Town Council on March 2, 2020) and was contacted to provide a quote. Their proposal is inclusive of all materials and labor. The current Town Council policy on these contracts requires Town Council approval for all work orders that exceed \$4,000.00.

Funding is available in the Parks Capital Projects Account #00200810 570032, Lighting Parks.

ATTACHMENTS:

1. Quotation from E.W. Audet & Sons, Inc., dated August 24, 2020
2. January 15, 2019 solicitation spreadsheet for original bid opening.

EW AUDET & SONS, INC

DATE: 08 24 2020

COST PROPOSAL WORKSHEET

OWNER: TOWN OF NARRAGANSETT
 PROJECT: REPLACE POWER PANEL ,METER
 TRIM,LIGHTING CONTACTOR AND
 PHOTO CELLS AT GAZABO RE USE
 EXISTING UNDERGROUND FEED
 FROM POLE.
 BY GEORGE ROBERT

NOTE: DELETE ANY POWER COMPANY
 CHARGES DIGGING AND BACKFILL
 WORK BY TOWN

QUANTITY	MATERIAL DESCRIPTION	MATERIAL UNIT	EXTENDED COST	
1	STAINLESS STEEL ENCLOSURE FOR POWER PANEL WITH BREAKERS AND NEW METER TRIM	1,650.00	1,650.00	
1	PVC SWITCH BOX WITH SWITCH AND COVER FOR CONTACTOR	30.00	30.00	
2	2 INCH HUBS	8.00	16.00	
2	2X6X8 PT	15.00	30.00	
1	GROUND ROD	19.00	19.00	
2	GROUND ROD CLAMPS	2.00	4.00	
25	#4 BARE CU	0.45	11.25	
1	NEW JUNCTION BOX PVC WITH MOUNTING FEET TO ENCLOSE LIGHTING CONTACTOR	20.00	20.00	
4	FDC 75 BOXES MALLABLE	25.00	100.00	
4	20 A GFCI TR WR OUTLETS	21.25	85.00	
1	WHITE PLASTIC MOUNTING BASE'S FOR EQUIPMENT (3 PIECES)	210.00	210.00	
1	SPECIAL HARDWARE	20.00	20.00	
1	2 INCH PVC X JOINT	20.00	20.00	0.0
1	REMOVE EXISTING SERVICE TURN OVER TO OWNER FOR DISPOSAL RE WORK THE EXISTING CONDUITS TO FIT NEW EQUIPMENT		0.00	3.0
4	WPWC COVERS METAL GFCI	19.00	76.00	
1	MISC NON METALIC CONNECTORS	25.00	25.00	
1	INTERSYSTEM BOND PLATE	16.00	16.00	
1	2X4 GRS NIPPLE	5.00	5.00	
1	30 AMP CONTACTOR 120V COIL FOR CHRISTMAS LIGHTING CONTROL	75.00	75.00	
2	1 INCH EXPANSION JOINTS	15.00	30.00	
1	LABOR		0.00	24.0
3	PHOTO CELLS LED	21.00	63.00	

1	PVC SWITCH ENCLOSURE FOR LIGHTING RELAY	25.00	25.00	
1	PERMIT ADA FEE ONLY	6.00	6.00	
	DIRECT MATERIALS		2,536.25	
	MISCELLANEOUS MATERIALS	5.00%	<u>126.81</u>	
	SUBTOTAL MATERIALS		2,663.06	
	OVERHEAD & PROFIT	15.00%	399.46	
	LABOR	\$87.00	2,349.00	27.00
	SUPERVISION (WORKING FOREMAN)	\$0.00	0.00	2.70
	SUB TOTAL		<u>5,411.52</u>	
	BOND (IF REQUIRED)	0.00%	0.00	
	TOTAL		<u>5,411.52</u>	

Town of Narragansett, RI
 General Electrical Services, B19018
 All Departments
 Bid Opening - January 15, 2019 - 11:00 am

	Vendor 1 Effluent Electric & Controls, LLC Price	Vendor 2 E.W. Audet & Sons, Inc. Price
1. Regular Service - 10 day response		
a. Master Electrician - per hour	\$75.00	\$95.00
b. Journeyman Electrician - per hour	No Bid	\$87.00
c. Apprentice - per hour	No Bid	\$66.00
2. Emergency Serv/Reg hrs- 2 hr resp		
a. Master Electrician - per hour	\$87.50	\$100.00
b. Journeyman Electrician - per hour	No Bid	\$89.00
c. Apprentice - per hour	No Bid	\$70.00
3. Emergency Serv/NW/Hol- 2 hr resp		
a. Master Electrician - per hour	\$127.50	\$178.00
b. Journeyman Electrician - per hour	No Bid	\$155.00
c. Apprentice - per hour	No Bid	\$115.00
4. Mark-up for parts and materials		
shall not exceed (in %)	10%	15%
5. Mark-up for equipment		
shall not exceed (in %)	12.5%	15%
Sg B19018		

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 4
Amend No. _____

Date Prepared: September 29, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Steve Wright, Director Parks and Recreation
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Festival of Lights Holiday Fireworks Display

RECOMMENDATION:

That the Town Council awards the contract for the Festival of Lights Holiday Fireworks Display to American Fireworks Display, LLC in the amount of \$3,998.00 and authorizes the Town Manager to sign the contract after review by the Town Solicitor.

SUMMARY:

The Request for Quotation (RFQ) was solicited for a holiday fireworks display for the Festival of Lights on December 6, 2020. RFQs were solicited and posted on the Town of Narragansett and State Purchasing Division websites. Three (3) vendors were solicited and two (2) responded. The attached spreadsheet lists the results from the solicitation.

American Fireworks has provided this service for several Towns in New York, Connecticut and RI and provided references that were verified with positive feedback. The total shell count provided for this show by American Fireworks will be 785 with 200 2" cakes, 240- 2.5" shells, 210- 3" shells, 108- 4" shells and 27 – 5" shells.

Funding is available in the Parks & Recreation Programs Operating Account #0001830 50359, Fireworks.

ATTACHMENTS:

1. September 21, 2020 solicitation spreadsheet for RFQ.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 5
Amend No. _____

Date Prepared: September 28, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Patti Arkwright, Library Director
PREPARED: Susan W. Gallagher, Purchasing Manager
SUBJECT: Covid19 Building Modifications at Maury Loontjens Memorial Library

RECOMMENDATION:

That the Town Council approves the modifications to the Library restrooms and kitchen for continued operations during the COVID-19 pandemic. These modifications include the purchase and installation of a water heater valve, touchless toilets, and touchless faucets from Atlantic Control Systems, Inc., in the amount of \$7,394.51.

SUMMARY:

As many town departments have pursued the idea of touchless technology modifications to restrooms in public spaces, the Library is also in need of these improvements.

The State or RI reopening plan includes modifying the use of public areas in order to provide a safer environment with recommended controls in place as directed by the CDC, ALA and RIDOH. As it has been mentioned previously, the library building in Narragansett has its own challenges with managing the use of the building by patrons and staff while keeping everyone safe from the Coronavirus. As patrons and staff continue to follow the mandates and recommendations (mask wearing, hand washing, screening and social distancing) the library continues to seek ways to keep the curve of spread at a low rate. The modifications to four (4) toilets, four (4) sinks/faucets, and a kitchen sink will help to keep the library open and at the same time limit exposure to all users of the library building.

Atlantic Control Systems, Inc. holds the General Plumbing & Pipe Fitting Services contract, as awarded by Town Council on August 24, 2020. The current Town Council policy on these contracts requires Town Council approval for all work that exceeds \$4,000.00.

Funding is available in the Library Operating Account #0042 50507, Building Maintenance and Repair.

ATTACHMENTS:

1. Proposals (3) from Atlantic Control Systems, Inc., dated September 17, 2020.

Atlantic Control Systems Inc.

Page 1 of 1 Pages

PO BOX 313
EXETER, RHODE ISLAND 02822

Phone: 401-294-1560
Fax: 401-294-1561
email info@atlanticcontrolsystems.com

PROPOSAL

Patti Arkwright, Library Director
Maury Loontjens Memorial Library
35 Kingstown Road
Narragansett, RI 02882

License Numbers	DATE	9/28/2020
RICRLB# 9160		
MPF1-6163 CMP-27		
FPM- 76 TSC-260	JOB NAME	Water Heater
EE-8124 CFT-10007		
UU-38554 RM-8436		

Job Location: Library

The undersigned is about to perform work and/or furnish materials for construction, erection, alterations, or repair at the job location listed above under contract with you. This is a notice that the undersigned or any other person who provides labor and materials for improvement under contract with the undersigned may file a mechanic's lien upon the land in the event of non payment to them. It is your responsibility to assure yourself that those persons under contract with the undersigned receive payment for their work performed and materials furnished for the construction, erection, alteration or repair upon the land. RIGL 34-28.4.1

We are pleased to provide an estimate for the following:

1. Provide labor and material to furnish and install new 40 gallon Lochinvar gas fired water heater in mechanical closet.

6 hours labor @ \$117.00	\$702.00	<i>No</i>
Material cost	\$555.90	
15% markup on material per PO	\$ 83.39	

Project total \$1,341.29

2. Add test port for water testing with 1/2" chrome plated faucet, copper exposed drop and hangers. Line would discharge into existing mop sink.

4 hours labor @ \$117.00	\$468.00
Material Cost	\$118.12
15% Mark up on Material	\$ 17.72

Project total \$603.84

If both projects are done together please deduct 2 hours labor @ \$117.00 (Deduct \$234.00) as system would only need too be drained and refilled once.

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications, for the sum of:

PROPOSAL VALID FOR 30 DAYS
PROPOSAL SUBMITTED BY James Grundy
DATE: 9/28/2020

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire tornado and other necessary insurance. Our workers are fully covered by Workers Compensation insurance.

Terms: Net 30. 1..50% interest per month to be charged on unpaid balance.

Acceptance of proposal— The above prices, specifications and conditions are satisfactory and are hereby accepted Payment will be made as stated above. *If proposal is accepted, please sign and return one copy.*

Date of acceptance _____

Signature _____

Atlantic Control Systems Inc.

Page 1 of 1 Pages

PO BOX 313
EXETER, RHODE ISLAND 02822

Phone: 401-294-1560
Fax: 401 294-1561
email info@atlanticcontrolsystems.com

PROPOSAL

Patti Arkwright, Library Director
Maury Loontjens Memorial Library
35 Kingstown Road
Narragansett, RI 02882

License Numbers	DATE	9/17/2020
RICRLB# 9160		
MPPF1-6163 CMP-27		
FPM- 76 TSC-260	JOB NAME	Touch Free Toilets
EE-8124 CF/T-10007		
UU-38554 RM-8436		

Job Location: Bathrooms

The undersigned is about to perform work and/or furnish materials for construction, erection, alterations, or repair at the job location listed above under contract with you. This is a notice that the undersigned or any other person who provides labor and materials for improvement under contract with the undersigned may file a mechanic's lien upon the land in the event of non payment to them. It is your responsibility to assure yourself that those persons under contract with the undersigned receive payment for their work performed and materials furnished for the construction, erection, alteration or repair upon the land. RIGL 34-28.4.1

We are pleased to provide an estimate for the following:

Provide labor and material to furnish and install four (4) touch free Intelli-Touch ADA compliant toilets to meet Covid touch-less protocol. Toilets would include new seats, supply's, wax ring and J-bolts.

8 hours labor @ \$117.00	\$ 936.00
Material cost	\$2,107.40
15% markup on material per PO	\$ 316.11

Project total \$3,359.51

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications, for the sum of:

PROPOSAL VALID FOR 30 DAYS
PROPOSAL SUBMITTED BY James Grundy
DATE: 9/17/2020

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire tornado and other necessary insurance. Our workers are fully covered by Workers Compensation insurance.

Terms: Net 30. 1.50% interest per month to be charged on unpaid balance.

Acceptance of proposal— The above prices, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as stated above. **If proposal is accepted, please sign and return one copy.**

Date of acceptance _____

Signature _____

Atlantic Control Systems Inc.

Page 1 of 1 Pages

PO BOX 313
EXETER, RHODE ISLAND 02822

Phone: 401-294-1560
Fax: 401-294-1561
email info@atlanticcontrolsystems.com

PROPOSAL

Patti Arkwright, Library Director
Maury Loontjens Memorial Library
35 Kingstown Road
Narragansett, RI 02882

License Numbers	DATE	9/17/2020
RICRLB# 9160		
MPF1-6163 CMP-27		
FPM- 76 TSC-260	JOB NAME	Touch Free
EE-8124 CF/T-10007		Sinks
UU-38554 RM-8436		

Job Location: Bathrooms and Kitchen

The undersigned is about to perform work and/or furnish materials for construction, erection, alterations, or repair at the job location listed above under contract with you. This is a notice that the undersigned or any other person who provides labor and materials for improvement under contract with the undersigned may file a mechanic's lien upon the land in the event of non payment to them. It is your responsibility to assure yourself that those persons under contract with the undersigned receive payment for their work performed and materials furnished for the construction, erection, alteration or repair upon the land. RIGL 34-28.4.1

We are pleased to provide an estimate for the following:

Provide labor and material to furnish and install four (4) touch free Sloan ADA compliant lavatory faucets and one (1) Sloan ADA compliant kitchen faucet to meet Covid touch-less protocol. Faucets would include supply's, and freezing one faucet supply that is non -functioning.

10 hours labor @ \$117.00	\$1,170.00
Material cost	\$1,966.23
15% markup on material per PO	\$ 294.93

Project total \$3,431.16

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications, for the sum of:

PROPOSAL VALID FOR 30 DAYS
PROPOSAL SUBMITTED BY James Grundy
DATE: 9/17/2020

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire tornado and other necessary insurance. Our workers are fully covered by Workers Compensation insurance.

Terms: Net 30. 1..50% interest per month to be charged on unpaid balance.

Acceptance of proposal-- The above prices, specifications and conditions are satisfactory and are hereby accepted Payment will be made as stated above. ***If proposal is accepted, please sign and return one copy.***

Date of acceptance _____

Signature _____

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 6
Amend No. _____

Date Prepared: October 6, 2020
Council Meeting Date: October 19, 2020

TO: Honorable Town Council
FROM: Sean Corrigan, Police Chief
SUBJECT: Parking Fine Schedule

RECOMMENDATION:

That the Town Council read, pass and adopt as a second reading an ordinance in amendment of Chapter 74 of the Code of Ordinances of the Town of Narragansett, Rhode Island entitled "Traffic and Vehicles".

SUMMARY:

The Town of Narragansett Code of Ordinances Section 74-4 (Schedule of Parking Fines) lists fourteen different parking violations, and the majority of parking violations carry a fine of \$35. These fines were last raised from \$25 back in 2006.

I believe the deterrent effect of the \$35 fine for parking violations has significantly waned since 2006. This opinion is supported by anecdotal evidence provided by officers and other town officials who have been told by parking violators that it is worth \$35 to have a place to park in Narragansett. Further evidence comes from Municipal Court reports that show the number of parking violations issued by the department is increasing every year. For example, in 2018 Municipal Court collected \$162,270 from parking tickets versus \$251,281.19 in 2019. The 2019 ticket total has already been surpassed this year.

The expense to the town to enforce parking violations has increased since 2006 as well. During the summer months, the department hires Community Service Officers (CSO's) to assist with enforcing parking restrictions. To deal with the public safety issues presented by the parking violations, it has become necessary to hire CSO's earlier in the season and to require them to work overtime. Officers are also increasingly required to participate in parking enforcement operations, which takes away from their other enforcement and service priorities. This year, to support efforts to reduce crowding in violation of pandemic orders, officers have worked overtime details dedicated just to parking violations.

Next year the department would like to hire additional CSO's to manage the summer parking problems and free up officers to focus on other priorities. We are also in the process of researching an electronic ticketing system to improve payment efficiency, which will have a startup and maintenance cost.

To increase deterrence, improve officer service and recoup expenses I am requesting that all parking violations that currently carry a fine of \$35 be raised to \$50 (see attached proposed ordinance amendment for details). Also, I am requesting the timeframe to pay a parking ticket be extended from 10 days to 15 days. Municipal Court has recommended this change because they receive many ticket payments a day or two late and they believe this timeframe will increase deadline compliance.

The proposed ordinance was introduced and a first reading was held on October 5, 2020.

ATTACHMENTS:

1. Proposed ordinance amendment

TOWN OF NARRAGANSETT

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 74 OF THE CODE OF ORDINANCES
OF THE TOWN OF NARRAGANSETT, RHODE ISLAND, ENTITLED
“SCHEDULE OF PARKING FINES”

It is ordained by the Town Council of the Town of Narragansett as follows:

Section 1: Section 74-4 of Chapter 74 of the Code of Ordinances of the Town of Narragansett is hereby amended by deleting the text in ~~strikeout~~ and adding the underlined text to read as follows:

Sec 74-4. – Schedule of parking fines.

(a) All parking violations shall be fined in accordance with the following schedule:

- (1) Overtime parking ~~\$35.00~~ \$50.00
- (2) Parking in a prohibited area ~~35.00~~ \$50.00
- (3) Double parking ~~35.00~~ \$50.00
- (4) Parking on sidewalk ~~35.00~~ \$50.00
- (5) Parking to obstruct highway or loading zone ~~35.00~~ \$50.00
- (6) Standing in prohibited area ~~35.00~~ \$50.00
- (7) Parking within 25 feet of an intersection ~~35.00~~ \$50.00
- (8) Parking left wheels to curb ~~35.00~~ \$50.00
- (9) Parking within 15 feet of a hydrant ~~35.00~~ \$50.00
- (10) Parking within a fire lane ~~35.00~~ \$50.00
- (11) Parking in excess of one foot, but less than three feet, from the curb ~~35.00~~ \$50.00
- (12) Parking in violation of winter parking ban 50.00
- (13) Parking in a tow-away zone 75.00
- (14) Parking in handicapped space:
 - a. First offense 100.00
 - b. Second offense 175.00
 - c. Third offense 325.00
- (15) Other parking violations ~~35.00~~ \$50.00

(b) If any fine imposed pursuant to subsection (a) of this section shall remain unpaid ~~ten~~ fifteen days after the issuance of the ticket, then the amount of the fine due to the town shall be two times the amount of the fine initially imposed.

(c) If any fine imposed pursuant to subsection (a) of this section shall remain unpaid 30 days after the issuance of the ticket, then the amount of the fine due to the town shall be four times the amount of the fine initially imposed.

Section 2: This ordinance shall take effect upon passage, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed as of that date.

First reading, read and passed in the Town Council meeting legally assembled the _____
day of _____, 2020.

Second reading, read and passed in the Town Council meeting legally assembled the _____
day of _____, 2020.

COUNCIL COMMUNICATION

Amend No. _____

**Date Prepared: October 6, 2020
Council Meeting Date: October 19, 2020**

TO: James Tierney, Town Manager
FROM: Scott Partington, Fire Chief
PREPARED BY: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Amendment to the Fire Prevention Ordinance

RECOMMENDATION:

That the Town Council read, pass and adopt as a second reading an ordinance in amendment of Chapter 26 – Fire Prevention and Protection, Article I entitled “In General” and Article II entitled “Fire Code and Regulations” of the Code of Ordinances of the Town of Narragansett, Rhode Island, and

That the Town Council read, pass and adopt as a second reading an ordinance in amendment of Chapter 10 – Buildings and Building Regulations, Article II entitled “Permit” within Section 10-32 entitled “Plan Review Fees (fire safety)” of the Code of Ordinances of the Town of Narragansett, Rhode Island.

SUMMARY:

The last significant update to the Narragansett Fire Prevention Ordinance took place in 2009 and since that time the State of Rhode Island has adopted two more current editions of NFPA (National Fire Protection Agency) 1 and 101 which are referred to as the “Fire Code” and the “Life Safety Code” respectively. There have also been updates to Rhode Island General Laws governing the fire code as well as amendments, variances, and interpretations. In order to effectively enforce this State law and to provide our residents with the guidelines necessary to achieve compliance with the code it is necessary that a comprehensive review and update of local ordinances take place.

This ordinance update outlines pertinent duties and expectations of the town’s Fire Prevention Bureau, provides guidance for permitting, codifies existing state fees, and provides an avenue to ensure code compliance. To this end, significant amendments have been proposed for Chapter 26 of the Code of Ordinances. Additionally, an amendment to Chapter 10 is being proposed as pertains to fire safety plan review fees, to eliminate redundancy and conflict between chapters.

Fire prevention is a delicate balance of code enforcement and education with education taking precedence in most cases. The Narragansett Fire Department is committed to the safety of our residents and works diligently to ensure that everyone in the Town of Narragansett is safe in their homes, our local businesses, and in all public areas.

These updates are critical factors in providing a mechanism and means to help ensure our town remains a safer place to live, shop, dine, and work. These ordinance updates are NOT intended to be a comprehensive fire or life safety code but they do further establish compliance with State law as required.

The proposed ordinances were introduced and first readings were held on October 5, 2020.

ATTACHMENTS:

1. Proposed ordinance amendments
2. Letter from Narragansett Fire Marshal
3. PowerPoint Presentation

TOWN OF NARRAGANSETT

CHAPTER

**AN ORDINANCE IN AMENDMENT OF CHAPTER 26
OF THE CODE OF ORDINANCES OF THE
TOWN OF NARRAGANSETT, RHODE ISLAND,
ENTITLED "FIRE PREVENTION AND PROTECTION"**

It is ordained by the Town Council of the Town of Narragansett as follows:

Section 1: That Chapter 26, Article I of the Code of Ordinances entitled "In General" is hereby amended by adding the underlined text:

ARTICLE I. - IN GENERAL

Sec. 26-1. - The fire chief, fire marshal and any other qualified members of the fire department designated by the fire chief shall constitute the Narragansett Bureau of Fire Prevention, hereinafter referred to as bureau of fire prevention. All members of the bureau of fire prevention shall be sworn constables of the town and shall uphold and enforce all Narragansett fire related ordinances and laws.

Sec. 26-2. - State code adopted.

There is adopted by the town for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the state Fire Safety Code, chapters 28.1 to 28.39 of title 23 of the General Laws of Rhode Island, 1956 as amended, and the Fire Safety Code sections 1 through 15 adopted by the Rhode Island Fire Safety Code Board of Appeal and Review pursuant to R.I.G.L. 23-28.3-3, which provisions are adopted and incorporated as fully as if set out in length herein, and from the date this section takes effect, the provisions thereof shall be controlling within the town.

Sec. 26-3. - Duty to enforce laws, ordinances, regulations.

(a) It shall be the duty of the bureau of fire prevention to enforce all laws of the state and ordinances of the town, and all regulations that have or shall be adopted by the town covering the following:

(1) The prevention of fires.

(2) The storage of petroleum and petroleum products in bulk, the storage of dangerous chemicals, the storage and use of all other explosive and flammables of whatever name or nature.

(3) The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment.

- (4) The condition and accessibility of exits in case of fire, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theatres, amphitheaters, and all other places in which numbers of persons work, live or congregate, from time to time, for any purpose.
- (5) The investigation of the cause, origin, and circumstances of fires.

(b) The bureau of fire prevention shall have such other powers and perform such other duties as are set forth in other sections of this Chapter 26 and as may be conferred and imposed from time to time by law and regulations adopted by said town of Narragansett. The chief of the fire department may delegate any of his/her powers or duties under this Chapter 26 to the Narragansett fire marshal.

Sec. 26-4. - Investigation of cause and origin of fires.

(a) The bureau of fire prevention shall investigate the cause, origin and circumstances of every fire occurring in the town by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design.

- (1) Such investigations shall begin as soon as an investigator can respond, upon the occurrence of such a fire
- (2) If it appears to the investigator making the investigation that the fire is of suspicious origin, the chief of the fire department shall be immediately notified of the fact; the investigator shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters, and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

(b) The chief of the fire department or his/her designee, shall report any structure damaged by fire to the town building inspector, and furnish a basic fire report no later than twenty-four (24) hours following the extinguishment of the fire, accompanied by a recommendation with proposed measures to insure reasonable safety.

(c) Upon receipt of a report from the fire chief or his/her designee, regarding a structure damaged by fire, the building inspector, or a designee, shall inspect said structure no later than twenty-four (24) hours following the receipt of such a report.

(d) The building inspector shall ensure that any structure classified as a public safety hazard and/or a general safety threat to the community is secured immediately following such a classification and/or determination.

- (1) The burden of securing such a structure shall be placed upon the owner of the property.
- (2) The owner of a property classified as a public safety hazard and/or general safety threat to the community shall secure the said property within seven (7) days of such a classification.
- (3) In the event that an owner of a structure classified as a public safety hazard and/or general safety threat fails to secure such property, the building inspector, or a designee, shall secure the structure and charge the owner of the aforementioned property with any and all applicable expenses necessary to secure the structure.

Sec. 26-4. 5. - Plans and rates for fire alarm equipment, boxes or cable.

- (a) Any plans involving relocation or adjustment of fire alarm equipment, boxes or cable required by building, road construction, road reconstruction, cable television or utilities shall be submitted to the fire department. All pertinent information of the work to be performed and material requirements shall be included.
- (b) The town council shall establish by resolution and amend from time to time standard rates to be used when computing charges.

(c) Transition to radio transmitting and receiving devices:

All current and future town businesses required by the Rhode Island Fire Code to maintain Emergency Forces Notification (master boxes) shall upgrade their system to conform to Narragansett fire regulations within a 5-year timeframe. The Narragansett fire department will no longer maintain or receive signals on the current 100-milliamp wired system starting on January 1st of 2025. Any premise that requires this upgrade shall have a new radio master box installed and operating by December 31, 2024. (See the Radio Box guidance and regulations on file with the Narragansett fire department for details.)

- (d) There shall be a yearly maintenance and registration fee for all master boxes and a registration fee for local alarms made payable to the town at the time the business license is renewed. This fee will be accompanied by an application and approval by the fire chief or his/her designee.

(e) Town not liable for losses:

The town shall not be responsible or liable and no cause of action shall arise or be asserted against the town as a result of any losses, damages or injuries or any type whatsoever, to life or property, which may arise or occur to the applicant, his heirs, successors or assigns as a result of the failure of the applicant's fire alarm system to function properly or of the town's fire alarm system to function properly, whether considered jointly or severally and further the town shall in no way be held liable or responsible for any damages, losses or injuries to persons or property, which may be occasioned or arise by reason of the applicant's fire alarm system being connected to the town fire alarm system, and in any such event the town shall be held harmless.

Sec. 26-6. - Fire prevention inspection fees.

These fees are governed by RIGL chapter 23-28.2, section 23-28.2-27 and are subject to change if alternate fees are adopted

The fire department shall assess an inspection fee for any inspection performed by the department pursuant to any provision of the state fire code including any rule or regulation of the state fire marshal. In the case of any commercial, industrial, manufacturing, educational, religious or governmental use, the fee shall be payable by the licensee of the property inspected if the occupant of the property inspected holds any license issued by the board of licenses, otherwise the fee shall be payable by the lessee of the property inspected or, if none, then by the owner of the property. In the case of any residential property, the fee shall payable by the owner of the property.

The fee shall be waived if, after inspection, no violation of any provision of the Narragansett Code of Ordinances or the Rhode Island State Fire Code including any rule or regulation of the state fire marshal has been found. Each subsequent re-inspection shall constitute an inspection for which a separate fee shall be payable if continuing violations are found. No inspection fee shall be assessed against the town, or any department, board, or commission thereof.

Section 2: That Chapter 26, Article II of the Code of Ordinances entitled “Fire Code and Regulations” is hereby amended by adding the underlined text:

DIVISION 1. – TANKS

Sec. 26-21. - Installation of tanks for combustibles.

(a) Reserved.

(b) Any such installation shall be subject to the provisions of the state fire code and all other applicable state or federal regulations and ordinances of the town.

DIVISION 2. - REGULATION OF OPEN FIRES

Sec. 26-23. - Purpose.

The purpose of this division is to regulate open fires consistent with but outside the control of G.L. 1956, §§ 23-23-1 et seq. and 23-23.1-1 et seq., the Rhode Island Clean Air Act, and G.L. 1956, § 2-12-1 et seq., forest fires and prevention.

Pursuant to § 23-23-18(b) and (c) of the Rhode Island General Laws, the town may regulate and prohibit open fires for the health, safety and protection of its residents.

(1) In the event that an open fire or smoke emanating from any open fire, including but not limited to those exempt herein, is determined to cause an annoyance and nuisance to owners, lessees, occupants or persons in general, by way of fumes, soot, ashes, dust, smoke, odors, sparks and the like, then in such event, said fire shall be extinguished immediately upon notification by the fire chief or his/her designee.

(2) If a determination is made that an open fire is causing an annoyance and nuisance and the open fire is not extinguished immediately, the fire chief or his/her designee may enter upon the property and extinguish said fire.

(3) The Narragansett fire department shall enter and extinguish illegal fires upon private land and shall report the same to the fire prevention bureau or police department for prosecution.

Sec. 26-24. - Definitions.

Bonfire. A large fire built in the open air, for warmth, entertainment, or celebration, etc., or as a signal.

Open fire. The term open fire as used in this Chapter 26 shall be held to mean any fire from which the products of combustion are emitted directly into the open air without passing through a stack or chimney.

Permit. Official permit to kindle fire from the state department of environmental management, division of forest environment.

Solid waste. Garbage, refuse and other discarded solid material generated by residential, institutional, commercial, industrial and agricultural sources, but does not include solids or dissolved material in domestic sewage or sewage sludge, nor does it include hazardous waste as defined in the state hazardous waste management act, as amended.

Sec. 26-25. - Prohibited.

The following activities are prohibited:

- (a) During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by burning on the property or in the immediate vicinity.
- (b) The burning of solid waste.
- (c) The burning of wood that has been treated with chemicals, paint, stain, or other finishing materials.
- (d) Open fires on any commercial property.

The bureau of fire prevention may, in writing, order every owner, lessee, occupant or any person having charge of premises described in this article, to remove materials, waste, or rubbish or accumulations thereof, from said premises within three (3) days from the receipt of said order.

Sec. 26-26. - Permit required.

The following activities require a permit issued by the fire department:

- (a) Permit required on public grounds. No person shall set or maintain any bonfire or other open fire of any kind or authorize any such fire to be set or maintained on any public ground without a permit issued by the chief of the fire department or his/her designee. The permit may set such limitations or conditions as determined appropriate by the chief or his/her designee.
- (b) Permit required for bonfires on private land.
- (c) Permit required for the burning of cut brush and leaves.

Sec. 26-27. - Permit not required.

The following activities do not require a permit issued by the fire department:

- (a) A person may burn combustible material on any private residential land if the fire is contained in a burner with a closed or properly screened top, approved by the fire

prevention bureau, including chimeneas or other movable, closed fire containers available for retail purchase. Fire rings and stone rings shall be allowed as long as all combustible materials are cleared to a minimum of seven feet away and the ring is less than 30 inches in diameter. Such fire containers are to be located safely on private residential property no less than 15 feet from any structure and ten feet from any property line or combustible fence.

(b) Gas and charcoal fired grills.

(c) Residential fires are limited to the period from sunrise to midnight.

Sec. 26-28. - Attendance at fires.

Every bonfire or other open or closed fire shall be constantly attended by a competent person until such fire is extinguished. A garden hose connected to a water supply or other fire extinguishing equipment shall be readily available for use.

Sec. 26-29. - Exceptions.

(a) The chief of the fire department or his/her designee may prohibit any and all outdoor bonfires or other open fires whenever atmospheric conditions or other local circumstances may make such fires hazardous. The chief or his/her designee shall have the authority to order extinguished any fire determined to be a public safety risk.

(b) The chief of the fire department may authorize exceptions to this division and allow additional burning when the chief deems it necessary for the public convenience or welfare.

Sec. 26-30. - Complaints on open burning.

Upon receiving a formal complaint of open burning (name and address of complainant provided), the fire department will respond and investigate. If the officer in charge deems that the burning is a nuisance, as that term is defined in G.L. § 11-30-13, the fire shall be put out. If the complainant does not wish to file a formal complaint, then the fire department shall only do a safety check of the open burning.

Sec. 26-31. - Penalties for violation.

Any person found guilty of violating any section of this division shall, upon conviction, be punished in accordance with section 1-14 of this Code.

DIVISION 3. – PERMITTING

Sec. 26-32. - Permitting requirements.

1. No building permit may be issued in the town without the review and prior approval of the chief of the fire department or his/her designee.

2. No mechanical permit for the modification or installation of liquefied petroleum gas may be issued in the town without the review and prior approval of the chief of the fire department or his/her designee.
3. No mechanical permit for the modification or installation of any fire suppression system may be issued in the town without the review and prior approval of the chief of the fire department or his/her designee.
4. No mechanical permit for the modification or installation of combustible or flammable liquids may be issued in the town without the review and prior approval of the chief of the fire department or his/her designee.
5. No electrical permit for the modification or installation of fire alarms may be issued in the town without the review and prior approval of the chief of the fire department or his/her designee.
6. No permit may be issued for the erection of a tent or air-supported structure in the town without the review and prior approval of the chief of the fire department or his/her designee.
7. No permit, certificate or license may be issued for any structure or process that is regulated by the provisions of the state Fire Safety Code in the town without the review and prior approval of the chief of the fire department or his/her designee.
8. No permit for the display of outdoor fireworks or indoor pyrotechnics may be issued without a complete review and approval by the chief of the fire department or his/her designee.
9. Any property owner, lessee or other person who violates or fails, or refuses to comply with the provisions of the state Fire Safety Code or the provisions of Chapter 26 shall be subject to prosecution in the municipal court or will be assessed a fine in accordance with this section prior to the issuance of their permit.
10. No permit shall be issued for construction requiring hot work without a HOT WORK PERMIT issued by the chief of the fire department or his/her designee.

Sec. 26-33. – Penalties for violation of permitting requirements.

Any person found to be in violation of this code shall be fined up to but not exceeding \$250 dollars to be paid in full prior to the issuance of that entity's certificate of occupancy.

DIVISION 4. - EXCESSIVE AVOIDABLE FALSE FIRE ALARMS AND MALFUNCTIONS

Sec. 26-34. – Definitions.

Avoidable false alarm means the activation of any alarm which results in the response of the fire department and is caused by the negligence or intentional misuse (including such activation caused by heat, smoke or fire) of the system by the owner or his/her/its employees, servants, agents or guests or any other activation including activation caused by heat, smoke or fire.

Avoidable fire alarm malfunction means the activation of any alarm which results in the response of the fire department and such activation is caused by mechanical failure, malfunction, improper installation or lack of proper maintenance; and for any other

response for which the fire department personnel are unable to gain access to the premises for any reason, or are unable to determine, after reasonable inquiry, the apparent cause of the alarm activation.

The owner of any premises shall be responsible for any avoidable false alarms and avoidable false alarm malfunctions occurring at those premises. Incidents shall be cumulative for all realty held in that name, and fines for avoidable false alarms and avoidable false alarm malfunctions will be assessed to the owner of the premises according to the Narragansett fire department fee schedule.

After three (3) avoidable false alarms or avoidable false alarm malfunctions in one (1) twelve-month period, the owner of the premises will be notified via certified mail that subsequent avoidable false alarms will cause the owner to be assessed fines according to the fine schedule referenced in this section.

DIVISION 5 - KEY ACCESS BOXES

Sec. 26-35. - All commercial, large multi-unit residential structures, and 1, 2, and 3 family homes with a monitored alarm system in the town are required to provide emergency access to their building as outlined in the Narragansett Fire Department Key Access Box Standard. All applicable buildings shall install an approved key access box, provide updated keys for their premises, and maintain these boxes to the aforementioned standard. (See the Key Access Regulations on file with the Narragansett fire department for details.)

DIVISION 6 - CROWD MANAGEMENT AND FIRE/FIRE WATCH DETAILS

Sec. 26-36. - In accordance with the Rhode Island Fire Code all places of assembly shall have a minimum of one uniformed fire fighter, and any additional uniformed fire fighters on duty when deemed necessary by the chief of the local fire department or his/her designee and shall be enforced as outlined in chapters twelve and thirteen in the Rhode Island Life Safety Code.

Furthermore, the fire chief or his/her designee shall have the authority to require a fire watch or fire detail as outlined in NFPA 1 and adopted by the State of Rhode Island as the Rhode Island Fire Code.

1.7.17 Standby and Fire Watch Personnel.

1.7.17.1

The AHJ shall have the authority to require standby fire personnel or an approved fire watch when potentially hazardous conditions or a reduction in a life safety feature exist due to the type of performance, display, exhibit, occupancy, contest, or activity; an impairment to a fire protection feature; or the number of persons present.

1.7.17.2

The owner, agent, or lessee shall employ one or more qualified persons, as required and approved, to be on duty.

1.7.17.2.1

The cost of standby fire personnel shall be at no cost to the AHJ.

1.7.17.3 *

Such standby fire personnel or fire watch personnel shall be subject to the AHJ's orders at all times and shall be identifiable and remain on duty during the times such places are open to the public, when such activity is being conducted, or as required by the AHJ.

[AHJ: authority having jurisdiction]

DIVISION 7 - FEE TABLES

Sec. 26-37. - Plan Review Fee Table

This fee schedule is governed by RIGL chapter 23-28.2, section 23-28.2-26 and is subject to change if an alternate fee schedule is adopted.

Inspection Type	Fee	
Plan review—New single-family	\$75.00	
Plan review—New two-family	\$125.00	
Plan review—New three-family	\$175.00	
Renovations, additions, alterations—Residential	\$50.00	
Plan review—Commercial	Cost of Construction	
	Fee	
	\$500 or less	\$25.00
	Over \$500 but not over \$1,000	\$35.00
	Over \$1,000 but not over \$2,000	\$45.00
	Over \$2,000 but not over \$500,000	\$45.00+ (plus \$6.00 per \$1,000 or fraction thereof over \$2,000)
Over \$500,000	\$3,033.00+ (plus \$4.00 per \$1,000 or fraction thereof over \$500,000)	
Re-inspection Fee (If failed twice)	\$50.00	
Tent permits (greater than 350 sq. ft.)	\$30.00	
Fireworks	\$50.00	
Underground tank removal—Residential	\$50.00	
Underground tank removal—Commercial, flammable liquids	\$150.00	
Underground tank removal—Commercial, combustible liquids	\$100.00	

Narragansett Fire Department Fee Schedule	Cost
Commercial Master Box Registration	\$150.00
Local Fire Alarm Registration	\$25.00
Fire Code Inspection (if violations are found)	\$100.00
Working Without a Required Permit	\$250.00
Excessive Avoidable Alarms	0-3 = \$0 4-10 = \$150 per incident 11- 30 = \$200 per incident 30+ = \$300 per incident

Section 3: This ordinance shall take effect upon passage, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed as of that date.

First reading, read and passed in the Town Council meeting legally assembled the _____ day of _____, 2020.

Second reading, read and passed in the Town Council meeting legally assembled the _____ day of _____, 2020.

TOWN OF NARRAGANSETT

CHAPTER

**AN ORDINANCE IN AMENDMENT OF CHAPTER 10
OF THE CODE OF ORDINANCES OF THE
TOWN OF NARRAGANSETT, RHODE ISLAND,
ENTITLED "BUILDINGS AND BUILDING REGULATIONS"**

It is ordained by the Town Council of the Town of Narragansett as follows:

Section 1: That Chapter 10, Article II of the Code of Ordinances entitled "Permit" is hereby amended within Section 10-32 by deleting the text in ~~strikeout~~ and adding the underlined text:

Sec. 10-32. - Plan review fees (fire safety).

Every request for plan review, by the town fire marshal's office under provisions of the state fire safety code, shall be accompanied by the fee prescribed in ~~this section.~~ Chapter 26, Article II (Fire Code and Regulations) of this Code of Ordinances. ~~Plan review fees shall be as follows:~~

~~New Building, Additions, Alteration, Structures, Etc.
General permit fees based on cost of construction~~

~~\$500.00 or less \$25.00~~

~~Over \$500.00 but not over \$1,000.00 35.00~~

~~Over \$1,000.00 but not over \$2,000.00 45.00~~

~~Over \$2,000.00 but not over \$500,000.00 45.00~~

~~Plus \$6.00 per \$1,000.00 or fraction thereof over \$2,000.00~~

~~Over \$500,000.00 3,033.00~~

~~Plus \$4.00 per \$1,000.00 or fraction thereof over \$500,000.00~~

~~All fees collected pursuant to this section shall be deposited as general revenue.~~

~~One , two , and three family dwelling (new construction) 50.00~~

~~Renovations, additions, alteration 30.00~~

~~All other buildings would follow the state fee structure.~~

Section 2: This ordinance shall take effect upon passage, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed as of that date.

First reading, read and passed in the Town Council meeting legally assembled the _____ day of _____, 2020.

Second reading, read and passed in the Town Council meeting legally assembled the _____ day of _____, 2020.

INTEROFFICE MEMORANDUM

TO: JAMES TIERNEY, TOWN MANAGER
FROM: FIRE MARSHAL, CAPT. KEVIN TUTHILL
SUBJECT: FIRE PREVENTION AND PROTECTION ORDINANCE UPDATE
DATE: AUGUST 5, 2020
CC: FIRE CHIEF SCOTT PARTINGTON

Dear Mr. Jim Tierney,

I began my position of Fire Marshal about a year and a half ago and one of the first major long-term projects assigned to me by Chief Partington was a comprehensive review and update of the Fire Prevention Ordinance. I began by reading and reviewing available ordinances from surrounding communities and then moved outward to ones from around the country. Because the ordinances are heavily based on state adopted code the RI examples were more pertinent. I immediately noticed that the Narragansett Fire Prevention Ordinance is much less in depth and has a smaller scope than most of our neighbors. After this review I was convinced that additions were necessary. I utilized the following cities and towns as guidance for our additions:

- North Kingstown
- South Kingstown
- Newport
- Providence
- Cranston
- RI Fire Code

The updates themselves are pretty simple and are necessary to establish responsibilities, provide a means of enforcement, and to provide guidance both for our department and our local residents. In order for our town to achieve success with fire prevention we need clear guidelines, the ability to enforce said guidelines, and an office to help the public achieve compliance. Fire prevention is a delicate balance of code enforcement and education with

education taking precedence in most cases. We are committed to the safety of our residents and work diligently to ensure that everyone in the Town of Narragansett is safe in their homes, our local businesses, and in all public areas.

This ordinance update outlines some pertinent duties of our Fire Prevention Bureau, provides guidance on permitting, codifies existing RI state fire code fees, and provides an avenue to ensure code compliance.

A major part of this update pertains to the recent technological upgrades to our public emergency reporting system. Like most towns in RI, we are converting from a wired 100 milliamp system to a wireless radio box platform. This system provides more detailed information at the time of the call, eliminates storm related issues, and provides the consumer immediate notification to our dispatch center in the event of an alarm.

I believe that this update is critical and that it will provide us the tools and resources necessary to make our town a safer place to live, shop, dine, and work. This update is NOT meant to be a comprehensive fire or life safety code but it further establishes that we will follow state code as required.

A supplementary PowerPoint will be created outlining specific changes and their justification.

Sincerely,

Capt. Kevin R. Tuthill #54

Captain Kevin R. Tuthill
Narragansett Fire Marshal

2020 Fire Prevention Ordinance Updates



Narragansett Fire Department



History

- The Narragansett Fire Prevention Ordinance was codified in 1986 and referenced a few basics from the 1956 State General Laws governing firefighters.
- The last update took place in 2009 and there have been no further updates to the ordinance in over 10 years.
- Since this time, the State of Rhode Island has adopted two new NFPA standards – 2013 Fire Code and subsequently 2015 Fire Code

Current Ordinance

- Plans and rates for fire alarm equipment and boxes
- Tanks (installation of tanks used for combustibles)
- Regulation of open fires
 - Allowed/Prohibited
 - Permits
 - Complaints
 - Penalties for violation

Proposed Ordinance (Including Brief Justification)

- Officially adopt the RI Fire Code and Life Safety Code
 - This ensures that the town will be compliant with State law and lets our constituents know what standards will be enforced in Town
- Duty to enforce RI Fire and Life Safety Code
 - This gives our sworn Marshal's the authority to enforce State code in the Town of Narragansett and outlines their basic duties
- Duty to investigate
 - Provides a basis for fire investigations and outlines basic responsibilities for our investigators

Proposed Ordinance (Including Brief Justification)

- Radio and 100ma Box Fee
 - Provides for preventative maintenance and response to issues with critical fire safety equipment
- Local Alarm Registration
 - Will provide us with a current and up to date database of commercial and residential alarms that require testing and response
- Transition to Radio Box Timeframe
 - NFD is transitioning away from a wired system. This section provides guidance and a time frame for this move.

Proposed Ordinance (Including Brief Justification)

- Fire Prevention Inspection fees
 - Mimics what is already in State law
 - Allows for NO fee if 0 violations are found
 - Allows for re-inspection fees for offenders that do not comply with fire code within their 30-day window or granted time extension
- We updated, and made the nuisance burning language firmer and also made it enforceable
 - This allows us the right to require an outdoor fire to be extinguished if it impacts the health or safety of our residents

Proposed Ordinance (Including Brief Justification)

- Added language to require the removal of waste if it becomes a fire hazard
 - We firmed up this language and made it enforceable
- Permitting
 - This section outlines all major areas of the fire code that require permits
 - We also made this enforceable and added a fine for non-compliance

Proposed Ordinance (Including Brief Justification)

- Excessive Avoidable False Alarms
 - This section defines excessive nuisance alarms
 - It also provides a fee structure for excessive avoidable responses to alarms by the Fire Department
- Key Access Boxes
 - This section provides a requirement for buildings in town to provide emergency access and directs them to provided guidance on types of boxes and locations required

Proposed Ordinance (Including Brief Justification)

- Crowd Management and Fire/Fire Watch Details
 - This section provides guidance informing the public when and where a detail may be required and reinforces the Chief's authority to mandate further details for public safety
- The Fire Plan Review Schedule was added and put into table form as required by State Law

Fee Table

- Commercial Master Box Registration - \$150
- Residential and Local Alarm Registration - \$25
- Fire Code Inspection (if violations are found) - \$100
- Working without a Permit – up to \$250
- Excessive Avoidable False Alarms
 - 0-3 = \$0
 - 4-10 = \$150 per incident
 - 11- 30 = \$200 per incident
 - 30+ = \$300 per incident
- Other violations are ticketed in accordance with section 1-14

Projected Revenue

- Master Boxes - $124 \times \$150 = \$18,600$ (This excludes town buildings but includes state and federal)
- Local Alarm Registration - $160 \times \$25 = \$4,000$ (This only includes Commercial)
- Inspection Fees - $67 \times \$100 = \$6,700$ (In 2019 we had 67 businesses fail inspections)
- Total Projected Revenue = \$29,300

*Note this revenue will be used to offset costs of maintaining a public emergency alarm reporting system

2020 Fire Prevention Ordinance Updates



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Questions



**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 9
Amend No. _____

Date Prepared: October 7, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Scott Partington, Fire Chief
SUBJECT: 2020 EMPG – Funding Award

RECOMMENDATION:

That the Town Council accepts a reimbursable FY2020 Department of Homeland Security (DHS): Emergency Management Preparedness Grant (EMPG) in the amount of \$8,650.00 from the Rhode Island Emergency Management Agency and for the Town Manager to sign acceptance of said grant.

SUMMARY:

The Narragansett Emergency Management has applied for a grant to cover the personnel support for the day to day EMA activities and operations in the amount of \$8,650.00. Grant funding is available from the Rhode Island Emergency Management Agency (RIEMA), and the Department of Homeland Security (DHS)/FEMA EMPG grant program.

The Federal share of this grant is 50% or \$4,325.00 of the approved amount and the local share of the costs is 50% or \$4,325.00.00.

Town funding is from the Narragansett Emergency Management Agency Operating Account# 00001532-50102, Part-time Wages.

ATTACHMENTS:

1. Grant award package No. EMB-2020-EP-00001-S01.



RIEMA RHODE ISLAND
EMERGENCY MANAGEMENT AGENCY

Gina M. Raimondo **Governor**
Marc R. Pappas **Director**

July 10, 2020

James Tierney
Town Manager
Town of Narragansett
25 Fifth Avenue
Narragansett, Rhode Island 02882

Dear Mr. Tierney:

Thank you for taking the time to apply for the 2020 Emergency Preparedness Grant Program (EMPG). The preapplication you submitted, #10, was received and reviewed and I am pleased to announce we are able to fund your request of **\$4,325.00**.

After review, it was determined your request for level funding from last year's program was reasonable and allowable within the budget for RIEMA's 2020 EMPG program. Your thorough work with the preapplication does not call for additional application requirements.

You will have to submit a copy of the municipalities budget document indicating there is the match for the EMA program. You may also be required to submit additional information to the RIEMA grants section in order to comply with EMPG educational and training programs.

You will be receiving a grant award prior to October 1, 2020. If you have any questions, please contact either Richard Jones, or Timothy Nadeau at 401-946-9996.

Sincerely,

Marc R. Pappas

Rhode Island Emergency Management Agency

STATEMENT OF SUBGRANT AWARD

U.S. Department of Homeland Security

Fiscal Year (FY) 2020 Emergency Management Performance Grant (EMPG) Program

Federal Award Project Description

Project and Budget	Start Date:	End Date:	Federal Grant Number:
Period of Performance:	<u>10/1/2020</u> to	<u>9/30/2021</u>	EMB-2020-EP-00001-S01
Federal Award Date:	<u>10/1/2019</u>		CFDA Number: <u>97.042</u>
Sub-Grant Award #:	<u>23-04A-2020 EMPG</u>	Sub-Recipient DUNS #:	<u>140053245</u>
Awarded to:	<u>Town of Narragansett EMA</u>	Federal cost share:	<u>50%</u>
Authorized Official:	<u>James R. Tierney, Town Manager</u>	Local cost match:	<u>50%</u>
Point of Contact:	<u>Chief Scott Partington, Fire Chief/EMA Director</u>		
Project Location:	<u>25 Fifth Avenue, Narragansett, RI , 02882</u>		

All reimbursements will be made via: electronic transfer

Project Title:	Personnel Support			
Solution	Item Description	Federal	Local Match	Total Cost
Planning		\$ -	\$ -	\$ -
Organization	Salaried EMA Operations	\$ 4,325.00	\$ 4,325.00	\$ 8,650.00
Equipment		\$ -	\$ -	\$ -
Training		\$ -	\$ -	\$ -
Exercise		\$ -	\$ -	\$ -
	Total for Project A			\$ 8,650.00
	Total Grant Award			\$ 8,650.00
	Federal share			\$ 4,325.00
	Sub-recipient share			\$ 4,325.00

Standard Conditions:

RIEMA SPECIAL GRANT CONDITIONS AND REPORTING REQUIREMENT GUIDELINES and 2 CFR §200.0 - 200.521 UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS

Special Conditions:

- Local Match has a cash requirement from municipality; 3rd party/in-kind match is not permitted.
- Federal funding for this project is to be used solely for Salaried EMA Operations.
- EHP approval is not required for this project.
- EMA Directors who have not submitted all the required training documents by **November 15, 2020** will have their grants suspended.



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RHODE ISLAND
EMERGENCY MANAGEMENT AGENCY

Gina M. Raimondo **Governor**
Marc R. Pappas **Director**

Rhode Island Emergency Management Agency

Special Grant Conditions and Reporting Requirement Guidelines

Recipient/sub-recipient agrees to comply with the most recent version of the Administrative Requirements, Cost Principles and Audit Requirements, as set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide. A non-exclusive list of regulations commonly applicable to DHS grants are listed below:

1. *Administrative Requirements*

- a. 2 CFR §200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- b. 2 CFR §200, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.

2. *Cost Principles*

- a. 2 CFR §200 Subpart E, Cost Principles for State, Local and Indian tribal Governments.
 - Special Considerations (2 CFR §200.416-.417)
- b. 2 CFR §200 Subpart E, Cost Principles for Education Institutions.
 - Special Considerations (2 CFR §200.418-.419)
- c. 2 CFR §200 Subpart E, Cost Principles for Non-Profit Organizations.
 - Exemptions found in Appendix VIII to Part 200.
- d. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.
- e. Financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.

3. *Audit Requirements*

- a. Recipient/sub-recipient agrees to comply with the organizational audit requirements of Office of Management and Budget (OMB) Circular A-133, Audits of States, Local Governments and Non-Profit Organizations as further described in the current edition of the OJP Financial Guide, Chapter 3.19.
- b. Recipient/sub-recipient agrees to comply with all applicable Rhode Island State Purchases Laws pursuant to Rhode Island General Law Title 37 Chapter 2 et seq.; purchasing rules and regulations.

Authorized Official Initial

RIEMA Grant Assurances & Conditions



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EMERGENCY MANAGEMENT AGENCY

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Marc R. Pappas **Director**

- c. Recipient/sub-recipient agrees to use federal funds granted under this award to supplement but not supplant state or local funds for homeland security preparedness. Recipient/sub-recipient understands and agrees that use of any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without express prior written approval of the Office of Domestic Preparedness is strictly prohibited.
- d. Recipient/sub-recipient is prohibited from transferring funds between programs (i.e., State Homeland Security Program, Law Enforcement Terrorism Prevention Program and Citizens Corps Program etc.).
- e. Recipients/sub-recipients receiving \$750,000 or more in federal funds during their fiscal year (FY), must have an audit conducted and submitted to RIEMA.

4. Reporting Requirements and Financial Guides

Sub-recipient agrees to meet reasonable fiscal and administrative requirements to account for its federal grant funds in accordance with OMB Circular A-102 and as the Office of the Governor or Rhode Island Emergency Management Agency (RIEMA) may require including but not limited to submitting: quarterly financial reports, quarterly progress reports and final financial reports. **Quarterly reports must be signed by an Authorized Official and submitted to RIEMA within fifteen (15) days after the close of each calendar quarter as follows:**

Quarter Dates	Quarterly Report Due Date
October 1 to December 31	January 15
January 1 to March 31	April 15
April 1 to June 30	July 15
July 1 to September 30	October 15

Failure to comply with this provision may result in the withholding of sub-grant funds until the delinquent report is received.

Sub-recipient further agrees to establish fiscal control and fund accounting procedures which meet minimum requirements of these guidelines to ensure proper disbursement of, and accounting for, grant funds. Such accounting procedures must provide for an accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. Sub-recipients that are not a state or quasi- governmental entity are required to maintain a separate bank account for each grant.

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RIEMA Grant Assurances & Conditions



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EMERGENCY MANAGEMENT AGENCY

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Marc R. Pappas **Director**

RIEMA recognizes that the costs associated with equipment lists that were submitted as part of the grant applications may only have been estimates. Therefore, should a cost savings be realized during an equipment acquisition process, the sub-recipient may return excess funds to RIEMA or petition RIEMA to change the quantity of a particular item or request that it be allowed to purchase an additional item. However, requests to purchase items not on the approved award must be submitted to RIEMA and ODP for final approval.

5. *Payment Methodology*

RIEMA shall only remit funds to sub-recipients upon receipt of a Grant Reimbursement Request Form, signed by an Authorized Agent, and supporting documentation.

- a. Equipment or services provided, including vendor invoices, purchase orders, signed packing slips to certify receipt of goods and proof of payment such as cancelled checks.
- b. Exercises or training, copies of training announcement including date, time, instructors and or speakers, location, topic(s), spread sheet with attendee's name, rates of pay and number of hours signed by an Authorized Agent and proof of payment such as attendee sign in lists with signatures or payroll records.

6. *Grant Closeout Date*

The Grant Reimbursement Request Form may be submitted at any time during the grant period of performance. Any unused balance existing at the grant end dates shall be de-obligated back to RIEMA unless sub-recipient receives an extension from RIEMA.

7. *Project Monitoring/Evaluation*

Sub-recipient agrees to fully cooperate with periodic programmatic, fiscal monitoring, records review and site visits conducted by RIEMA. Sub-recipient agrees to follow any other special conditions specified in the REC (Record of Environmental Consideration) and/or by the State and FEMA. Sub-recipient agrees to submit timely and accurate Program Evaluation Reports to RIEMA and to participate in RIEMA sponsored surveys and all other required reports related to any RIEMA-administered grant program. RIEMA reserves the right to deny payment to any approved programs, for failure to comply with this provision.

8. *Maintenance of Records*

All grant documents including but not limited to invoices, purchase orders, packing slips, equipment make, model and serial numbers, must be maintained for a minimum of three (3) years after RIEMA closeout date.

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A handwritten signature in black ink, appearing to be "MP", is written over a horizontal line.

RIEMA Grant Assurances & Conditions



RIEMA

RHODE ISLAND
EMERGENCY MANAGEMENT AGENCY

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Marc R. Pappas Director

9. *Property acquired with grant funds*

RIEMA requires that property acquired with grant funds be tagged and tracked detailing description of the property, serial or identification number, source of property, name of owner, acquisition date, cost, location, condition and disposition data. Title to property acquired in whole or in part with grant funds shall vest in the sub-recipient, subject to divestment at the option of RIEMA, where its use for homeland security purposes is discontinued. Sub-recipients shall exercise due caution in the use, maintenance, protection and preservation of such property.

10. *Civil Rights Requirements*

All recipients, sub-recipients regardless of the type of entity or the amount awarded, are subject to the prohibitions against discrimination in any program or activity and may be required by the Office of Civil Rights (OCR) of the U.S. Department of Justice, through selected compliance reviews, to submit data to ensure their services are delivered in an equitable manner to all segments of the service population and their employment practices comply with equal employment opportunity requirements. 28 CFR 42.202(n).

11. *Americans with Disabilities Act*

All federal grant recipients must comply with the American with Disabilities Act (ADA).

12. *Discrimination Prohibited*

No person shall on the grounds of race, color, or religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, specifically the nondiscrimination provision that appears at 42 U.S.C. § 3789c) (1). Recipients/sub-recipients of funds under the Act are also subject to the provisions of Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1974, as amended; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681; the Age Discrimination Act of 1975, 42 U.S.C. §6102; and DOJ Non-Discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G.

13. *Reporting of Adverse Finding of Discrimination*

It is the responsibility of all grantees, sub-recipients and contractors under grants, to report to the Office of Justice Programs, Office for Civil Rights and the Rhode Island Division of Legal Services within the Department of Administration, any finding of discrimination after a due process hearing, on the basis of race, color, religion, national origin or sex by a federal or state court or administrative agency pursuant to 28 C.F.R. Part 42.204(a-c).

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RIEMA Grant Assurances & Conditions



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EMERGENCY MANAGEMENT AGENCY

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14. *Equal Opportunity Program Requirements*

It is the responsibility of all sub-recipients to ensure that their employment practices comply with Equal Opportunity Requirements, 28 CFR 42.207, 42.301 et seq., Rhode Island General Laws Title 28 Chapter 5 through 6; and Gubernatorial Executive Orders governing the promotion of a diverse workforce, equal opportunity and the prevention of sexual harassment and including where applicable, the requirement of sub-recipients to formulate, implement and file an Equal Opportunity Employment Plan with RIEMA and the Office of Justice Programs, Office for Civil Rights.

15. *Application of Sub-Grant Conditions to Contractors*

Whenever a sub-recipient may choose to implement a project by further sub-granting to an implementing sub-recipient or an independent contractor, all or any part of the amount of this award, the sub-recipient shall include the provisions of these standard sub-grant conditions in a further sub-grant award or contract which shall be reduced to writing and submitted to RIEMA for **prior written approval (2 CFR §200.407)**. Such implementing sub-recipients or independent contractors, when utilized by the sub-recipient, may be responsible for the day-to-day operations of the project, including hiring, terminations and budget revisions, however, only when the contracts between the sub-recipients and the implementing sub-recipients or independent contractors so specify. A signed copy of all such contracts must be forwarded to RIEMA.

16. *Ethical Standards/Prohibited Political Activity*

It is the responsibility of all sub-recipients to comply with applicable provisions of Rhode Island General Law Chapter 14 Title 36 Code of Ethics and the provisions of the Hatch Act, which limits the political activity of public employees.

17. *Congressional Budget and Impoundment Control Act of 1974, as amended*

Grant awards are conditional, and subject to congressional or executive action including budget deferral recession.

18. *Lobbying, Debarment, Suspension, Drug-Free Workplace*

Sub-recipient shall complete the appropriate provisions of the attached OJP Form 4061//6.

19. *Interest Earned on Federal Funds*

Political subdivisions, (including cities, towns, counties and special districts created by State law) shall account for interest earned on Federal funds. Local units of government may keep interest earned on Federal grant funds up to \$100 per **federal fiscal year**. This maximum limit

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RIEMA Grant Assurances & Conditions



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Marc R. Pappas Director

is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of \$100, excluding Local Law Enforcement Block Grants (LLEBG) and Juvenile Accountability Incentive Block Grants (JAIBG) must be remitted to the United States Department of Health and Human Services, Division of Payment Management Services, P.O. Box 6021, Rockville, MD 20852.

Non-profit organizations shall account for interest earned on Federal funds. Non-profit organizations may keep interest earned on Federal grant funds up to \$250 per federal fiscal year. This maximum limit is not per award; it is inclusive of all interest earned as a result of all Federal grant program funds received per year. Interest earned in excess of \$250, must be remitted to the United States Department of Health and Human Services, Division of Payment Management Services, P.O. Box 6021, Rockville, MD 20852

Interest earned on LLEBG Block and JAIBG Block grants must be accounted for and reported as program income, and used in accordance with the provisions of Part III, Chapter 4 (Program Income). Any unexpended program income should be remitted to the Office of Justice Programs, Office of the Comptroller, Attn: Funds Control Branch 810 7th Street, NW 5th Floor, Washington, DC 20531.

20. NIMS Compliance

Sub-recipients are required to meet certain National Incident Management System (NIMS) compliance requirements. All emergency preparedness responses, and/or operation of resources and/or activities awarded through this grant must complete training programs consistent with the NIMS National Standard Curriculum Development Guide.

NIMS Training includes Independent Study (IS) courses: IS-100, IS-200, IS-700, IS-800; and

- a. the FEMA Professional Development Series (PDS) of: IS-120.c, IS-230.d, IS-235.c, IS-240.b, IS-241.b, IS-242.b, and IS-244.b
- b. the Emergency Management Professionals Program (EMPP) Basic Academy: E/L 101, E/L 102, E/L 103, E/L/K 0146, and E/L 105.

Sub-Recipients must also complete the NIMS Data Collection Tool by November 30th each year.

21. Collection of Unallowable Costs

Payments made for costs determined to be unallowable by either the Federal awarding agency, cognizant agency for indirect costs, or pass-through entity, either as direct or indirect

Authorized Official Initial

A handwritten signature in black ink, appearing to be "MP", is written over a horizontal line.

RIEMA Grant Assurances & Conditions



RIEMA RHODE ISLAND
EMERGENCY MANAGEMENT AGENCY

Gina M. Raimondo **Governor**
Marc R. Pappas **Director**

costs, must be refunded (including interest) to the Federal Government in accordance with instructions from the Federal or State agency that determined the costs are unallowable unless Federal statute or regulation directs otherwise.

22. Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment

To ensure compliance with the *John S. McCain National Defense Authorization Act for Fiscal Year 2019 (2 CFR §200.216)*:

- a. Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:
 - (1) Procure or obtain;
 - (2) Extend or renew a contract to procure or obtain; or
 - (3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - (i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - (ii) Telecommunications or video surveillance services provided by such entities or using such equipment.
 - (iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
- b. In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses,

Authorized Official Initial

RIEMA Grant Assurances & Conditions



RIEMA

RHODE ISLAND
EMERGENCY MANAGEMENT AGENCY

Gina M. Raimondo **Governor**
Marc R. Pappas **Director**

institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

- c. See Public Law 115-232, section 889 for additional information.
- d. See also §200.471.

I have read, initialed and understand the eight (8) pages of Special Grant Conditions and Reporting Requirement Guidelines and hereby agree to comply with them.

Signature of Authorized Agent	Date	Agency
Name (Printed)	Grant Award Number	
Signature of RIEMA Director	Date	

PLEASE SIGN AND RETURN WITHIN THIRTY (30) DAYS

Authorized Official Initial

RIEMA Grant Assurances & Conditions



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 10
Amend No. _____

Date Prepared: October 5, 2020
Council Meeting Date: October 19, 2020

TO: James Tierney, Town Manager
FROM: Steve Daignault Jr, Deputy Director of Public Works
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Touchless Faucets and Flush Valves for Town Hall, Towers, and Public Works

RECOMMENDATION:

That the Town Council approves the purchase and installation of touchless faucets and flush valves for all sinks and toilets located at the Narragansett Town Hall, The Towers and Narragansett DPW as an added safety protection against COVID-19 from Atlantic Control Systems, Inc. in the total amount of \$21,213.35.

SUMMARY:

The Department of Public Works under the direction of the Town Manager has obtained the quotes for the above listed buildings to replace all manual sink faucets and toilet flush valves with touchless devices. This is an action taken to reduce the risk of employees and visitors from contracting the Coronavirus (COVID-19). The Comfort Station purchase order has been issued because the cost is below the requirement for Town Council approval.

The three (3) estimates from Atlantic Control Systems, Inc. include the cost of labor, materials and contractual markup.

Atlantic Control Systems Inc. is currently under contract with the Town (Town Council awarded bid on August 24, 2020) for General Plumbing/ Pipe Fitting Services, and this scope of work fits with that service format. In accordance with Town policy, service contracts that require over \$4,000 per Purchase Order must be approved by the Town Council.

This project may be partially eligible for FEMA reimbursement for COVID-19 expenses.

Funding is available in the following accounts:

- Public Works Capital Projects Account #00200710 57520, Town Hall Renovations (\$10,575.10)
- Towers Committee Trust Account #0504 50507, Building Maintenance & Repairs (\$5,665.85) and
- Public Works Capital Projects Account #00200710 57025, Building Renovation (\$4,972.40).

ATTACHMENTS:

1. Proposals from Atlantic Control Systems Inc., dated September 17, 2020.

Atlantic Control Systems Inc.

Page 1 of 1 Pages

PO BOX 313
EXETER, RHODE ISLAND 02822

Phone: 401-294-1560
Fax: 401 294-1561
email info@atlanticcontrolsystems.com

PROPOSAL

Stephen Daignault, Assistant Director
Town of Narragansett, DPW
260 Westmorland Street
Narragansett, RI 02882

License Numbers
RICRLB# 9160
MPF1-6163 CMP-27
PPM- 76 TSC-260
EE-8124 CF/T-10007
UU-38554 RM-8436

DATE 9/17/2020
JOB NAME Touch Free
Sinks &
Toilets

Job Location: Town Hall

The undersigned is about to perform work and/or furnish materials for construction, erection, alterations, or repair at the job location listed above under contract with you. This is a notice that the undersigned or any other person who provides labor and materials for improvement under contract with the undersigned may file a mechanic's lien upon the land in the event of non payment to them. It is your responsibility to assure yourself that those persons under contract with the undersigned receive payment for their work performed and materials furnished for the construction, erection, alteration or repair upon the land. RIGL 34-28.4.1

We are pleased to provide an estimate for the following:

Provide labor and material to furnish and install four (8) touch free Sloan ADA compliant lavatory faucets and five (5) Sloan Toilet sensor heads on existing Sloan toilet valves, three (3) Sloan sensor heads on existing Sloan urinal valves and replace six (6) Toto flush valves with new Sloan sensor units on existing toilets to meet Covid touch-less protocol. Faucets would include supply's.

24 hours labor @ \$117.00	\$2,808.00	
Material cost	\$6,754.00	
Unit Cost	Sensor heads \$198.00 each	
	Touchless Flush Valves \$403.00 each	
	Touchless Faucets \$344.00 each	\$
15% markup on material per PO	\$1,013.10	
Project total	\$10,575.10	

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications, for the sum of:

PROPOSAL VALID FOR 30 DAYS

PROPOSAL SUBMITTED BY James Grundy

DATE: 9/17/2020

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers Compensation insurance.

Terms: Net 30. 1.50% interest per month to be charged on unpaid balance.

Acceptance of proposal- The above prices, specifications and conditions are satisfactory and are hereby accepted. Payment will be made as stated above. If proposal is accepted, please sign and return one copy.

Date of acceptance _____

Signature _____

Atlantic Control Systems Inc.

Page 1 of 1 Pages

PO BOX 313
EXETER, RHODE ISLAND 02822

Phone: 401-294-1560
Fax: 401-294-1561
email info@atlanticcontrolsystems.com

PROPOSAL

Stephen Daignault, Assistant Director
Town of Narragansett, DPW
260 Westmorland Street
Narragansett, RI 02882

License Numbers	DATE	9/17/2020
RICRLB# 9160		
MPPF1-6163 CMP-27		
FPM- 76 TSC-260	JOB NAME	Touch Free Sinks & Toilets
EE-8124 CF/T-10007		
UU-38554 RM-8436		

Job Location: Towers

The undersigned is about to perform work and/or furnish materials for construction, erection, alterations, or repair at the job location listed above under contract with you. This is a notice that the undersigned or any other person who provides labor and materials for improvement under contract with the undersigned may file a mechanic's lien upon the land in the event of non payment to them. It is your responsibility to assure yourself that those persons under contract with the undersigned receive payment for their work performed and materials furnished for the construction, erection, alteration or repair upon the land. RIGL 34-28.4.1

We are pleased to provide an estimate for the following:

Provide labor and material to furnish and install two (2) 4" touch free Sloan ADA compliant lavatory faucets . Two (2) 8" touch free Sloan ADA faucets, three (3) Sloan Toilet sensor heads on existing Sloan toilet valves, two (2) Sloan sensor heads on existing Sloan urinal valves and replace one (1) tank type toilet with new Intelli-touch touchless toilets to meet Covid touch-less protocol. Faucets would include supply's.

16 hours labor @ \$117.00	\$1,872.00
Material cost	\$3,299.00
Unit Cost	
Sensor heads \$198.00 each	
Touchless 8" Faucets \$526.00 each	
Touchless 4" Faucets \$344.00 each	
Intelli-Touch Tank Toilets \$569.00	\$
15% markup on material per PO	\$ 494.85
 Project total	 \$5,665.85

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications, for the sum of:

PROPOSAL VALID FOR 30 DAYS
PROPOSAL SUBMITTED BY James Grundy
DATE: 9/17/2020

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire (ornado and other necessary insurance. Our workers are fully covered by Workers Compensation insurance.

Terms: Net 30, 1..50% interest per month to be charged on unpaid balance.

Acceptance of proposal— The above prices, specifications and conditions are satisfactory and are hereby accepted Payment will be made as stated above. ***If proposal is accepted, please sign and return one copy.***

Date of acceptance _____

Signature _____

Atlantic Control Systems Inc.

Page 1 of 1 Pages

PO BOX 313
EXETER, RHODE ISLAND 02822

Phone: 401-294-1560
Fax: 401 294-1561
email info@atlanticcontrolsystems.com

PROPOSAL

Stephen Daignault, Assistant Director
Town of Narragansett, DPW
260 Westmorland Street
Narragansett, RI 02882

License Numbers	DATE	9/17/2020
RICRLB# 9160		
MPEI-6163 CMP-27	JOB NAME	Touch Free
FPM- 76 TSC-260		Sinks &
EE-8124 CF/T-10007		Toilets
UU-38554 RM-8436		

Job Location: DPW Garage

The undersigned is about to perform work and/or furnish materials for construction, erection, alterations, or repair at the job location listed above under contract with you. This is a notice that the undersigned or any other person who provides labor and materials for improvement under contract with the undersigned may file a mechanic's lien upon the land in the event of non payment to them. It is your responsibility to assure yourself that those persons under contract with the undersigned receive payment for their work performed and materials furnished for the construction, erection, alteration or repair upon the land RIGL 34-23.4.1

We are pleased to provide an estimate for the following:

Provide labor and material to furnish and install three (3) 4" touch free Sloan ADA compliant lavatory faucets for the Garage Utility Sink, Men's and Ladies rooms, (1) 8" touch free Sloan ADA faucets for the kitchen sink in the break two (2) tank type toilet with new Intelli-touch touch-less toilets for the Men's and Ladies rooms to meet Covid touch-less protocol. Faucets would include supply's.

16 hours labor @ \$117.00	\$1,872.00
Material cost	\$2,696.00
Unit Cost	
Touchless 8" Faucets \$526.00 each	
Touchless 4" Faucets \$344.00 each	
Intelli-Touch Tank Toilets \$569.00	
15% markup on material per PO	\$ 404.40

Project total \$4,972.40

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications, for the sum of:

PROPOSAL VALID FOR 30 DAYS

PROPOSAL SUBMITTED BY James Grundy

DATE: 9/17/2020

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra cost will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire tornado and other necessary insurance. Our workers are fully covered by Workers Compensation insurance.

Terms: Net 30. 1.50% interest per month to be charged on unpaid balance.

Acceptance of proposal— The above prices, specifications and conditions are satisfactory and are hereby accepted Payment will be made as stated above. If proposal is accepted, please sign and return one copy.

Date of acceptance _____

Signature _____

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 11
Amend No. _____

Date Prepared: October 6, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Steve Wright, Director Parks and Recreation
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Phase II Renovations to Recreation Hall at Camp

RECOMMENDATION:

That the Town Council waives its current policy and authorizes the use of the General Construction Services contract with Abcore Restoration Company, Inc., for the second phase renovations to the Recreational Building at the Camp on Clark Road in the amount of \$78,640.00.

SUMMARY:

The Recreation Building located at the Camp on Clarke Road was built in 1977 by the Jewish Children's Home of RI. The building and adjacent grounds are presently used as a summer camp for the Narragansett Parks and Recreation Department.

During Hurricane Sandy the roof was destroyed and the RI Interlocal Trust paid to have a new architectural roof installed in 2013. The Town Council approved the first phase of the Recreation Building Capitol Plan work on September 3, 2019 and work was completed on March 3, 2020 to replace twelve windows in the cupola and six windows on the three dormers for \$58,640.00.

The Town Council approved the second phase of the Recreation Building Capitol Plan on May 6, 2020 to replace the windows, doors and trim on the lower main portion of the building with new fixed tempered glass windows, and AZEK trim. This proposal replaces existing Plexiglas windows by reframing existing openings and installing 52 new white vinyl; double hung glass .090 laminate strength hurricane glass DP50 windows along with new two double french doors. The works includes complete interior and exterior trim for all windows and doors. Having this work performed will complete the exterior of the main room of the building, eliminate complications due to weather as well as minimize vandalism.

Abcore is currently under contract with the Town (as approved by the Town Council on May 18, 2020) for General Construction Services and this scope of work fits with that project format. In accordance with the Town Council's policy, the Miscellaneous Contract may be used with Council approval for work up to \$50,000 in value. Town Council must waive the current policy in order to use Abcore for this work.

Funding is available in the Parks and Recreation Capital Projects Account #00200810 57034, Camp Renovations.

ATTACHMENTS:

1. Abcore estimate dated October 6, 2020
2. Original spreadsheet from General Construction Services bid opening
3. Picture of Recreation Building.

Phone (401) 952-5857
 Fax (401) 782-2578

abc@cox.net
 www.abcorerestoration.com

ABCORE RESTORATION
 COMPANY, INC.

2 SECLUDED DRIVE
 NARRAGANSETT, RI
 02882

Estimate

Date	Estimate #
10/5/2020	37

Name / Address
Narragansett Parks & Recreation Dept. Attention Steve Wright 170 Clark Road Narragansett, RI 02882

Project
Camp Jori Activity B...

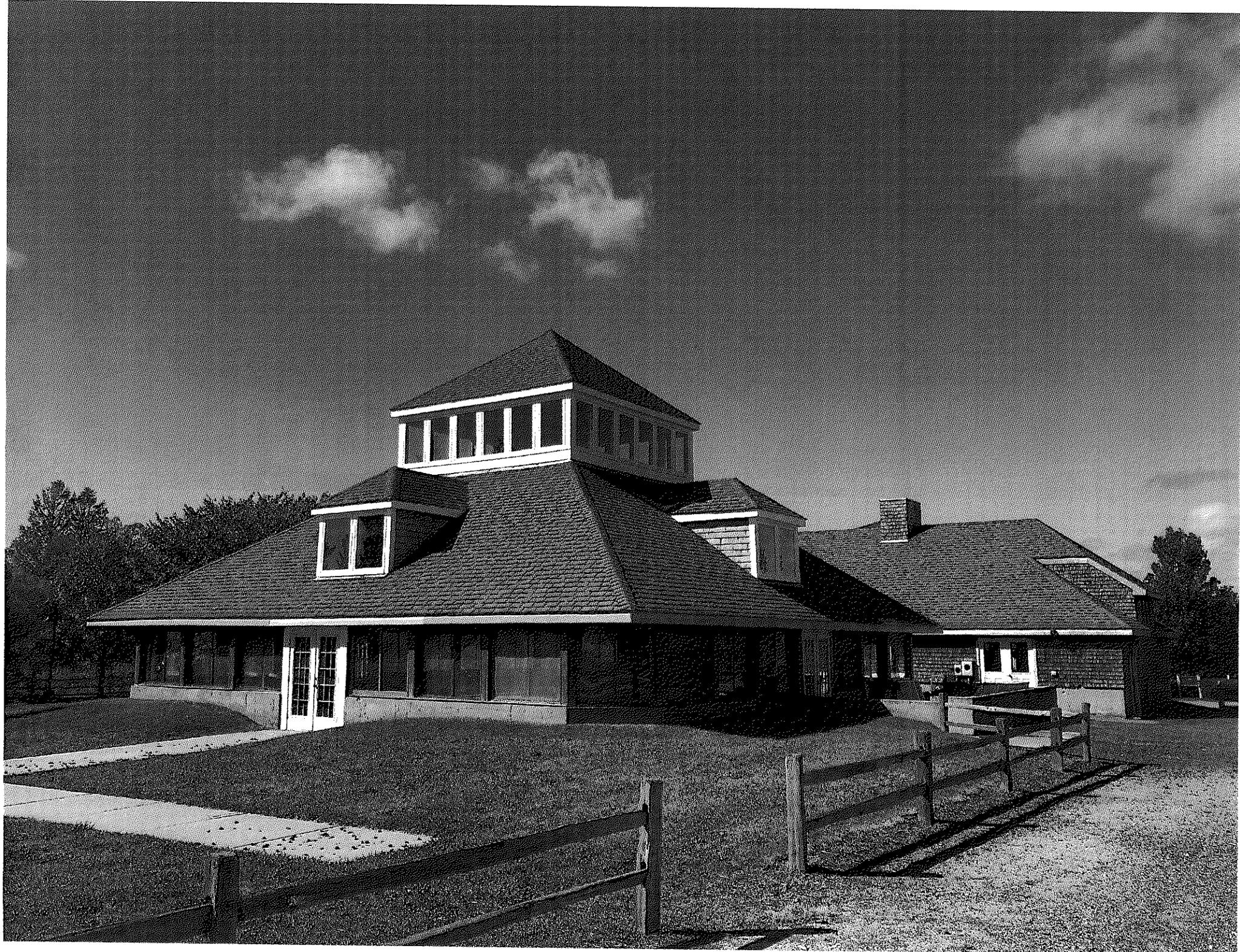
Description	Qty	Total
Camp Jori Activity Building Main Activity Building Remove existing windows. Framing Re-Frame existing openings to accommodate new windows for the complete perimeter Install (52) new windows. White vinyl double-hung, one over one. Lowe Argon specialty glass .090 laminate double strength hurricane glass DP50 due to proximity to children's activities Includes all necessary flange flashing Doors Remove existing double french doors Install two new Smooth Star double french doors with hurricane glass Trim Complete interior and exterior trim for all (52) windows and four doors All new fascia complete Activity building All trim to be PVC AZEK Cortex screw and bung system Total		78,640.00

Total		\$78,640.00
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Town of Narragansett, RI
 General Construction Services, B19004
 All Departments

Bid Opening - Monday, September 10, 2018 - 11:30 am

	Vendor 1	Vendor 2
	Martone Service Company, Inc.	Abcore Restoration Co., Inc.
	Prices	Prices
1. Regular Service - 10 day response		
a. Carpentry - per hour	\$73.00	\$62.43
b. Painting - per hour	\$68.00	\$54.67
c. Flooring - per hour	\$73.00	\$64.82
d. Roofing - per hour	\$70.00	\$61.37
e. Masonry - per hour	\$70.00	\$52.70
2. Emergency Serv/Reg hours		
a. Carpentry - per hour	\$73.00	\$62.43
b. Painting - per hour	\$68.00	\$54.67
c. Flooring - per hour	\$73.00	\$64.82
d. Roofing - per hour	\$70.00	\$61.37
e. Masonry - per hour	\$70.00	\$62.70
Response Time	2-4 hrs	1 hr
3. Emergency Serv/Nights/Wknd/Hol		
a. Carpentry - per hour	\$105.00	\$62.43
b. Painting - per hour	\$101.00	\$54.67
c. Flooring - per hour	\$103.00	\$64.82
d. Roofing - per hour	\$105.00	\$61.37
e. Masonry - per hour	\$103.00	\$52.70
Response Time	2-4 hrs	1 hr
4. Mark-up for parts & materials (%)	10%	0%
5. Mark-up for equipment (%)	8%	0%



**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 12
Amend No. _____

Date Prepared: October 6, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: Windmill Building Lease Agreement Amendment

RECOMMENDATION:

That the Town Council approves the Narragansett Historical Society request to amend the 25-year Windmill lease agreement and extend the improvement and occupancy clause by two years in item seven of the lease.

SUMMARY:

The Narragansett Historical Society is requesting permission to extend the improvement and occupancy clause by two years in item seven [7] of their 25-year lease for their fundraising of preservation of the Windmill Building and adjacent structure on Clarke Road to become the permanent home in Narragansett for the Narragansett Historical Society.

Preliminary research was conducted by Keith Lescarbeau of Abcore Co. Abcore's initial findings are that the building is structurally sound, however it is in need of significant renovations with a cost of approximately \$300,000.00. Presently the roof is leaking and will be temporally patched to prevent interior damage. Local Architect Peter Borgermister has spent twelve weeks inspecting every square foot of the Windmill Building and has developed detailed design drawings for the renovation of this historic building for its future use.

COVID-19 has restricted the Narragansett Historical Society from their ability to fundraise as in past years. To date \$85,000 has been raised through the generosity of local donations. However, there is the potential of future grants that were not available due to timing last year. The Historical Society is confident it will reach its fundraising goals and is asking for this extension and assurance so its members can move forward in their fundraising, improvement and occupancy of the Windmill Building without risk of termination of the lease.

.

The property is located on Clarke Road within the site of the Parks and Recreation administrative offices, summer camp, Clarke Center [seasonal special event venue], four pickle ball courts, one basketball court and seasonal Recreational Center. The Parks and Recreation Department is in full agreement with this two extension along with this much needed renovation and believes establishing the Narragansett Historical Society home at Clarke Road is a sound partnership.

ATTACHMENTS:

1. Windmill Building Lease Agreement

WINDMILL BUILDING LEASE AGREEMENT

THIS WINDMILL BUILDING LEASE AGREEMENT ("Lease") is entered into this 1st day of March 2020, by and between the Town of Narragansett ("LESSOR") and the Narragansett Historical Society, a non-profit organized and existing under the State of Rhode Island ("LESSEE").

WITNESSETH

That the LESSOR does hereby demise and lease unto the LESSEE that certain parcel of real estate commonly known as the Windmill Building and attached structures on Clarke Road (V-34), Narragansett, County of Washington, State of Rhode Island, ("Premises") which are more particularly described in Exhibits "A-1, A-2" attached.

TO HAVE AND TO HOLD said Premises, with all rights, privileges, use and occupancy and the appurtenances thereto, unto and to the use of the LESSEE for twenty-five (25) years, term commencing March 1, 2020, and terminating February 28, 2045, with a twenty-five (25) year renewal option upon the following covenants and conditions. The option to renew shall be exercised by the LESSEE giving to the LESSOR notice of its intention to renew the Lease at least one (1) year prior to the expiration of the initial term and any option term of this Lease. LESSEE'S exercise of this option is subject to the approval and agreement of LESSOR by a vote of the Town Council. The terms and conditions of the Lease during the option term shall be the same as contained in this Lease except that there shall be no option to renew; provided, however, the parties hereto may by mutual agreement extend this Lease for a further term.

1. **USE:** The Premises shall be used exclusively as a non-profit historical society dedicated to the collection, preservation, educational displays, and interpretation of the information and artifacts of life in Narragansett, Rhode Island. The facilities and programs provided by the LESSEE shall comply with Section 504 of the Federal Rehabilitation Act of 1973 and shall be accessible to the handicapped.
2. **STRUCTURES:** The LESSEE shall retain full use of the Premises. LESSEE shall comply with all applicable provisions of building and housing codes materially affecting health and safety, including but not limited to the obligation to maintain adequate smoke detectors in the Premises. LESSEE shall keep the Premises as clean and safe as its condition permits; use in a reasonable manner all electrical, plumbing, sanitary, heating and other facilities and appliances in the Premises; require patrons of the Premises to conduct themselves in a manner that will not disturb their neighbors' peaceful enjoyment of the adjoining premises; refrain from allowing the use of any part of the Premises in a manner such as would violate any local, State or Federal rule, regulation, ordinances or law.
3. **SPECIAL EVENTS:** The LESSOR acknowledges that, subject to LESSOR'S prior written approval, the LESSEE may hold non-profit special events which may require the use of additional areas within the adjacent town-owned property.
4. **GROUNDS:** LESSOR shall be responsible for normal grounds maintenance during the term of this Lease. Without limiting the generality of the foregoing language, this shall include maintaining the lawns, shrubbery, and gardens in the same manner it maintains other Narragansett Town properties. Designated parking areas can be shared by both LESSOR and LESSEE.

5. **SUBLEASE AND ASSIGNMENTS:** The LESSEE shall not have the right to sublease the whole or any part of the Premises, nor shall the LESSEE have the right to assign or transfer the whole or portion of this Lease without the prior written consent of the LESSOR. LESSEE shall have the right to allow vendors for a fee to exhibit for a period of less than ten (10) days to craftsmen or other similar persons for meetings, displays, exhibits and the sale of the craftsmen's products during fairs or similar events, provided all local, State and Federal rules, regulations, procedures, ordinances and laws are complied with.
6. **RENT:** The LESSEE shall pay unto the LESSOR a rental fee of twenty-five dollars (\$25.00) for the twenty-five (25) years term of this Lease. The annual rental fee shall be payable in payments of ONE DOLLAR (\$1.00) on or before the 1st day of March. The LESSEE, upon paying the rent and performing on its part, the agreements herein contained, may peaceably hold and enjoy the Premises during the term of this Lease without any lawful let or hindrance by the LESSOR, or any person claiming by, through or under it.
7. **PRIOR TERMINATION:** In the event the LESSEE shall fail to pay the annual installment of rent within fifteen (15) days subsequent to the first day of each and every year a one hundred dollar (\$100) late fee shall be due, and if such failure shall continue for more than five (5) days after written demand has been given by the LESSOR to the LESSEE, or in case of failure on the part of the LESSEE to perform all the covenants and agreements contained in this Lease, and such failure shall continue for more than twenty-one (21) days after written notice has been given by the LESSOR to the LESSEE specifying the existence and nature of the failure to perform, each of which shall be deemed a default, the LESSOR shall be at liberty to declare this Lease at an end and to commence an action for eviction pursuant to the R.I. General Laws, Sections 34-18-1

et.seq. The failure of the LESSOR to insist in any one or more instances upon the strict and literal performance of any of the agreements, terms or conditions of this Lease or to exercise any option of the LESSOR herein contained, will not be construed as a waiver of such term, conditions, agreement or option. The receipt by the LESSOR of rent with knowledge of the breach or nonperformance of any term, condition or agreement will not be deemed to be a waiver of such breach or nonperformance. The receipt by the LESSOR of rent after giving of any notice required to be given to the LESSEE by law or by the terms of this Lease will not in any way effect the operation of such notice.

The LESSOR may at LESSOR'S sole discretion, terminate said Lease in the event that the LESSEE does not make improvements in accordance with building and housing codes as well as Section 504 of the Federal Rehabilitation Act of 1973 and make the building accessible to the handicapped and occupy the building for its intended use within two years from the commencement of the Lease.

8. **FAILURE TO REMOVE PROPERTY AND FIXTURES:** If upon termination of this Lease, or if the LESSEE moves out or is dispossessed, the LESSEE fails to remove within thirty (30) days after such termination, moving out, dispossession, or expiration, all furniture, fixtures, or other property, such remaining furniture, fixtures or other tangible property shall be deemed abandoned by the LESSEE and shall become the property of the LESSOR.
9. **UTILITIES:** LESSEE agrees to contract for and pay when due all utility services, including water, sewer, telephone, cable, and electricity for the Premises.
10. **LAWS:** The LESSEE shall comply with all laws, ordinances, rules, regulations, order and requirements of the Federal, State and Local Governments and LESSOR, including but not limited to any building codes now in effect or hereinafter enacted.

11. **MAINTENANCE OF THE PREMISES:** The LESSEE shall keep the Premises and any building, structure or other appurtenance thereon, clean and in good repair during the term of this Lease, ordinary wear and tear thereof, damage by fire, and other unavoidable casualty excepted, provided that the LESSEE shall obtain and maintain the insurance specified herein, and at the expiration or sooner termination of this Lease, the LESSEE will quietly and peaceably surrender up possession of the Premises to the LESSOR in as good condition as they now are, or may be put in, ordinary wear and tear thereof, and other unavoidable casualty excepted. The LESSEE shall be responsible for and repair, at its own expense, all damage caused by LESSEE, LESSEE'S negligence or by the negligence of LESSEE'S agents, employees, servants, invitees or visitors to the Premises, said damage to be repaired to the satisfaction of the LESSOR. The LESSOR may, upon two (2) days' notice, unless such notice is impracticable or in the case of an emergency, enter to view and inspect the Premises and any building, structure or other appurtenances thereon and to order such repairs as may be considered reasonably necessary.

(a) In the event the LESSEE desires to make any alterations to the existing Premises; buildings, parking lot, water system, electrical circuitry or plumbing system, a plan of the proposed changes must be submitted to the Director of Parks and Recreation or his designee. If approved, all expenses pertaining thereto shall be the responsibility of the LESSEE.

12. **ACCESS TO THE WINDMILL BUILDING(S):** Access to the Premises shall be from the adjacent parking lot off Clarke Road and presently used by the Department of Parks and Recreation.

13. **PUBLIC ACCESS:** Public use and public access to the Premises will be available to the public during Narragansett Historical Society operating hours.

14. **INSPECTIONS:** The Director of Parks and Recreation or authorized representative of the Town of Narragansett reserves the right to inspect the Premises any time without advance notice for the sole purpose of reviewing the grounds, facilities and contents to meet any and all health and safety regulations.
15. **INSURANCE:** (a) **Liability:** The LESSEE shall obtain and maintain throughout the operation of this Lease, general liability insurance running to the benefit of both the LESSOR and the LESSEE in the sum of TWO MILLION DOLLARS AND 00/100 (\$2,000,000.00) aggregate, which shall include bodily injury, death and property damage. LESSEE shall be required to increase its general liability insurance limits, to an amount solely satisfactory to LESSOR, when it conducts any large scale events on the property or when it permits weddings or other events on the property that serve alcoholic beverages. All special events conducted by LESSEE must be first brought to the attention of the office of the Narragansett Parks and Recreation Department for insurance review and approval prior to the event being scheduled.
- (b) **Fire and Extended Coverage Insurance:** The LESSEE shall obtain and maintain throughout the operation of this lease, personal property insurance for all personal property on the Premises. LESSOR assumes no responsibility for personal property of the LESSEE on the Premises.
- (c) **Certificates:** LESSEE shall provide LESSOR with certificates of all insurance Specified above with proof of payment of the premium(s) therefore at the commencement of the term of this lease and annually on or before March 1st of each year of this Lease and as LESSOR may otherwise reasonably request. Said certificates shall name LESSOR as an additional insured on the policy and shall cover the entire scope of LESSEE'S use of the Premises. Such insurance shall be written

with a company or companies of recognized responsibility authorized to engage in the business of such insurance in Rhode Island.

16. **SIGNS:** LESSEE may erect signage advertising the Narragansett Historical Society and events to be held therein at the intersection of Clarke Road & Ocean Road and also at the intersection of Point Judith Road and Clarke Road. All other traffic signs, business signs and advertising signs of any particular brand or commodity may not be posted, except as may be approved in writing by the Director of Parks and Recreation or his designee. All signs must be in conformance with the town zoning ordinances.
17. **SNOW REMOVAL:** LESSOR will be responsible for snow removal. The LESSOR is responsible for removal of the snow on steps and walkways of the Premises as staff and time are available after a storm.
18. **LEAD PAINT DISCLOSURE:** LESSEE hereby acknowledges that the LESSOR has disclosed the probable existence of lead-based paint and or lead-based paint related hazard on the Premises. LESSEE has received and read a copy of a federally approved Pamphlet on lead poisoning protection and signed the "Disclosure of Information on Lead Based Paint and/or Lead Based Paint Hazards" form.
19. **NOTICES:** All notices required to be given by the LESSEE to the LESSOR shall be addressed in writing to the Town Manager of the Town of Narragansett, 25 Fifth Avenue, Narragansett, RI 02882, with copies of such notices to be sent to the Director of the Department of Parks and Recreation, 170 Clarke Road, Narragansett, RI under which the property is managed and any notices from the LESSOR to the LESSEE shall be addressed to or to such other addresses as the parties hereto may respectively designate by notice in writing.

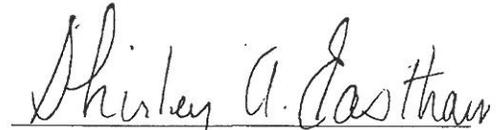
20. **INDEMNITY:** LESSEE hereby agrees that LESSEE shall, at all times, defend, and save, hold harmless and indemnify the LESSOR, its agents, servants and employees against and from: (1) any penalty, damages or charges, including attorneys' fees for any violation of any law or ordinance whether occasioned by negligence or willful act of LESSEE or of LESSEE'S agents, employees, servants, invitees or visitors: (2) all claims, including bodily injury and death, loss, costs, damage or expenses, including attorney's fees arising out of or from any accident, incident, or occurrence in any way connected to the use in, on or about the Premises by LESSEE, or by LESSEE'S agents, employees, servants, invitees or visitors, or arising out of or from any act of negligence of the LESSEE, or of the LESSEE'S agents, employees, servants, invitees or visitors; and (3) all claims, including bodily injury and death, loss, costs, damage or expenses including attorney's fees arising out of or from any failure of the LESSEE in any respect to comply with and perform all the requirements and provisions of this Lease.
21. **APPROVAL:** This Lease shall be effective only subsequent to its approval by the Narragansett Town Council as designated below.
22. **ENTIRE AGREEMENT:** This Lease sets forth the entire understanding of the parties and supersedes any and all prior agreements, representations, arrangements, and understandings between the parties.
23. **APPLICABLE LAW:** This Lease and all rights and obligations hereunder shall be governed by the laws of the Town of Narragansett and State of Rhode Island.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

WITNESS:

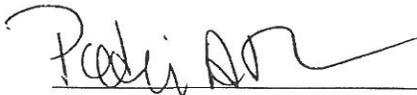
 _____ 2/20/20

LESSEE:



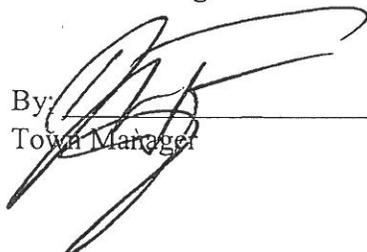
Narragansett Historical Society
President, Board of Directors

WITNESS:

 _____

LESSOR:

Town of Narragansett

By: 

Town Manager

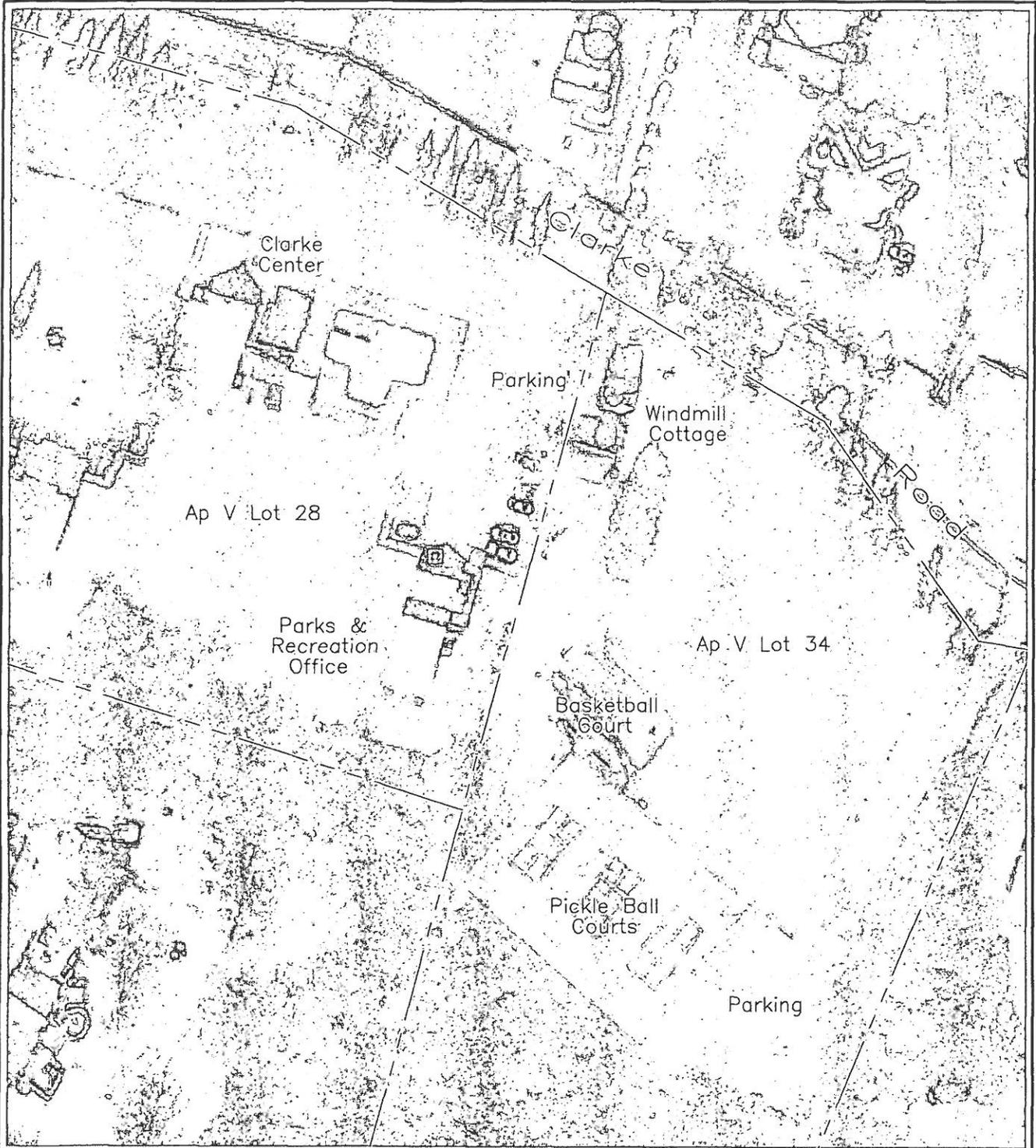
APPROVED AS TO TERMS
AND CONDITIONS:

Date Approved: 2/18/2020
Narragansett Town Council

APPROVED AS TO
SUBSTANCE:



Town Solicitor



				Project		ENGINEERING DEPARTMENT 25 FIFTH AVENUE NARRAGANSETT, RI 02882	
				PARKS & RECREATION LEASE AGREEMENT			
				Drawing Title		DEPARTMENTAL SECTION - Tel No. (401) 782-0637 Fax No. (401) 782-0669	
				EXHIBIT "A" AERIAL PLAN		Design/Survey by NAME (Date) Drawn by GO Checked by SW	
						Drawing No.	
						Drawing No. 2 of 2	
Rev	Revision Details	Date	Amended by	Approved by	Date	Scale	1"=80'
					01-31-2020		
						SURVEY	WORKING DRAWING
						FEASIBILITY	AS-BUILT

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 13
Amend No. _____

Date Prepared: October 5, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager

FROM: Jonathan Gerhard, P.E., Town Engineer
Steve Wright, Director Parks and Recreation

PREPARED BY: Susan W. Gallagher, Purchasing Manager

SUBJECT: Award of bid – Veterans’ Memorial Park Landscape Improvements

RECOMMENDATION:

That the Town Council awards the bid for Veterans’ Memorial Park Landscape Improvements to the lowest bidder, Key Corporation, in the amount of \$190,684.00.

SUMMARY:

Veteran’s Memorial Park is located at the intersection of Memorial Square/Kingstown Road and Mathewson Street, near the historic Narragansett Towers building in Narragansett, Rhode Island. The Park has five (5) stone monuments, concrete walks, landscape plantings and beds, picket fencing, a raised seating area with benches, flagpole and site lighting as currently configured. Two (2) of the monuments were installed after the walks were constructed and do not have a dedicated pedestrian path to approach the monument. The centrally located raised seating area partially interferes with movement of disabled patrons to and from the monuments. The Town desires to modify the Veteran’s Memorial Park site configuration to provide dedicated pedestrian pathways to all site monuments, improve accessibility through the Park for disabled patrons, and provide other miscellaneous modifications to enhance the site’s appearance and amenities.

The Scope of Work for this project includes the furnishing of all labor, materials, and equipment necessary to remove and dispose existing concrete walks, raised platforms, benches, plantings, and miscellaneous site elements; protect and preserve existing items designated for re-installation and re-use; and construct proposed site and landscape improvements, including new walkways, plantings, benches, and other miscellaneous site improvements. The Scope of Work also includes furnishing additional stone pavers to be stored at the Town DPW facility (260 Westmoreland Street) for future use pending modifications to the street intersection and cross walks.

Request for bids were advertised in the Narragansett Times, solicited, and posted on the Town of Narragansett and State Purchasing Division websites. Five (5) vendors obtained the specification packages and two responded. The attached spreadsheet lists the results from the solicitation. The Engineering Department has reviewed the bids and recommends an award to Key Corporation of Wakefield at their low bid price (lump sum

total bid price) of \$190,684.00.

Key Corporation has completed site construction projects for several municipalities, public agencies and private entities throughout Rhode Island. The Engineering Department reviewed the statement of qualifications Key Corporation submitted with their bid and contacted individuals involved in reference projects to inquire as to their performance. Based upon these investigations, we are satisfied that Key Corporation is capable of performing the work required for the Veterans' Park Landscape Improvements project. The project is intended to be completed prior to Memorial Day 2021.

Funding is available in the Parks and Recreation Capital Projects Account #00200810, 57030, Park Rehabilitation.

ATTACHMENTS:

1. September 23, 2020 solicitation spreadsheet for bid opening.

Town of Narragansett, RI			
Veterans' Memorial Park Landscape Improvements, B21001			
Engineering/Parks & Recreation			
Bid Opening - Wednesday, September 23, 2020 - 11:00 am			
Item	Vendor 1	Vendor 2	
	Key Corporation	Yard Works, Inc.	
1. Landscape improvements - lump sum	\$177,000.00	\$198,272.00	
2. Stone pavers for future placement - lump sum	\$2,000.00	\$2,250.00	
3. Allowance for remove/replace granite bound	\$500.00	\$100.00	
4. Allowance for landscape plantings	\$11,184.00	\$9,978.00	
TOTAL BASE BID - Items 1-4	\$190,684.00	\$210,600.00	
Sg B21001			

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 14
Amend No. _____

Date Prepared: September 30, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Proposed Amendment to Conservation Easement on Plat K, Lot 460-8
(1034 Ocean Road)

RECOMMENDATION:

That the Town Council refer a proposed amendment to the Conservation Easement on Plat K, Lot 460-8 (1034 Ocean Road) to the Planning Board and Town Solicitor for review and report.

SUMMARY:

A request has been received from the owner of Plat K, Lot 460-8 (1034 Ocean Road, LLC) to amend the Conservation Easement that exists on the property to state that swimming pool barriers for this parcel are to be considered consistent with the intent of the Conservation Easement.

A Conservation Easement from the previous owner to the Town of Narragansett was initially approved for the entire Fort Greene subdivision in 1994. Subsequently, in 2018 a text amendment to the Conservation Easement for the subdivision to allow for view corridors and access paths on eight designated lots was approved.

The amendment request before you now would only pertain to Plat K, Lot 460-8 of the Fort Greene Subdivision (recorded Lot 8).

Staff recommends referral to the Planning Board and Town Solicitor for review and report on recommendations.

ATTACHMENTS:

1. Request packet
2. 2018 text amendment documents

September 6, 2019

VIA FIRST CLASS MAIL

The Honorable Members of the Town Council
Town of Narragansett
25 Fifth Avenue
Narragansett, RI 02882

Re: 1034 Ocean Road, LLC

Dear Council Members:

This firm represents 1034 Ocean Road, LLC (“1034”) a Rhode Island limited liability company, the owner of a parcel of real estate further described as Lot 460-8 on Assessor’s Plat K. 1034 acquired this parcel of real estate by a Trustee’s Deed dated May 31, 2011 from John G. Picerne, Trustee of the John G. Picerne Trust 2006 (copy of deed attached hereto). At the time of the acquisition of this property, the improvements located to the rear of the residence, including the swimming pool, surrounding patio and barrier, had been installed by the previous owner and maintained by 1034 until the present time.

At the time this subdivision was approved, the Town of Narragansett required and was the beneficiary of a Conservation Easement dated June 8, 1994 (copy of Conservation Easement attached hereto). Within the area of the Easement is 1034’s swimming pool barrier.

The Town of Narragansett similar to every city and town in this State, requires a barrier surrounding swimming pools. Attached hereto are various plans prepared by Waterman Engineering which illustrate that the barrier presently exists within the area of the Conservation Easement.¹ 1034 proposes an amendment to the Easement attached hereto entitled “First Amendment to Conservation Easement”, which states that swimming pool barriers for this parcel of real estate are to be considered consistent with the intent of the Conservation Easement. Also enclosed are photographs illustrating the barrier and surrounding property.

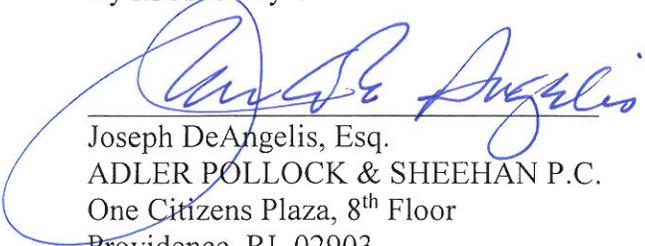
¹ It is important to note that substantial erosion has occurred in this area. 1964 and 1991 surveys clearly illustrate this loss of upland. It is more likely than not, that in 1994 the 175 foot area of easement did not encompass the area where the barrier is presently located.

ADLER POLLOCK & SHEEHAN P.C.

Town of Narragansett
Town Council
September 6, 2019
Page 2

1034 respectfully requests an opportunity to appear before the Town Council to seek their approval of the amendment which is attached hereto.

1034 Ocean Road, LLC
By its Attorney's



Joseph DeAngelis, Esq.
ADLER POLLOCK & SHEEHAN P.C.
One Citizens Plaza, 8th Floor
Providence, RI 02903
Phone: (401) 274-7200
Fax: (401) 751-0604
jdeangelis@apslaw.com

TRUSTEE'S DEED

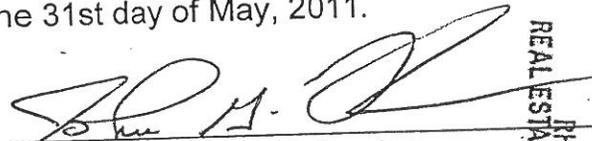
I, JOHN G. PICERNE, as Trustee of The John G. Picerne Trust - 2006 dated June 6, 2006, as amended ("Grantor"), having an address at 1405 South County Trail, East Greenwich, Rhode Island 02818, by virtue of the power conferred upon me under aforesaid Trust, and by every other power thereunto enabling, for consideration paid in the sum of \$2,600,000, grant to 1034 OCEAN ROAD, LLC, a Rhode Island limited liability company with an address c/o Adler, Pollock & Sheehan, P.C., One Citizens Plaza, 8th Floor, Providence, Rhode Island 02903, the real property and improvements thereon located at 1034 Ocean Road, Narragansett, Rhode Island more particularly described in Exhibit A hereto and made a part hereof.

Subject to restrictions, encumbrances and easements of record and the lien of current taxes not yet due and payable.

Grantor certifies that Grantor has complied with applicable smoke and carbon monoxide detector regulations.

This transfer is such that no R.I.G.L. §44-30-71.3 withholding is required as the John G. Picerne Trust - 2006 is a resident trust as defined in R.I.G.L. §44-30-5, as evidenced by affidavit.

WITNESS my hand and seal on the 31st day of May, 2011.



JOHN G. PICERNE, Trustee

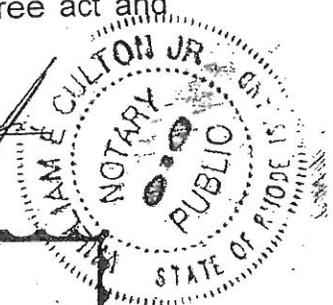
TAX \$ 10,400.00
DATE 06/01/2011
RECORDER TCS
CITY/TOWN OF NARRAGANSETT
011141
RHODE ISLAND
REAL ESTATE CONVEYANCE

STATE OF RHODE ISLAND
COUNTY OF KENT

In East Greenwich on the 31st day of May, 2011, before me personally appeared JOHN G. PICERNE, Trustee of The John G. Picerne Trust - 2006, to me known and known by me to be the party executing the foregoing instrument on behalf of said Trust, and acknowledged said instrument and the execution thereof, to be his free act and deed in said capacity.



NOTARY PUBLIC



WILLIAM E. CULTON, JR.
Notary Public
State of Rhode Island

For reference only:
1034 Ocean Road
Narragansett, Rhode Island
AP K, Lot 460/8

EXHIBIT A

That certain lot or parcel of land with all the buildings and improvements thereon, situated in the Town of Narragansett, County of Washington, State of Rhode Island, laid out and designated as Lot 8 (eight) on that plat entitled: "ADMINISTRATIVE SUBDIVISION, FORT GREENE, ASSESSOR'S PLAT K LOTS 460-5 AND 460-13 TO 460-15 NARRAGANSETT, RHODE ISLAND PREPARED BY DIPRETE ENGINEERING ASSOCIATES, INC., ENGINEERING, SURVEYING AND PLANNING CONSULTANT 75 SOCKANOSSET CROSSROAD, SUITE 300 CRANSTON, RI 02920 (401) 943-1000 FAX: (401) 464-6006. PREPARED FOR PICERNE PROPERTIES, 75 LAMBERT LIND HIGHWAY, WARWICK, RI 02886, (401) 732-3700 AUGUST, 1988, DWN. BY: G.M.G." which said plat was recorded May 11, 1999 at 1:14 p.m. in Book 404 at Page 15 in the Land Evidence Records of the Town of Narragansett, County of Washington, State of Rhode Island.

An undivided 1/15ths interest in and to those certain tracts or parcels of land with all the buildings and improvements thereon, situated in the Town of Narragansett, County of Washington, State of Rhode Island, laid out and designated as Lots No. 16, 18 and "50' R.O.W. Private Typical" (being the private roadway) on that plat entitled RECORD PLAN, FORT GREENE, A RESIDENTIAL CLUSTER SUBDIVISION, NARRAGANSETT, RI. PREPARED BY DIPRETE ENGINEERING ASSOC., INC. ENGINEERING, SURVEYING AND PLANNING CONSULTANTS, 311 DORIC AVENUE, CRANSTON. RI 02910 (401) 941-7000, PREPARED FOR PICERNE PROPERTIES, 75 LAMBERT LIND HIGHWAY, WARWICK, RI 02886, OCTOBER 1992, which plat is recorded in the Office of the Town Clerk of the Town of Narragansett in Plat Book 10 at Page 24.

RECEIVED FOR RECORD
Jun 01, 2011 02:32:56P
ANNE M. IRONS
TOWN CLERK
NARRAGANSETT, RI

42091

BOOK 315 PAGE 947

CONSERVATION EASEMENT

THIS GRANT OF CONSERVATION EASEMENT is made this 8
day of JUNE, 1994, by and between RONALD R. S. PICERNE and
PICERNE INVESTMENT LIMITED PARTNERSHIP II, a Rhode Island
limited partnership (hereinafter referred to as "Grantor"), and
the TOWN OF NARRAGANSETT, Rhode Island (hereinafter referred to
as "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner in fee simple of that
certain real property in the Town of Narragansett, County of
Washington, State of Rhode Island, described and delineated on
that plat entitled, "RECORD PLAN, FORT GREENE, A RESIDENTIAL
CLUSTER SUBDIVISION, NARRAGANSETT, RI, PREPARED BY DIPRETE
ENGINEERING ASSOC., INC. ENGINEERING, SURVEYING AND PLANNING
CONSULTANTS, 311 DORIC AVENUE, CRANSTON, RI 02910 (401)
941-7000, PREPARED FOR PICERNE PROPERTIES, 75 LAMBERT LIND
HIGHWAY, WARWICK, RI 02886, OCTOBER, 1992" (the "Plat"); and

WHEREAS, the Rhode Island Coastal Resources Management
Council has required that a 175' buffer zone be maintained on
the property, all as set forth in that certain Assent of the
Coastal Resources Management Council known as Assent No.
B93-3-41 (hereinafter referred to as the "Premises"); and

WHEREAS, the Premises possesses open, natural, scenic,
agricultural, ecological, or educational value; and

WHEREAS, Grantor and Grantee recognize the value and
special character of the Premises and acknowledge a common
purpose to conserve the values of the Premises, and to conserve

* 175' buffer
zone

29

and protect the special plant and animal populations on the Premises, and to prevent its use or development for any purpose or in any manner that would conflict with the maintenance of the Premises, in its current, natural, scenic and open condition; and

WHEREAS, Grantor as owner of the Premises intends to convey to Grantee the right to preserve and protect the conservation values of the Premises in perpetuity;

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions and restrictions contained herein, Grantor hereby voluntarily grants and conveys unto Grantee a Conservation Easement in perpetuity over the Premises, of the nature and character, and to the extent hereinafter set forth.

1. Purpose. It is the purpose of this Conservation Easement to assure that the Premises will be retained forever in its open, natural, undisturbed, scenic, ecological, or educational condition and to prevent any use of the Premises that will significantly impair or interfere with the conservation values of the Premises. Grantor shall have the right from time to time to amend this Easement, and any such amendment must be approved by the Town of Narragansett or its designee.

2. Reserved Rights. Grantor reserves for itself, its heirs, successors and assigns, the following reserved rights; provided, however, that the exercise of such rights will not interfere with or have an adverse impact on, the essential

natural, open and scenic quality of the Premises:

- a. To use the Premises for all purposes not inconsistent with this Conservation Easement.
- b. To create and maintain two community access footpaths which shall be fifteen feet in width running along the property lines of Lots 2 and 3 and Lots 10 and 11 from the 50' private roadway to their terminus at Narragansett Bay.
- c. To sell, give or otherwise convey the Premises or any interest in the Premises, provided such conveyance is subject to the terms of this Conservation Easement.
- d. Grantor has replatted the real estate which includes the Conservation Easement area into eighteen (18) lots, of which fifteen (15) shall be used for residential house lots, two (2) for open space lots and one (1) shall be transferred to the Town of Narragansett, and upon sale of said lots will divest itself in fee simple of said Premises, thereby transferring to said transferee or assignee any liability hereunder relating to any violation hereof regarding said portion of the Premises located on said lot.

3. Grantee's Remedies. If Grantee determines that Grantor or its successors or assigns is in violation of the terms of this Conservation Easement, then the Grantee has the right and easement to enter upon the conservation area in order to prevent the existence of any condition which is in violation

of this easement or which would reasonably tend to detract from or diminish the aesthetic appearance of said land. If the Town does exercise its rights pursuant to this paragraph or the Grantee does exercise its rights pursuant to this paragraph, then the cost thereof including reasonable attorney's fees shall be charged against the Grantor or its successors and assigns. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Premises resulting from any causes beyond Grantor's control.

4. Subsequent Transfers. Grantor agrees to incorporate by reference the terms of this Conservation Easement in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Premises, including, without limitation, a leasehold interest. Should any such transfer be a sale of a portion or all of the Premises, this Easement shall be binding upon the transferees, heirs and assignees of the Grantor.

5. Additional Lot Owners' Rights. Nothing to the contrary above withstanding, owners of the lots in the above plat shall have the right to petition the Town of Narragansett and the Coastal Resources Management Council in order to obtain relief from this easement and the buffer zone requirements to use the property located within said buffer zone.

6. General Provisions. The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon and inure to the benefit of the parties hereto

To be included
in deed

and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Premises.

IN WITNESS WHEREOF, this Easement has been executed as of the day and year first above written.

Witness:

Kit Kury

Ronald R. S. Picerne
RONALD R. S. PICERNE

PICERNE INVESTMENT LIMITED
PARTNERSHIP II BY PICERNE
INVESTMENT CORPORATION,
GENERAL PARTNER

Kit Kury

BY: John G. Picerne
TOWN OF NARRAGANSETT

STATE OF RHODE ISLAND
COUNTY OF Kent

In Warwick on the 19th day of May, 1994, before me personally appeared Ronald R. S. Picerne to me known and known by me to be the party executing the foregoing instrument, and he acknowledged said instrument, by him executed, to be his free act and deed.

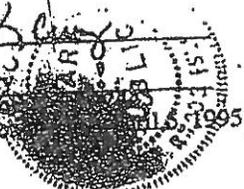
Kit Kury
Kit K. Kury
Notary Public
Commission Expires 12/31/1995

STATE OF RHODE ISLAND
COUNTY OF Kent

In Warwick on the 19th day of May, 1994, before me personally appeared John G. Picerne, Secretary of Picerne Investment Corporation, General Partner of Picerne Investment Limited Partnership II, to me known and known by me to be the party executing the foregoing

instrument, and he acknowledged said instrument, by him executed, to be his free act and deed and the free act and deed of of Picerne Investment Corporation as General Partner of Picerne Investment Limited Partnership II and the free act and deed of Picerne Investment Limited Partnership II.

Kit K. Cury
Notary Public
Commissioner



STATE OF RHODE ISLAND
COUNTY OF _____

In _____ on the _____ day of _____, 1994, before me personally appeared Charles Ted Wright, the Council President of the Town of Narragansett, Rhode Island, to me known and known by me to be the party executing the foregoing instrument, and he acknowledged said instrument, by him executed, to be his free act and deed and the free act and deed of the Town of Narragansett, Rhode Island.

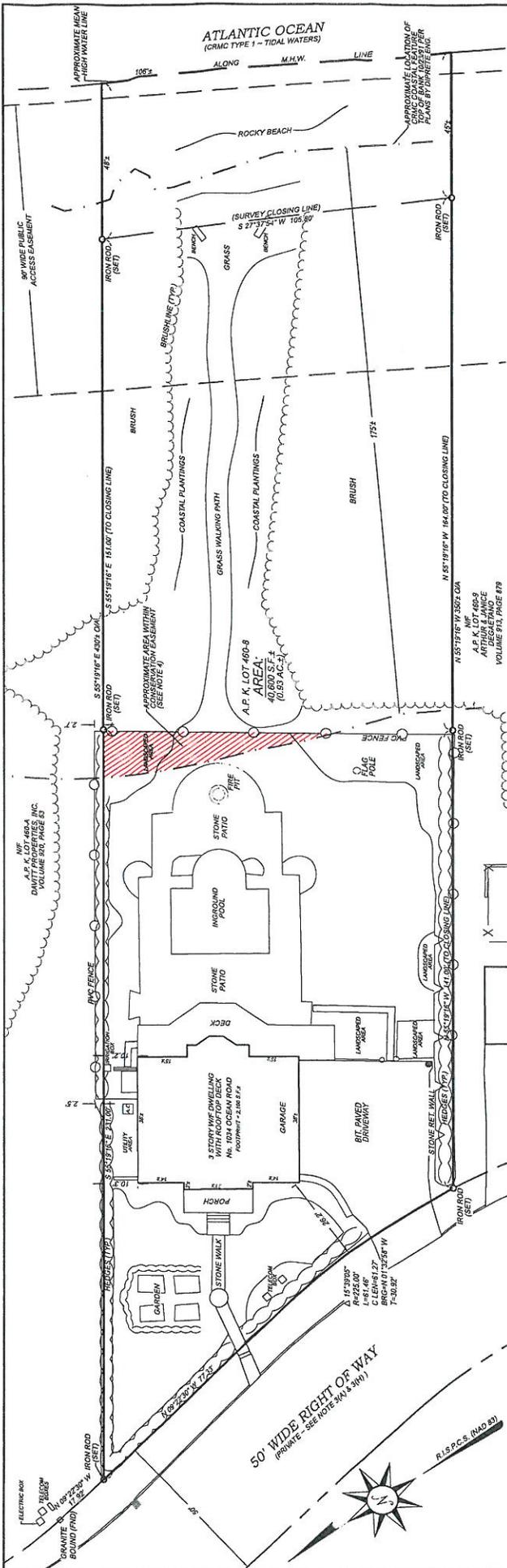
STATE OF RHODE ISLAND
COUNTY OF Washington

In ~~Narragansett~~ on the 8th day of June, 1994, before me personally appeared Scott A. Hancock, Town Manager of the Town of Narragansett, Rhode Island, to me known and known by me to be the party executing the foregoing instrument, and he acknowledged said instrument, by him executed, to be his free act and deed and the free act and deed of the Town of Narragansett, Rhode Island.

Scott A. Hancock
Scott A. Hancock

(4) PPCONSER/realstate

RECEIVED FOR RECORD
ON 6/8/94 AT 1:58 pm
WITNESS: Mary M. Beck
Narragansett Town Clerk



NOTES / REFERENCES

- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
 - PLAN ENTITLED "ADMINISTRATIVE SUBDIVISION PLAN FORT GREENE ASSESSOR'S PLAT K, LOTS 460-5 TO 460-9 AND 460-13 TO 460-15, MARRAGANSETT, RHODE ISLAND PREPARED BY DIPRETE ENGINEERING ASSOCIATES, INC. PREPARED FOR PICIERNE PROPERTIES AUGUST, 1998 LAST REVISED: 12-19-98
 - PLAN ENTITLED "RECORD PLAN FORT GREENE A RESIDENTIAL CLUSTER SUBDIVISION MARRAGANSETT, RHODE ISLAND PREPARED BY DIPRETE ENGINEERING ASSOC., INC. PREPARED FOR: PICIERNE PROPERTIES OCTOBER, 1982 LAST REVISED: 4-7-84
 - PLAN ENTITLED "ALTA (ACSM LAND TITLE SURVEY PLANA P, K, LOT 460-8, 1034 OCEAN ROAD, MARRAGANSETT, RHODE ISLAND 02882, 1444 OCEAN ROAD, L.L.C. 66 ADLER, POLLOCK & SHEEHAN, P.C. ONE CITIZENS PLAZA - MARRAGANSETT, RHODE ISLAND 02882 AND 02903 PROJECT NO. 11-034, SCALE: 1"=20' 06/08/11 BY WATERMAN ENGINEERING COMPANY"
- REFERENCE IS MADE TO THE FOLLOWING TOWN OF MARRAGANSETT LAND EVIDENCE RECORDS REGARDING RECORDED TITLE TO THE PREMISES SURVEYED:
 - A.P. K, LOT 460-8 - 1034 OCEAN ROAD, LLC - VOLUME 779, PAGE 73
- SEE PLAN REF. 1(C) REGARDING ALL EXISTING EASEMENTS / AGREEMENTS OF RECORD.
- REFERENCE IS MADE TO THE CONSERVATION EASEMENT GRANTED TO THE TOWN OF MARRAGANSETT AS DESCRIBED IN VOLUME 315, PAGE 947
- PROPERTY LINE SURVEY TAKEN FROM PLAN REF. 1(C) AS SURVEYED BY WATERMAN ENGINEERING COMPANY IN 2011. AN UPDATED PROPERTY LINE SURVEY WAS NOT PERFORMED BY WATERMAN ENGINEERING CO. IN 2019.

CERTIFICATION

** SIGNATURES MUST BE IN BLUE INK TO CONSTITUTE AN ORIGINAL PLAN

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-00-1.9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON APRIL 28, 2018, AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: MEASUREMENT / ACCURACY SPECIFICATION: (SEE NOTE 5)

OTHER TYPE OF SURVEY: NOT A BOUNDARY SURVEY

COMPILATION PLAN: IV

THE PURPOSE FOR CONDUCTING THIS SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:

DELINEATE THE APPROXIMATE LOCATION OF IMPROVED AREA LOCATED WITHIN THE CONSERVATION EASEMENT AS SHOWN.

THIS COMPILATION PLAN HAS BEEN PREPARED FROM SOURCES OF INFORMATION AND DATA WHOSE POSITIONAL ACCURACY AND RELIABILITY HAS NOT BEEN VERIFIED. THE PROPERTY LINES DEPICTED HEREON DO NOT REPRESENT A BOUNDARY OPINION, AND OTHER INFORMATION DEPICTED IS SUBJECT TO SUCH CHANGES AS AN AUTHORITY ATIVE FIELD SURVEY MAY DISCLOSE.



BY: *Richard S. Lipsitz* REG. NO. 1837 DATE 7/11/2019
 WATERMAN ENGINEERING COMPANY (COA No. LS.0004463)

RICHARD S. LIPSITZ
 No. 1837
 PROFESSIONAL
 LAND SURVEYOR

PLAN OF AREA WITHIN CONSERVATION EASEMENT

NO. 1837
 DATE 07/11/19
 PROJECT MARRAGANSETT, RHODE ISLAND 02882
 CLIENT 1034 OCEAN ROAD, LLC
 ADDRESS 1034 OCEAN ROAD, LLC
 CITY MARRAGANSETT, RHODE ISLAND 02903
 STATE RI

46 Stratton Avenue
 Pawtucket, Rhode Island 02860
 Phone (401) 938-3775
 Fax (401) 938-5177
 www.watermaneng.com

FIRST AMENDMENT TO CONSERVATION EASEMENT

This First Amendment to the Conservation Easement dated June 8, 1994 by and between Ronald R. S. Picerne and Picerne Investment Limited Partnership II, a Rhode Island limited partnership and the Town of Narragansett (the "Conservation Easement") amends the Conservation Easement as set forth herein

WITNESSETH

WHEREAS, 1034 Ocean Road, LLC is the owner of Lot 460-8 on Assessor's Plat K located in the Town of Narragansett and with respect to said lot is the successor in interest to Ronald R.S. Picerne and Picerne Investment Limited Partnership II; and

WHEREAS, the Town of Narragansett requires that barriers be installed for all outdoor swimming pools in compliance with Section 305 of the 2019 Rhode Island Swimming Pool and Spa Code; and

WHEREAS, the Town of Narragansett and 1034 Ocean Road, LLC agree that barriers within the Conservation Easement should be consistent with the intent of the Conservation Easement.

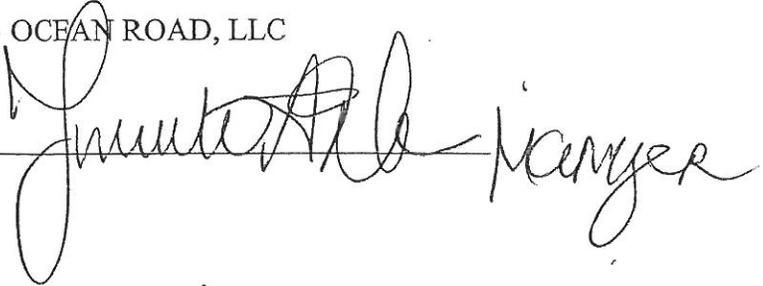
NOW THEREFORE, for and in consideration of the forgoing and for other good and valuable consideration the receipt and the sufficiency of which is hereby acknowledged by both of the parties, it is agreed as follows:

- 1) Paragraph 2 entitled "Reserved Rights" of the Conservation Easement shall be amended as follows:
 - e. The Barrier (fence) depicted on the attached plan of Waterman Engineering Company dated 7/11/2019 for Lot 460-8, Plat K is consistent with the Conservation Easement.

Signature Page Follows

IN WITNESS WHEREOF, 1034 Ocean Road, LLC and the Town of Narragansett have set their hands.

1034 OCEAN ROAD, LLC

By: 

STATE OF MASSACHUSETTS
COUNTY OF SUFFOLK

In BOSTON, on the 13th day of AUGUST, 2019 before me personally appeared JONATHAN WEISMAN, Authorized Signatory, for 1034 Ocean Road, LLC, to me known and known by me to be the party executing the foregoing instrument on behalf of the company and he acknowledged said instrument, by him executed, to be his free act and deed and the free act and deed of the company.


Notary Public

DOUGLAS HANSON
(Print Name)
My Commission expires: 10/11/24

TOWN OF NARRAGANSETT

By: _____

STATE OF RHODE ISLAND
COUNTY OF _____

In _____, on the _____ day of _____, 2019 before me personally appeared _____, Authorized Signatory, for The Town of Narragansett, to me known and known by me to be the party executing the foregoing instrument on behalf of the Town of Narragansett and he acknowledged said instrument, by him executed, to be his free act and deed and the free act and deed of the Association.

Notary Public

(Print Name)

My Commission expires: _____







**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 15
Amend No. _____

Date Prepared: September 23, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Digital Conversion of Land Evidence Records

RECOMMENDATION:

That the Town Council approves the digital conversion of the Land Evidence Records beginning January 1, 1985 and working backward to be completed by Kofile Technologies Inc. in an amount not to exceed \$50,000.00.

SUMMARY:

In July 2010, the Town of Narragansett installed a software system that registered and digitally scanned all incoming land evidence documents and maps received for record for real estate in Narragansett. In February 2015, the Town Council approved the digitization of previously microfilmed land evidence records back to 1985. This action expanded the land records available for online research, viewing and printing to a 35-year time period.

This resource of publicly available records for both in-person and online users has been invaluable during the Covid-19 pandemic. Title examiners, attorneys and property owners have been able to search for records online without interruption due to health restrictions. These records are critical to the flow of commerce, as they are essential to the purchase, sale and financing of real estate. Expanding the availability of records to include those recorded prior to 1985 will further serve that need.

Users can print images of the documents for a fee, and the town receives 50% of the revenue from the cost of a copy that is downloaded electronically.

The proposal before the Council is to continue the project of converting images from microfilm to digital format, link those images to a searchable index and add them to our existing online system. This phase of the conversion will continue back in time until the designated funds are exhausted. Taxpayer funds will not be used for this project. By state law, a surcharge is included in the recording fees collected by the Town which is required to be segregated into a restricted fund and used for this type of purpose.

Funding is available in the RI Historical Record Preservation Fund Account #0518 50252, Grant Expenses.

ATTACHMENTS:

1. Quote received from Kofile Technologies Inc. dated August 10, 2020.



- DALLAS
- NV
- VT
- NC

- GA
- SERVICES (PFA)

1540157

Receipt/SO No.

Contract SO No.

SALES ORDER RECEIPT

OPPORTUNITY No.: **p307746**

DATE: **Aug 10, 2020** REVISION DATE:

REP: **Bob Gerencser** ACCOUNTING ONLY CUSTOMER No.:

PROJECT TERM

CONTRACT/AGREEMENT: YES NO PHASE: /

START DATE: DEADLINE:

CLIENT INFORMATION

CLIENT: **Narragansett, RI Town Clerk**

PO No.: TxSmartBuy PO:

CONTACT: **Teri Donovan, Town Clerk**

PHONE: **401-782-0621** FAX:

EMAIL: **tdonovan@narragansetttri.gov**

BILL: **Town Clerk**
25 Fifth Avenue
Narragansett, RI 02882

SHIP TO: Same as above.

PURCHASING VEHICLE

None

TXMAS-18-3602 Texas Only (Based on Navarro RFP)

EXPIRED // TXMAS-13-36010 Texas Only (Based on Kofile GSA36)

Other, specify: Contract/RFP No., etc.

GSA 70: GS-35F-275AA Federal Purchase

GSA 70: GS-35F-275AA COOP-PURCH: State or Local Govt.

LVA Records Grant Library of Virginia

DIGITIZATION SPECIFICATIONS

IMAGE: Yes No Resol. TIFF PDF

FILM: Yes No 16 mm 35 mm

Vault Storage: Yes No # DUPS.

INDEX: Yes No Full ID Format to Load QL Full QL Lite

PROJECT INVENTORY			
QTY.	DESCRIPTION	UNIT PRICE	ESTIMATED COST
	From last entry on customer's Town Fusion system - Book 170, Page 936		\$50,000.00
	(1/2/1985) index customer's Land Evidence records working back in time.		
	Convert customer's microfilm in storage with Kofile for this same period of time		
	to digital images, link to index and load on customer's Town Fusion system.		
	Continue until funding is exhausted.		
	Price per instrument for back indexing is \$1.95		
	Price per page for image conversion, linking and loading is \$0.16.		
	Total amount of sales order is \$50,000. Do not exceed this amount.		
	Be sure to use customer's indexing specifications.		

SPECIAL INSTRUCTIONS

Note - customer filed Mortgage records separately until 8/25/69. If project goes back that far be sure to index and image those records as well. The last book and page for these records is Book 38 Page 600.

SHELVING: YES NO Unit(s): CABINETS: YES NO Unit(s):

Style: Color:

B/A PHOTOS: YES NO RETURN ORIGINAL BINDER/SHUCK: YES NO

BINDER SPECIFICATIONS

Material: Color:

SEAL: Custom None TX Star

DEDICATION LABEL NAMES

Same as previous order.

INTERNAL TOTAL:

PROPOSAL TOTAL:

COMPANY BREAKOUTS

PRESERVATION:

SHELVING/CABINETS:

IMAGING:

INDEXING:

SYSTEM:

CONTRACT FEE: [TXMAS 2.23875% / GSA 0.75%]

TAXES [e.g. Calif.]: [Incl. % Rate & Date Pulled]

APPROVAL (By/Date)

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 16
Amend No. _____

Date Prepared: October 8, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Victualling License

RECOMMENDATION:

That the Town Council approve a Victualling License application for Beverly Fournier dba Gansett Nutrition of Mariner Square at 140 Point Judith Road, Suite 39, Narragansett, RI, subject to local and state regulations.

SUMMARY:

Beverly Fournier, owner and operator of Gansett Nutrition of Mariner Square is requesting a Victualling License to operate a restaurant at 140 Point Judith Road Suite 39, Narragansett, RI.

A victualling license is needed as in accordance with RIGL 5-24-1 and Article III, Section 14-46 "License Required" of the town's ordinance in order to serve food.

ATTACHMENTS:

1. Application

Town of Narragansett
Town Clerk's Office
25 Fifth Avenue
Narragansett, RI 02882
401-782-0625

20 OCT 8 AM 11:41

VICTUALING LICENSE APPLICATION

Beverly Fournier
Owner's Name

25 Karison St
Owner's mailing address (line 1)

Wakefield, RI 02879
Owner's mailing address (line 2)

401-207-1879
Owner's telephone number

Beufournier@gmail.com
Owner's email

Gansett Nutrition of
Trade Name Point Judith, Mariner Square

140 ~~Point Judith, Mariner Square~~
Business mailing address (line 1)

Suite 39, Narragansett, RI
Business mailing address (line 2)

401-207-1879
Business telephone number

beufournier
Business email

Major food items sold:

Blended Nutritional Shakes, Iced & Hot Tea

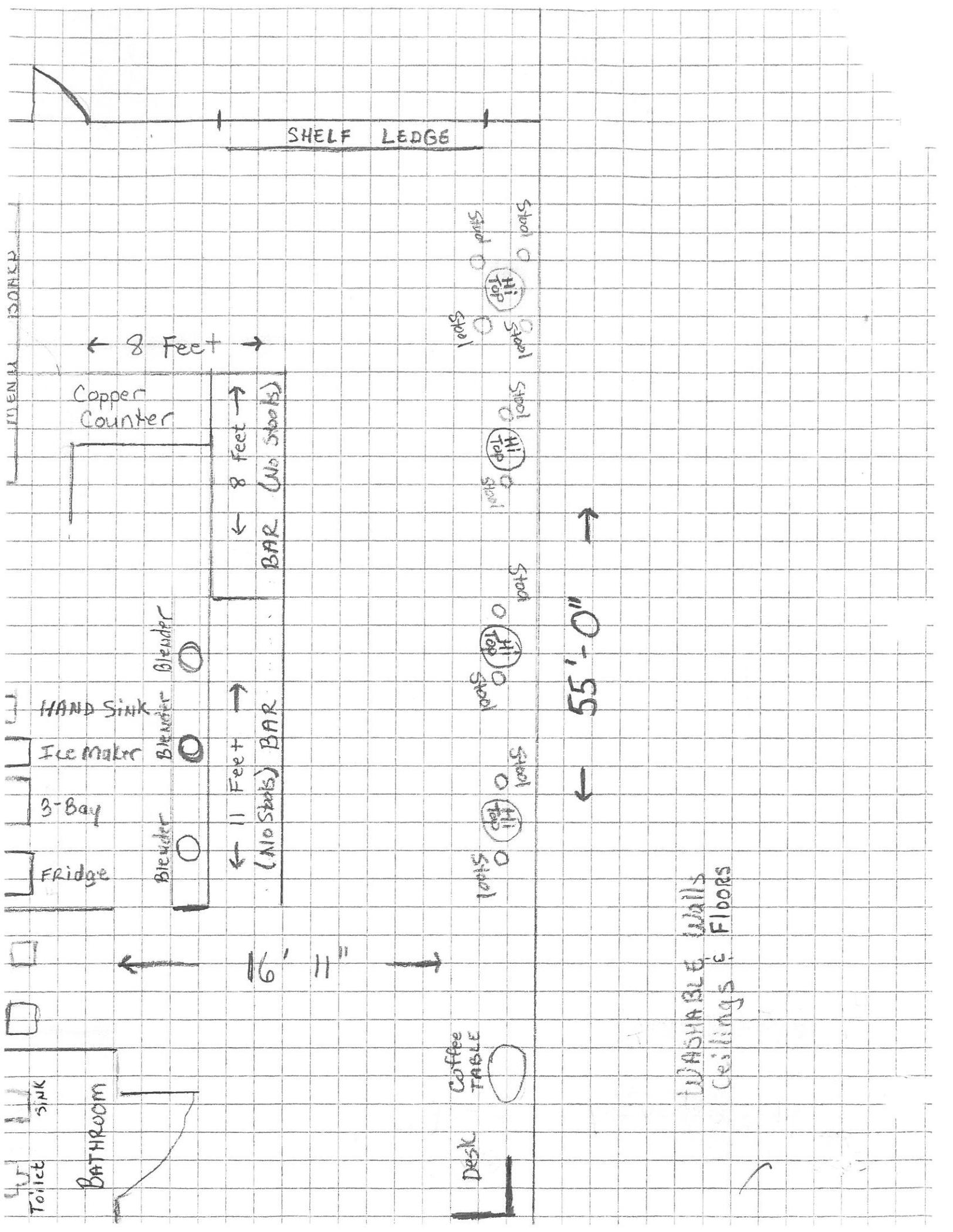
Required: Copy of current RI Division of Taxation Sales Permit
Copy of current RI Department of Health Certificate

✓
✓

I hereby certify that the above statements are true to the best of my knowledge and belief:

Signature: Beverly Fournier Date: 10/8/20

Printed name: Beverly Fournier Title: Owner



**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 17
Amend No. _____

Date Prepared: September 30, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Towers Committee

RECOMMENDATION:

That the Town Council appoint/reappoint four individuals to the Towers Committee.

SUMMARY:

The Towers Committee is composed of twelve members, consisting of the following: two Friends of the Towers representatives; two Narragansett Historical Society representatives; the Director of Parks & Recreation; the Town Manager; two Town Council representatives; and four members appointed by the Town Council serving two-year terms. Four member seats are available for appointment/reappointment.

David Ousterhout, Earl F. Jackman, Terrie E. Quinn and Donald Churnick have requested reappointment. Mr. Ousterhout has served six (6) terms, Mr. Jackman has served one (1) term, Ms. Quinn has serve one (1) term and Mr. Churnick has served two and one half (2.5) terms. The following indicates the most recent board appointment and expiration dates:

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
David E. Ousterhout	8/2/2016	8/1/2018
Earl F. Jackman	8/2/2018	8/1/2020
Terri E. Quinn	8/2/2018	8/1/2020
Donald Churnick	10/2/2017	10/1/2019

There are two new applications on file: Joan Ann Ricci and Roberta A. Brady.

Attached are the Town Council Rules for Commission, Committee and Board Appointments. According to the Council rules, no person shall be appointed to serve concurrently on more than one commission, committee or board created by the Town Council, with the exception of ad hoc commissions, committees or boards, or dual appointments required by charter, ordinance or resolution.

Dual office holding may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.

ATTACHMENTS:

1. Board composition and history
2. Council Rules for Commission, Committee and Board Appointments

Towers Committee

Basic Information

Type
Board

Agendas & Minutes
<http://www.narragansettri.gov/Archive.aspx?AMID=67&Type=&ADID=>

Description

The Narragansett Towers Committee is responsible for the maintenance, operation, and restoration of The Towers, except for the interior space occupied by the Tourist Information Center and the Narragansett Chamber of Commerce.

The Towers Committee is comprised of twelve (12) members and are appointed as follows: two (2) representatives from the Friends of the Towers; two (2) representatives from the Narragansett Historical Society (or residents with a particular interest in the Town's history); the Director of Parks & Recreation; the Town Manager; two (2) members of the Town Council; and four (4) interested Town residents appointed by the council for 2-year terms.

Contact Information

Board Seats



Friends of Towers Rep 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2017 - 8/1/2019	James P. Durkin	Member	8/2/2017		
8/2/2015 - 8/1/2017	James P. Durkin	Member	1/19/2016	8/1/2017	Appointment renewed
8/2/2013 - 8/1/2015	Mary Beth Arnold	Member	9/3/2013	10/1/2015	no longer available
1/3/2012 - 9/2/2013	Mary Beth Arnold	Member	1/3/2012	9/2/2013	
2/7/2011 - 1/2/2012	Mary Beth Arnold	Member	2/7/2011	1/2/2012	

Friends of Towers Rep 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2016 - 8/1/2018	Anne-Marie Silveira	Member	8/2/2016	8/1/2018	resignation
6/2/2014 - 6/1/2016	Kristin L. Walberg Urbach	Member	6/15/2015	6/1/2016	not interested in reappointment
6/2/2014 - 10/6/2014	Carmina M. Moretti	Member	6/2/2014	10/6/2014	
6/18/2012 - 6/1/2014	Carmina M. Moretti	Member	6/18/2012	6/1/2014	

Narra. Historical Soc. Rep 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2018 - 8/1/2020	Shirley A. Eastham	Member	8/2/2018		

8/2/2016 - 8/1/2018	Shirley A. Eastham	Member	10/17/2016	8/1/2018	Appointment renewed
8/2/2014 - 8/1/2016	Anne-Marie Silveira	Member	12/15/2014	8/1/2016	moved to Friends of the Towers Representative
8/6/2012 - 12/14/2014	Anne-Marie Silveira	Member	8/6/2012	12/14/2014	
2/7/2011 - 8/5/2012	Anne-Marie Silveira	Member	2/7/2011	8/5/2012	
9/2/2008 - 2/6/2011	Anne-Marie Silveira	Member	9/2/2008	2/6/2011	
11/15/2004 - 9/1/2008	Anne-Marie Silveira	Member	11/15/2004	9/1/2008	
12/2/2002 - 11/14/2004	Anne-Marie Silveira	Member	12/2/2002	11/14/2004	

Narra. Historical Soc. Rep 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2017 - 8/1/2019	Linda R. O'Neill	Member	11/6/2017		
8/2/2015 - 8/1/2017	John W. Miller, Jr.	Member	1/19/2016	10/1/2016	resigned
8/2/2013 - 8/1/2015	John W. Miller, Jr.	Member	9/3/2013	1/18/2016	
1/3/2012 - 9/2/2013	John W. Miller, Jr.	Member	1/3/2012	9/2/2013	
12/21/2009 - 1/2/2012	John W. Miller, Jr.	Member	12/21/2009	1/2/2012	
8/7/2006 - 12/20/2009	John W. Miller, Jr.	Member	8/7/2006	12/20/2009	
8/2/2004 - 8/6/2006	John W. Miller, Jr.	Member	8/2/2004	8/6/2006	
9/2/2003 - 8/1/2004	John W. Miller, Jr.	Member	9/2/2003	8/1/2004	
2/1/1999 - 9/1/2003	John W. Miller, Jr.	Member	2/1/1999	9/1/2003	
10/20/1997 - 1/31/1999	John W. Miller, Jr.	Member	10/20/1997	1/31/1999	
8/5/1996 - 10/19/1997	John W. Miller, Jr.	Member	8/5/1996	10/19/1997	

Dir. Parks & Rec

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2010 - Life Term	Steven Wright	Member	8/2/2012		

Town Manager

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
3/4/2019 - Life Term	Sean Corrigan	Acting Town Manager	3/4/2019		
8/2/2010 - 3/3/2019	James M. Manni	Member	8/4/2016	3/3/2019	resigned
	Pamela T. Nolan	Member	8/3/2013	1/26/2016	

Council Rep.

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
11/16/2018 - 11/15/2020	Matthew M. Mannix	Council Rep	12/3/2018		
11/8/2016 - 11/7/2018	Michael T. Moretti	Council Rep	11/8/2016	11/7/2018	new town council
11/11/2014 - 11/7/2016	Christopher Wilkens	Council Rep	11/11/2014	11/7/2016	new town council
11/13/2012 - 11/10/2014	Douglas E. McLaughlin	Council Rep	11/13/2012	11/10/2014	new town council

Council Rep. 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
11/16/2018 - 11/15/2020	Richard M. Lema	Council Rep	12/3/2018		
11/8/2016 - 11/7/2018	Matthew M. Mannix	Council Rep	11/8/2016	11/7/2018	new town council
11/11/2014 - 11/7/2016	Matthew M. Mannix	Council Rep	11/11/2014	11/7/2016	new town council
11/13/2012 - 11/10/2014	Matthew M. Mannix	Council Rep	11/13/2012	11/10/2014	new town council

Member 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2016 - 8/1/2018	David E. Ousterhout	Chair	8/2/2016		
8/2/2014 - 8/1/2016	David E. Ousterhout	Chair	12/15/2014	8/1/2016	Appointment renewed
8/6/2012 - 12/14/2014	David E. Ousterhout	Chair	8/6/2012	12/14/2014	
12/21/2009 - 8/5/2012	David E. Ousterhout	Member	12/21/2009	8/5/2012	
5/19/2008 - 12/20/2009	David E. Ousterhout	Member	5/19/2008	12/20/2009	

Member 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2018 - 8/1/2020	Earl F. Jackman	Member	8/2/2018		
8/2/2016 - 8/1/2018	Margaret B. Rogers	Member	8/2/2016	8/1/2018	served maximum terms
8/2/2014 - 8/1/2016	Margaret B. Rogers	Member	12/15/2014	8/1/2016	Appointment renewed
4/17/2014 - 12/14/2014	Margaret B. Rogers	Member	4/17/2014	12/14/2014	

Member 3

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
8/2/2018 - 8/1/2020	Terrie E. Quinn	Member	8/2/2018		

8/2/2016 - 8/1/2018	David P. Quinn	Member	8/2/2016	8/1/2018	Declined reappointment
	David P. Quinn	Member	1/19/2016	8/1/2016	Appointment renewed
8/2/2014 - 8/1/2016	Charles Ted Wright	Member	12/15/2014	7/11/2015	deceased
	Charles Ted Wright	Member	8/2/2014	12/14/2014	carry over. reappointed 12/15/14
9/2/2003 - 8/1/2014	Charles Ted Wright	Member	9/2/2003	8/1/2014	6 terms

Member 4

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2017 - 10/1/2019	Donald Churnick	Member	10/2/2017		
10/2/2015 - 10/1/2017	Donald Churnick	Member	1/19/2016	10/1/2017	Appointment renewed
10/2/2013 - 10/1/2015	David J. O'Brien	Member	10/21/2013	10/1/2015	resigned - moved out of state



TOWN OF NARRAGANSETT

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TOWN OF NARRAGANSETT RULES FOR COMMISSION, COMMITTEE AND BOARD APPOINTMENTS

I. SELECTION PROCESS OF MEMBERS

1. As authorized by the Town Council, the Town Clerk shall advertise once a year in a local newspaper, the commissions, committees, and boards that will have upcoming appointments. When a vacancy occurs it will be placed on the Town's website.
2. Upon receipt of an application, the Town Clerk shall date stamp it and retain the original.
3. The application shall remain on file for a period of two (2) years from the date received. The Town Clerk will contact applicant after the two year period to seek availability and interest. The Town Clerk will forward all applications on file for an open board when a vacancy becomes available on that particular committee, commission or board to the Town Council and to the Town Manager.
4. All new vacancies on the Planning or Zoning Boards will require that the Town Council interview those candidates. Individuals currently serving on these Boards need not be interviewed when applying for reappointment to a successive term on the same Board. However, an attendance record will be included to the agenda item for those individuals wishing consideration for reappointment.
5. The Town Council motion to appoint a candidate to a particular committee, commission or board, shall have the names of each applicant candidate listed on the summary.
6. A written staff recommendation may be submitted to the council through the Town Manager.
7. All applications received shall be available for public review to the extent under law, in the office of the Town Clerk.

8. The mission for each board, commission or committee shall be available in the office of the Town Clerk and on the town's website.

II. REQUIREMENT FOR MEMBERSHIP

1. Applications for the various commissions, committees and boards shall be available in the Town Clerk's Office or on the Town's website.
2. Applications shall be completed and submitted to the Town Clerk no later than the advertised filing date also unless otherwise approved by the unanimous consent of the council only applications received before the scheduled appointment date shall be considered for appointment.
3. The Town Clerk shall notify individuals whose terms are about to expire by letter, to determine if that individual wishes to be considered for reappointment. Members are reappointed at the discretion of the Town Council.
4. Individuals wishing to be considered for reappointment shall notify the Town Clerk prior to the expiration of the date in the letter sent to them.
5. The chairperson of each commission, committee or board shall submit an *Annual Report* including an attendance record, to the Town Clerk, for those individuals wishing to be considered for reappointment.
6. No person shall be appointed to serve concurrently on more than one commission, committee, or board created by the Town Council, with the exception of Ad Hoc commissions, committees or boards, or dual appointments required by Charter, Ordinance or Resolution. Dual office may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.
7. Any appointee who is absent without cause for three (3) consecutive meetings may be subject to removal by the Town Council.
8. When any member of a commission, committee or board is absent for (3) consecutive meetings, the Chairperson shall notify the Town Clerk, who shall in turn notify the Town Council for direction. Should the Chairperson recognize any other attendance deficiencies, the Town Clerk shall be notified, who shall in turn notify the Town Council for direction.

9. The applicant shall comply with all State Laws and Regulations, as well as Ethics Commission requirements for appointees.
10. The applicant shall be a full time resident and elector in the town to be considered for an appointment to the Planning Board, Pension Board and Zoning Board Review.

III. APPOINTMENT REVIEW PROCESS

1. The Town Council shall review each application and may invite specific candidates to an interview with the Council prior to a regularly scheduled meeting or work session. Candidates interviewed by the Town Council will be sent a letter of appreciation by the Town Clerk.
2. When making a nomination, the Council member making the recommendation will verbally outline reasons for the nomination.

Adopted February 1, 2010
Amended 11-15-10
Amended 11-18-13
Amended 11-21-16
Amended 02-06-17
Amended 08-06-18

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 18
Amend No. _____

Date Prepared: October 14, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Zoning and Platting Board

RECOMMENDATION:

That the Town Council appoint/reappoint three individuals to the Zoning and Platting Board.

SUMMARY:

The Zoning and Platting Board is composed of five members, each serving five-year terms and two alternate members serving one-year terms. One member seat and two alternate member seats are available for appointment/reappointment.

Anthony M. Brunetti (member) and Christopher J. Almon (alternate member) have requested reappointment. Mr. Brunetti has served three (3) terms and Mr. Almon has served four (4) terms. The following indicates the most recent board appointment and expiration dates.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Anthony M. Brunetti	8/17/2015	7/1/2020
Vacant (Alt.1)	7/2/2019	7/1/2020
Christopher J. Almon (Alt.2)	7/2/2019	7/1/2020

There are four new applications on file: Stephen J. Ferrandi, Keith B. Kyle, David Scott Morello and David Trenteseaux.

Attached are the Town Council Rules for Commission, Committee and Board Appointments. According to the Council rules, no person shall be appointed to serve concurrently on more than one commission, committee or board created by the Town Council, with the exception of ad hoc commissions, committees or boards, or dual appointments required by charter, ordinance or resolution.

Dual office may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.

ATTACHMENTS:

1. Board composition and history
2. Council Rules for Commission, Committee and Board Appointments

Zoning and Platting Board

Basic Information

[Email Members](#) [Edit](#) [Disable](#) [Delete](#)

Type
Board

Status
[Enabled](#)

Visibility
[Public](#)

Enabled Seats
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The Narragansett Zoning and Platting Board of Review hears and decides appeals in a timely fashion where it is alleged there is an error made by an administrative officer or agency in the enforcement or interpretation of the zoning ordinances. The Zoning and Platting Board of Review also authorizes variances and special-use permits and issues conditional zoning approvals when deemed appropriate.

The Zoning Board of Review is comprised of five (5) members serving 5-year terms and two (2) alternate members serving 1-year terms. The Zoning Board of Review also serves as the Minimum Housing Board of Review.

Contact Information

Board Seats



Seat	Member Name	Title	Appointed By	Status	Appointed Date	Start	Calculated End	Actions
Member 1	James P. Manning	Chair	Council	Active	10/7/2019	7/2/2019	7/1/2024	Renew ▼
Member 2	Anthony M. Brunetti	Vice Chair	Council	Expired	8/17/2015	8/17/2015	7/1/2020	Renew ▼
Member 3	Geraldine Doris Citrone	Member	Council	Active	7/8/2016	7/2/2016	7/1/2021	Renew ▼
Member 4	Joseph V. Paglia	Member	Council	Active	7/2/2018	7/2/2018	7/1/2023	Renew ▼
Member 5	Robert R. Ferraro, Jr.	Member	Council	Active	7/17/2017	7/2/2017	7/1/2022	Renew ▼
Alt. Member 1	(Vacant)		Council	Vacant		7/2/2020	7/1/2021	Fill Seat ▼
Alt. Member 2	Christopher J. Almon	Alternate	Council	Expired	10/7/2019	7/2/2019	7/1/2020	Renew ▼

Zoning and Platting Board

Basic Information

Type
Board

Agendas & Minutes
<http://ri-narragansett2.civicplus.com/Archive.aspx?AMID=45&Type=&ADID=>

Description

The Narragansett Zoning and Platting Board of Review hears and decides appeals in a timely fashion where it is alleged there is an error made by an administrative officer or agency in the enforcement or interpretation of the zoning ordinances. The Zoning and Platting Board of Review also authorizes variances and special-use permits and issues conditional zoning approvals when deemed appropriate.

The Zoning Board of Review is comprised of five (5) members serving 5-year terms and two (2) alternate members serving 1-year terms. The Zoning Board of Review also serves as the Minimum Housing Board of Review.

Contact Information

Board Seats



Member 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2019 - 7/1/2024	James P. Manning	Chair	7/2/2019		
7/2/2014 - 7/1/2019	James P. Manning	Chair	10/20/2014	7/1/2019	Appointment renewed
8/3/2009 - 10/19/2014	James P. Manning	Chair	8/3/2009	10/19/2014	
7/19/2004 - 8/2/2009	James P. Manning	Chair	7/19/2004	8/2/2009	
7/15/2002 - 7/18/2004	James P. Manning	Member	7/15/2002	7/18/2004	

Member 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2015 - 7/1/2020	Anthony M. Brunetti	Vice Chair	8/17/2015		
7/2/2010 - 7/1/2015	Anthony M. Brunetti	Vice Chair	7/6/2010	8/16/2015	
9/19/2005 - 7/5/2010	Anthony M. Brunetti	Member	9/19/2005	7/5/2010	

Member 3

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2016 - 7/1/2021	Geraldine Doris Citrone	Member	7/2/2016		
7/2/2011 - 7/1/2016	Geraldine Doris Citrone	Member	8/1/2011	7/1/2016	Appointment renewed
8/7/2006 - 7/31/2011	Geraldine Doris Citrone	Member	8/7/2006	7/31/2011	
5/6/2002 - 8/6/2006	Geraldine Doris Citrone	Member	5/6/2002	8/6/2006	

1/6/1997 - 5/5/2002	Geraldine Doris Citrone	Member	1/6/1997	5/5/2002	
2/5/1996 - 1/5/1997	Geraldine Doris Citrone	Member	2/5/1996	1/5/1997	

Member 4

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2018 - 7/1/2023	Joseph V. Paglia	Member	7/2/2018		
7/2/2013 - 7/1/2018	Joseph V. Paglia	Member	10/5/2015	7/1/2018	Appointment renewed
	Robert P. Mulligan	Member	8/5/2013	8/20/2015	
7/21/2008 - 8/4/2013	Robert P. Mulligan	Member	7/21/2008	8/4/2013	

Member 5

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2017 - 7/1/2022	Robert R. Ferraro, Jr.	Member	7/2/2017		
7/2/2012 - 7/1/2017	Robert R. Ferraro, Jr.	Member	5/19/2014	7/1/2017	Appointment renewed

Alt. Member 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2019 - 7/1/2020	John C. Kennedy	Alternate	7/2/2019		
7/2/2018 - 7/1/2019	John C. Kennedy	Alternate	7/2/2018	7/1/2019	Appointment renewed
7/2/2017 - 7/1/2018	John C. Kennedy	Alternate	7/2/2017	7/1/2018	Appointment renewed
7/2/2016 - 7/1/2017	John C. Kennedy	Alternate	7/2/2016	7/1/2017	Appointment renewed
	John C. Kennedy	Alternate	10/5/2015	7/1/2016	Appointment renewed
7/2/2015 - 7/1/2016	Joseph V. Paglia	Alternate	8/17/2015	10/4/2015	moved to member seat
7/2/2014 - 7/1/2015	Joseph V. Paglia	Member	7/21/2014	8/16/2015	
10/15/2007 - 7/20/2008	Robert P. Mulligan	Member	10/15/2007	7/20/2008	
8/7/2006 - 10/14/2007	Robert P. Mulligan	Alternate	8/7/2006	10/14/2007	
9/19/2005 - 8/6/2006	Robert P. Mulligan	Alternate	9/19/2005	8/6/2006	

Alt. Member 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
7/2/2019 - 7/1/2020	Christopher J. Almon	Alternate	7/2/2019		
7/2/2018 - 7/1/2019	Christopher J. Almon	Alternate	7/2/2018	7/1/2019	Appointment renewed
7/2/2017 - 7/1/2018	Christopher J. Almon	Alternate	7/2/2017	7/1/2018	Appointment renewed
7/2/2016 - 7/1/2017	Christopher J. Almon	Alternate	7/2/2016	7/1/2017	Appointment renewed
7/2/2015 - 7/1/2016	Colin T. Hynes	Alternate	10/5/2015	7/1/2016	not reappointed by council
	John C. Kennedy	Alternate	8/17/2015	10/4/2015	moved to alt 1 position
7/2/2014 - 7/1/2015	John C. Kennedy	Member	7/21/2014	8/16/2015	
12/17/2001 - 7/14/2002	James P. Manning	Alternate	12/17/2001	7/14/2002	

TOWN OF NARRAGANSETT

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TOWN OF NARRAGANSETT RULES FOR COMMISSION, COMMITTEE AND BOARD APPOINTMENTS

I. SELECTION PROCESS OF MEMBERS

1. As authorized by the Town Council, the Town Clerk shall advertise once a year in a local newspaper, the commissions, committees, and boards that will have upcoming appointments. When a vacancy occurs it will be placed on the Town's website.
2. Upon receipt of an application, the Town Clerk shall date stamp it and retain the original.
3. The application shall remain on file for a period of two (2) years from the date received. The Town Clerk will contact applicant after the two year period to seek availability and interest. The Town Clerk will forward all applications on file for an open board when a vacancy becomes available on that particular committee, commission or board to the Town Council and to the Town Manager.
4. All new vacancies on the Planning or Zoning Boards will require that the Town Council interview those candidates. Individuals currently serving on these Boards need not be interviewed when applying for reappointment to a successive term on the same Board. However, an attendance record will be included to the agenda item for those individuals wishing consideration for reappointment.
5. The Town Council motion to appoint a candidate to a particular committee, commission or board, shall have the names of each applicant candidate listed on the summary.
6. A written staff recommendation may be submitted to the council through the Town Manager.
7. All applications received shall be available for public review to the extent under law, in the office of the Town Clerk.

8. The mission for each board, commission or committee shall be available in the office of the Town Clerk and on the town's website.

II. REQUIREMENT FOR MEMBERSHIP

1. Applications for the various commissions, committees and boards shall be available in the Town Clerk's Office or on the Town's website.
2. Applications shall be completed and submitted to the Town Clerk no later than the advertised filing date also unless otherwise approved by the unanimous consent of the council only applications received before the scheduled appointment date shall be considered for appointment.
3. The Town Clerk shall notify individuals whose terms are about to expire by letter, to determine if that individual wishes to be considered for reappointment. Members are reappointed at the discretion of the Town Council.
4. Individuals wishing to be considered for reappointment shall notify the Town Clerk prior to the expiration of the date in the letter sent to them.
5. The chairperson of each commission, committee or board shall submit an *Annual Report* including an attendance record, to the Town Clerk, for those individuals wishing to be considered for reappointment.
6. No person shall be appointed to serve concurrently on more than one commission, committee, or board created by the Town Council, with the exception of Ad Hoc commissions, committees or boards, or dual appointments required by Charter, Ordinance or Resolution. Dual office may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.
7. Any appointee who is absent without cause for three (3) consecutive meetings may be subject to removal by the Town Council.
8. When any member of a commission, committee or board is absent for (3) consecutive meetings, the Chairperson shall notify the Town Clerk, who shall in turn notify the Town Council for direction. Should the Chairperson recognize any other attendance deficiencies, the Town Clerk shall be notified, who shall in turn notify the Town Council for direction.

9. The applicant shall comply with all State Laws and Regulations, as well as Ethics Commission requirements for appointees.
10. The applicant shall be a full time resident and elector in the town to be considered for an appointment to the Planning Board, Pension Board and Zoning Board Review.

III. APPOINTMENT REVIEW PROCESS

1. The Town Council shall review each application and may invite specific candidates to an interview with the Council prior to a regularly scheduled meeting or work session. Candidates interviewed by the Town Council will be sent a letter of appreciation by the Town Clerk.
2. When making a nomination, the Council member making the recommendation will verbally outline reasons for the nomination.

Adopted February 1, 2010
Amended 11-15-10
Amended 11-18-13
Amended 11-21-16
Amended 02-06-17
Amended 08-06-18

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 19
Amend No. _____

Date Prepared: October 15, 2020
Council Meeting Date: October 19, 2020

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Historic District Commission

RECOMMENDATION:

That the Town Council President appoint/reappoint five individuals to the Historic District Commission.

SUMMARY:

The Historic District Commission is composed of seven members serving three-year staggered terms, plus one alternate member serving a term undefined by the ordinance. Four member seats and one alternate member seat are available for appointment.

Keith R. Lescarbeau, Americo Mallozzi and Melissa N. Kollitides have requested reappointment. We have not heard back from Kristen J. Connell. Mr. Lescarbeau has served four (4) terms, Mr. Mallozzi has served less than a full term and Ms. Kollitides has served one (1) term. The following indicates the most recent board appointment and expiration dates.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Keith R. Lescarbeau	1/2/2017	1/1/2020
Americo Mallozzi	10/29/2018	1/1/2020
Kristen J. Connell	1/2/2017	1/1/2020
Vacant	-----	1/1/2021
Melissa N. Kollitides (alt.)	1/2/2019	1/1/2020

There is one new application on file: Ann W. Madeira

Attached are the Town Council Rules for Commission, Committee and Board Appointments. According to the Council rules, no person shall be appointed to serve concurrently on more than one commission, committee or board created by the Town Council, with the exception of ad hoc commissions, committees or boards, or dual appointments required by charter, ordinance or resolution.

Dual office may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.

ATTACHMENTS:

1. Governing ordinance
2. Board composition and history
3. Council Rules for Commission, Committee and Board Appointments

NARRAGANSETT ZONING ORDINANCE

SECTION 5

5.4. - Historic district commission.

- (a) *Created; membership.* An historic district commission, herein referred to as called "the commission," (or HDC) is hereby created.
 - (1) The commission shall consist of seven qualified members who reside in the Town of Narragansett. The members shall be appointed by the president of the town council. Each member shall serve for three years with the exception of the initial appointments which shall consist of three members appointed for a one-year initial term, two members appointed for a two-year term, and two members appointed for a three-year term. Members shall be eligible for reappointment.
 - (2) Members of the commission shall have a demonstrated interest in historic preservation. The commission should include architects, planners, designers, preservationists, and historians.
 - (3) The town council president shall be authorized to name an additional member to serve as an alternate to the commission. This alternate shall sit as an active member upon the request of the chairman of the commission when and if a regular member of the commission is unable to serve at any meeting of the commission.
 - (4) If a vacancy occurs on the commission, the town council president shall appoint a new member for the remainder of the unexpired term. Said appointment shall be made within 90 days of report of the vacancy. The town council president may, but shall not be required to, select members of the commission from lists of qualified citizens submitted for his or her consideration by duly organized historic or preservation societies.

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Basic Information

Email Members

Type Commission
Status
Visibility
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The Narragansett Historic District Commission was created to help develop an ordinance and associated policies focused on the preservation of structures of historic and architectural value. The Historic District Commission works to regulate the construction, alteration, rehabilitation, repair, moving, and demolition of such structures. The goal of the Commission is to help safeguard the heritage of the Town by preserving districts and structures which reflect elements of the Town's cultural, social, economic, political, and architectural history.

The Historic District Commission was established by ordinance July 20, 2009. It has seven (7) members serving 3-year staggered terms, plus one (1) alternate serving a term undefined by the ordinance.

The Town Council President will review applications and appoint / reappoint all members of the Historic District Commission.

Contact Information

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Board Seats

Enabled Seats All Seats History Timeline

Seat	Member Name	Title	Appointed By	Status	Appointed Date	Start	Calculated End	Actions
Member 1	Keith R. Lescarbeau	Chair	Council President	<input type="button" value="Expired"/>	1/17/2017	1/2/2017	1/1/2020	<input type="button" value="Renew"/> <input type="button" value="v"/>
Member 2	Americo Mallozzi	Member	Council President	<input type="button" value="Expired"/>	6/3/2019	10/29/2018	1/1/2020	<input type="button" value="Renew"/> <input type="button" value="v"/>
Member 3	Kristen J. Conneli	Member	Council President	<input type="button" value="Expired"/>	1/17/2017	1/2/2017	1/1/2020	<input type="button" value="Renew"/> <input type="button" value="v"/>
Member 4	Gaia A. Charren	Member	Council President	<input type="button" value="Active"/>	1/2/2018	1/2/2018	1/1/2021	<input type="button" value="Renew"/> <input type="button" value="v"/>
Member 5	Karen Catuogno	Member	Council President	<input type="button" value="Active"/>	11/18/2019	11/18/2019	1/1/2022	<input type="button" value="Renew"/> <input type="button" value="v"/>
Member 6	Judy B. Kenower	Member	Council President	<input type="button" value="Active"/>	6/3/2019	1/2/2019	1/1/2022	<input type="button" value="Renew"/> <input type="button" value="v"/>
Member 7	(Vacant)		Council President	<input type="button" value="Vacant"/>		1/2/2018	1/1/2021	<input type="button" value="Fill Seat"/> <input type="button" value="v"/>
Alt. Member 1	Melissa N Kollitides	Alternate	Council President	<input type="button" value="Expired"/>	6/3/2019	1/2/2019	1/1/2020	<input type="button" value="Renew"/> <input type="button" value="v"/>

Add Seat

Historic District Commission

Basic Information

Type

Commission

Agendas & Minutes

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Description

The Narragansett Historic District Commission was created to help develop an ordinance and associated policies focused on the preservation of structures of historic and architectural value. The Historic District Commission works to regulate the construction, alteration, rehabilitation, repair, moving, and demolition of such structures. The goal of the Commission is to help safeguard the heritage of the Town by preserving districts and structures which reflect elements of the Town's cultural, social, economic, political, and architectural history.

The Historic District Commission was established by ordinance July 20, 2009. It has seven (7) members serving 3-year staggered terms, plus one (1) alternate serving a term undefined by the ordinance.

The Town Council President will review applications and appoint / reappoint all members of the Historic District Commission.

Contact Information

Board Seats



Member 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
1/2/2017 - 1/1/2020	Keith R. Lescarbeau	Chair	1/2/2017		
1/2/2014 - 1/1/2017	Keith R. Lescarbeau	Chair	1/6/2014	1/1/2017	Appointment renewed
2/7/2011 - 1/5/2014	Keith R. Lescarbeau	Chair	2/7/2011	1/5/2014	
12/21/2009 - 2/6/2011	Keith R. Lescarbeau	Member	12/21/2009	2/6/2011	

Member 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
	Americo Mallozzi	Member	10/29/2018		
1/2/2017 - 1/1/2020	Judith L. Anderson	Member	11/7/2017	10/28/2018	deceased
	Wayne G. Douglas	Member	1/2/2017	9/22/2017	resigned
1/2/2014 - 1/1/2017	Wayne G. Douglas	Member	5/4/2015	1/1/2017	Appointment renewed
	V. Lynn Wardle	Member	1/6/2014	5/3/2015	resigned
6/17/2013 - 1/5/2014	V. Lynn Wardle	Member	6/17/2013	1/5/2014	
2/7/2011 - 6/16/2013	Frederich Michael Girard	Member	2/7/2011	6/16/2013	

Member 3

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
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1/2/2017 - 1/1/2020	Kristen J. Connell	Member	1/2/2017		
1/2/2014 - 1/1/2017	Kristen J. Connell	Member	10/3/2016	1/1/2017	Appointment renewed
	David Allen Presbrey	Member	1/6/2014	3/30/2016	resigned
2/7/2011 - 1/5/2014	David Allen Presbrey	Member	2/7/2011	1/5/2014	
12/21/2009 - 2/6/2011	David Allen Presbrey	Member	12/21/2009	2/6/2011	

Member 4

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
1/2/2018 - 1/1/2021	Gaia A. Charren	Member	1/2/2018		
1/2/2015 - 1/1/2018	Gaia A. Charren	Member	5/4/2015	1/1/2018	Appointment renewed
5/19/2014 - 5/3/2015	Gaia A. Charren	Member	5/19/2014	5/3/2015	
1/17/2012 - 1/1/2014	Linda R. O'Neill	Member	1/17/2012	1/1/2014	

Member 5

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
1/2/2019 - 1/1/2022	Karen Catuogno	Member	11/18/2019		
	Moira H. Hintsa	Member	1/2/2019	10/9/2019	resigned
1/2/2016 - 1/1/2019	Moira H. Hintsa	Member	2/16/2016	1/1/2019	Appointment renewed
1/2/2013 - 1/1/2016	Lawrence Allen Vranka	Member	3/18/2013	2/15/2016	
12/21/2009 - 3/17/2013	Lawrence Allen Vranka	Member	12/21/2009	3/17/2013	

Member 6

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
1/2/2019 - 1/1/2022	Judy B. Kenower	Member	1/2/2019		
1/2/2016 - 1/1/2019	Judy B. Kenower	Member	9/6/2016	1/1/2019	Appointment renewed
	Sandra J. Panzeri	Member	2/16/2016	8/9/2016	passed away
1/2/2013 - 1/1/2016	Sandra J. Panzeri	Member	5/19/2014	2/15/2016	
	Charles E. Carberry	Member	3/18/2013	2/8/2014	

Member 7

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
1/2/2018 - 1/1/2021	Robert Shields	Vice Chair	1/2/2018	9/11/2020	resignation
1/2/2015 - 1/1/2018	Robert Shields	Vice Chair	5/4/2015	1/1/2018	Appointment renewed
1/17/2012 - 5/3/2015	Robert Shields	Member	1/17/2012	5/3/2015	
2/1/2010 - 1/16/2012	Robert Shields	Alternate	2/1/2010	1/16/2012	

Alt. Member 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
1/2/2019 - 1/1/2020	Melissa N Kollitides	Alternate	1/2/2019		

1/2/2018 - 1/1/2019	Meghan E. Murray	Alternate	1/2/2018	1/1/2019	Declined reappointment
1/2/2017 - 1/1/2018	Meghan E. Murray	Alternate	11/7/2017	1/1/2018	Appointment renewed
	Judith L. Anderson	Alternate	1/2/2017	11/6/2017	moved to a full member seat
1/2/2016 - 1/1/2017	Judith L. Anderson	Alternate	12/19/2016	1/1/2017	Appointment renewed
1/2/2015 - 1/1/2016	Moira H. Hints	Member	5/4/2015	2/15/2016	
5/19/2014 - 5/3/2015	Wayne G. Douglas	Alternate	5/19/2014	5/3/2015	
1/6/2014 - 5/18/2014	Sandra J. Panzeri	Member	1/6/2014	5/18/2014	
3/18/2013 - 1/5/2014	Sandra J. Panzeri	Member	3/18/2013	1/5/2014	
1/17/2012 - 3/17/2013	Sandra J. Panzeri	Member	1/17/2012	3/17/2013	
2/7/2011 - 1/16/2012	Sandra J. Panzeri	Member	2/7/2011	1/16/2012	



TOWN OF NARRAGANSETT
Town Hall • 25 Fifth Avenue • Narragansett, RI 02882
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TOWN OF NARRAGANSETT
RULES FOR COMMISSION, COMMITTEE AND BOARD APPOINTMENTS

I. SELECTION PROCESS OF MEMBERS

1. As authorized by the Town Council, the Town Clerk shall advertise once a year in a local newspaper, the commissions, committees, and boards that will have upcoming appointments. When a vacancy occurs it will be placed on the Town's website.
2. Upon receipt of an application, the Town Clerk shall date stamp it and retain the original.
3. The application shall remain on file for a period of two (2) years from the date received. The Town Clerk will contact applicant after the two year period to seek availability and interest. The Town Clerk will forward all applications on file for an open board when a vacancy becomes available on that particular committee, commission or board to the Town Council and to the Town Manager.
4. All new vacancies on the Planning or Zoning Boards will require that the Town Council interview those candidates. Individuals currently serving on these Boards need not be interviewed when applying for reappointment to a successive term on the same Board. However, an attendance record will be included to the agenda item for those individuals wishing consideration for reappointment.
5. The Town Council motion to appoint a candidate to a particular committee, commission or board, shall have the names of each applicant candidate listed on the summary.
6. A written staff recommendation may be submitted to the council through the Town Manager.
7. All applications received shall be available for public review to the extent under law, in the office of the Town Clerk.

8. The mission for each board, commission or committee shall be available in the office of the Town Clerk and on the town's website.

II. REQUIREMENT FOR MEMBERSHIP

1. Applications for the various commissions, committees and boards shall be available in the Town Clerk's Office or on the Town's website.
2. Applications shall be completed and submitted to the Town Clerk no later than the advertised filing date also unless otherwise approved by the unanimous consent of the council only applications received before the scheduled appointment date shall be considered for appointment.
3. The Town Clerk shall notify individuals whose terms are about to expire by letter, to determine if that individual wishes to be considered for reappointment. Members are reappointed at the discretion of the Town Council.
4. Individuals wishing to be considered for reappointment shall notify the Town Clerk prior to the expiration of the date in the letter sent to them.
5. The chairperson of each commission, committee or board shall submit an *Annual Report* including an attendance record, to the Town Clerk, for those individuals wishing to be considered for reappointment.
6. No person shall be appointed to serve concurrently on more than one commission, committee, or board created by the Town Council, with the exception of Ad Hoc commissions, committees or boards, or dual appointments required by Charter, Ordinance or Resolution. Dual office may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.
7. Any appointee who is absent without cause for three (3) consecutive meetings may be subject to removal by the Town Council.
8. When any member of a commission, committee or board is absent for (3) consecutive meetings, the Chairperson shall notify the Town Clerk, who shall in turn notify the Town Council for direction. Should the Chairperson recognize any other attendance deficiencies, the Town Clerk shall be notified, who shall in turn notify the Town Council for direction.

9. The applicant shall comply with all State Laws and Regulations, as well as Ethics Commission requirements for appointees.
10. The applicant shall be a full time resident and elector in the town to be considered for an appointment to the Planning Board, Pension Board and Zoning Board Review.

III. APPOINTMENT REVIEW PROCESS

1. The Town Council shall review each application and may invite specific candidates to an interview with the Council prior to a regularly scheduled meeting or work session. Candidates interviewed by the Town Council will be sent a letter of appreciation by the Town Clerk.
2. When making a nomination, the Council member making the recommendation will verbally outline reasons for the nomination.

Adopted February 1, 2010
Amended 11-15-10
Amended 11-18-13
Amended 11-21-16
Amended 02-06-17
Amended 08-06-18

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

**CC: 20
Amend No. _____**

**Date Prepared: October 9, 2020
Council Meeting Date: October 19, 2020**

TO: James R. Tierney, Town Manager
FROM: Theresa C. Donovan, CMC, Town Clerk
SUBJECT: Library Board of Trustees

RECOMMENDATION:

That the Town Council appoint/reappoint one individual to the Library Board of Trustees.

SUMMARY:

The Library Board of Trustees is composed of seven members, each serving three-year terms. Three member terms expired on October 1, 2020. The Council appointed Douglas E. McLaughlin and Jeff L. Dentler to replace Gail S. Shields and Ann S. Sullivan on October 5. Action on the remaining seat was continued to this meeting. One member seat is available for appointment/reappointment.

The following indicates the expired term:

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Gloria M. Roman	10/2/2017	10/1/2020

Ms. Roman has requested reappointment. She has served five (5) terms.

Additionally, there are four applications on file for the seat: Gina M. Giramma, Mary Ann Grintchenko, Catherine A. Moss and Patrick E. Brady.

Attached are the Town Council Rules for Commission, Committee and Board Appointments. According to the Council rules, no person shall be appointed to serve concurrently on more than one commission, committee or board created by the Town Council, with the exception of ad hoc commissions, committees or boards, or dual appointments required by charter, ordinance or resolution.

Dual office holding may be permitted if all applications on file are given appropriate consideration before a person is appointed to a second board or committee and the appointment will not violate the town charter.

ATTACHMENTS:

1. Board composition and history
2. Council Rules for Commission, Committee and Board Appointments

Library Board of Trustees

Basic Information

Type

Board

Description

The Library Board of Trustees manages the Maury Loontjens Memorial Library and operates as the legal guardians and custodians of the facility. The Board provides suitable rooms for the library, arranges for the proper care of the rooms, chooses competent persons for employment, and makes all rules and regulations associated with the government of the library and the use of the books and facility.

The Library Board of Trustees has seven (7) members, each serving three-year terms.

Contact Information

Board Seats



Member 1

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2018 - 10/1/2021	Laurie A. Kelly	Chair	10/2/2018		
10/2/2015 - 10/1/2018	Laurie A. Kelly	Chair	11/16/2015	10/1/2018	Appointment renewed
10/2/2012 - 10/1/2015	Laurie A. Kelly	Chair	10/15/2012	11/15/2015	
11/2/2009 - 10/14/2012	Laurie A. Kelly	Chair	11/2/2009	10/14/2012	reappointed
12/4/2006 - 11/1/2009	Laurie A. Kelly	Chair	12/4/2006	11/1/2009	reappointed

Member 2

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2017 - 10/1/2020	Gail S. Shields	Member	10/2/2017		
10/2/2014 - 10/1/2017	Gail S. Shields	Member	10/20/2014	10/1/2017	Appointment renewed
10/17/2011 - 10/19/2014	Gail S. Shields	Member	10/17/2011	10/19/2014	reappointed
9/15/2008 - 10/1/2011	Gail S. Shields	Member	9/15/2008	10/1/2011	reappointed
7/3/2006 - 9/14/2008	Gail S. Shields	Member	7/3/2006	9/14/2008	reappointed

Member 3

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2017 - 10/1/2020	Ann S. Sullivan	Member	10/2/2017		
10/2/2014 - 10/1/2017	Ann S. Sullivan	Member	10/20/2014	10/1/2017	Appointment renewed
10/17/2011 - 10/19/2014	Ann S. Sullivan	Member	10/17/2011	10/19/2014	reappointed
9/15/2008 - 10/1/2011	Ann S. Sullivan	Member	9/15/2008	10/1/2011	reappointed
7/3/2006 - 9/14/2008	Ann S. Sullivan	Member	7/3/2006	9/14/2008	reappointed

Member 4

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2017 - 10/1/2020	Gloria M. Roman	Member	10/2/2017		
10/2/2014 - 10/1/2017	Gloria M. Roman	Member	10/20/2014	10/1/2017	Appointment renewed
10/17/2011 - 10/19/2014	Gloria M. Roman	Member	10/17/2011	10/19/2014	reappointed
9/15/2008 - 10/16/2011	Gloria M. Roman	Member	9/15/2008	10/16/2011	reappointed
7/3/2006 - 9/14/2008	Gloria M. Roman	Member	7/3/2006	9/14/2008	reappointed

Member 5

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2018 - 10/1/2021	Karen Shabshelowitz	Member	10/2/2018		
10/2/2015 - 10/1/2018	Karen Shabshelowitz	Member	11/16/2015	10/1/2018	Appointment renewed
10/2/2012 - 10/1/2015	Robin I. Plaziak	Member	2/17/2015	11/15/2015	
	Peter R. K. Gardiner	Member	10/15/2012	1/1/2015	
7/3/2009 - 10/14/2012	Peter R. K. Gardiner	Member	7/3/2009	10/14/2012	reappointed
2/17/2009 - 7/2/2009	Peter R. K. Gardiner	Member	2/17/2009	7/2/2009	reappointed

Member 6

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2018 - 10/1/2021	Nancy J. McKenna	Member	10/2/2018		
10/2/2015 - 10/1/2018	Nancy J. McKenna	Member	11/16/2015	10/1/2018	Appointment renewed
10/2/2012 - 10/1/2015	Nancy J. McKenna	Member	3/18/2013	11/15/2015	

Member 7

Term	Member Name	Title	Actual Start	Actual End	Appointment End Reason
10/2/2018 - 10/1/2021	Ellen R. Kooima	Member	10/2/2018		
10/2/2015 - 10/1/2018	Ellen R. Kooima	Member	11/16/2015	10/1/2018	Appointment renewed
10/2/2012 - 10/1/2015	Ellen R. Kooima	Member	10/15/2012	11/15/2015	
11/1/2010 - 10/14/2012	Ellen R. Kooima	Member	11/1/2010	10/14/2012	reappointed



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Adopted February 1, 2010
Amended 11-15-10
Amended 11-18-13
Amended 11-21-16
Amended 02-06-17
Amended 08-06-18

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 21

Amend No.

Date Prepared: October 14, 2020
Council Meeting Date: October 19, 2020

TO: Honorable Town Council

FROM: James R. Tierney, Town Manager

SUBJECT: Administrative Compensation Schedule for Fiscal Year 2020-2021

RECOMMENDATION:

That the Town Council adopt a resolution extending the existing Administrative Compensation Schedule for Fiscal Year 2020-2021, with no changes in the Schedule.

SUMMARY:

The attached salary ranges are for those full-time Town of Narragansett employees who are not covered by a collective bargaining agreement. The current schedule has expired. However, it is recommended that the existing Administrative Compensation Schedule be extended to June 30, 2021.

ATTACHMENTS:

1. Resolution

TOWN OF NARRAGANSETT
Rhode Island
RESOLUTION NO.

**A RESOLUTION ESTABLISHING AN ADMINISTRATIVE
COMPENSATION SCHEDULE FOR FISCAL YEAR 2020-2021**

BE IT RESOLVED, that the following salary ranges are hereby approved for the period starting July 1, 2020 and ending June 30, 2021:

<u>Position</u>	<u>Proposed (No change from FY 2019-2020)</u>
Building Inspector	\$60,800 - \$88,204
Community Development Director	\$73,397 - \$88,204
Executive Assistant (Town Manager)	\$45,450 - \$60,351
Executive Secretary (Police Chief)	\$45,000 - \$56,774
Finance Director	\$75,389 - \$107,829
Fire Chief	\$75,560 - \$106,345
Human Resources Manager	\$60,000 - \$80,000
Parks & Recreation Director	\$70,000 - \$85,000
Police Chief	\$77,483 - \$115,533
Public Works Director	\$79,583 - \$117,951
Public Works Deputy Director	\$73,217 - \$107,130
Tax Assessor	\$76,508 - \$79,181
Town Clerk	\$66,137 - \$86,014
Town Engineer	\$76,094 - \$110,304
Towers Coordinator	\$41,559 - \$42,382

ADOPTED this nineteenth day of October A.D. 2020.

Matthew M. Mannix
Town Council President

ATTEST:

Theresa C. Donovan, CMC
Town Clerk

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 22
Amend No. _____

Date Prepared: October 15, 2020
Council Meeting Date: October 19, 2020

TO: Honorable Town Council
FROM: James R. Tierney, Town Manager
SUBJECT: Amendment to Rental Registration Fee

RECOMMENDATION:

That the Town Council introduce, read, pass and accept as a first reading an ordinance in amendment of Chapter 14 of the Code of Ordinances of the Town of Narragansett, Rhode Island entitled "Businesses", specifically Sec. 14-521. - Fee.

SUMMARY:

The Code of Ordinances of the Town of Narragansett, Rhode Island, Entitled "Businesses", specifically "Sec. 14-521. Fee" cites, *"There shall be a registration fee of \$85.00 for each rental unit covered under the provisions of this article."*

The budget adopted by the Town Council for the FY2021 included a projected increase of the registration fee to an average of \$120.00 per unit. This proposed ordinance amendment would change the Rental Registration fee from \$85.00 to \$120.00 per unit for FY2021.

Several Town Council members have recently requested a comprehensive review of the existing rental registration ordinance. The scope of these recommendations is broad and will require extensive review by the Solicitor, Building Official, Fire Marshal, and the entire Town Council after public input. It is respectfully recommended that any other amendments to the rental registration be addressed at a later date after they can be presented to the public and Town Council.

It should be noted that failure to implement this budgeted fee increase will result in a loss of approximately \$94,000.00 in budgeted revenue.

The Rental Registration forms are sent to property owners in October and all fees are due by December 31, 2020.

ATTACHMENTS:

1. Current ordinance
2. Proposed amended ordinance
3. Rental registration form

Sec. 14-521. - Fee.

To defray the cost of implementing and overseeing compliance with this article and to help defray the costs associated with the frequent use of town services, including, but not limited to public safety personnel, code compliance personnel and managerial personnel associated with the policing of rental dwellings, there shall be a registration fee of \$85.00 for each rental unit covered under the provisions of this article. Any owner who is required to file the registration form on or before December 31 of each year, and who does not file on time, shall, in addition to any other applicable penalties provided for herein, be required to pay a late fee of \$300.00.

(Ch. 844, § 1, 3-8-2004; Ch. 892, § 1, 9-4-2007; Ch. 918, § 1, 8-3-2009; Ch. 951, § 2, 11-21-2011; Ord. No. 1003, § 1, 9-15-2014)

TOWN OF NARRAGANSETT

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE TOWN OF NARRAGANSETT, RHODE ISLAND, ENTITLED "BUSINESSES"

It is ordained by the Town Council of the Town of Narragansett as follows:

Section 521 (Fee), of Chapter 14 of the Code of Ordinances of the Town of Narragansett, entitled "Businesses" is hereby amended to read as follows:

Sec. 14-521. - Fee.

To defray the cost of implementing and overseeing compliance with this article and to help defray the costs associated with the frequent use of town services, including, but not limited to public safety personnel, code compliance personnel and managerial personnel associated with the policing of rental dwellings, there shall be a registration fee of ~~\$85.00~~ 120.00 for each rental unit covered under the provisions of this article. Any owner who is required to file the registration form on or before December 31 of each year, and who does not file on time, shall, in addition to any other applicable penalties provided for herein, be required to pay a late fee of \$300.00.

Section 2: This ordinance shall take effect upon its final passage, and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

First reading, read and passed in the Town Council meeting legally assembled the _____ day of _____, 2020.

Second reading read and passed in the Town Council meeting legally assembled the _____ day of _____, 2020.

ATTEST:

Theresa C. Donovan, CMC
Town Clerk



TOWN OF NARRAGANSETT
 Rental Dwelling Registration Form
 25 Fifth Avenue Narragansett, RI 02882
 Tel (401) 782-0613 Fax (401)782-0620
 Email: rentalregistration@narragansettri.gov

This registration is for a one-year period to be renewed annually in December for the following calendar year. **Failure to register will result in a late fee of \$300.00, municipal court & additional fines for non-compliance.**

Rental Property Address _____ Plat _____ Lot _____
 Number of Units: _____ Number of Bedrooms: _____ Fee Due: \$85.00 per unit
(Change \$ 120.00 min)
 Number of tenants: _____

Please make checks payable to Town of Narragansett and remit to address above with completed, signed and notarized form. Any payments received with an incomplete registration form will not be accepted and a late fee may be imposed for non-compliance.

Type of Rental (PLEASE CIRCLE ONE): Yearly, Summer, September–June, Sept-June & Summer or Not a Rental

Owner: _____ Home Phone _____
 Billing _____ Work Phone _____
 Address: _____ Email _____

Out of State Landlords must have an instate contact for the rental dwelling per Section 34-18-22.3 of the State of RI General Laws	
Name of Agency _____	Phone _____
Contact Name _____	Email _____
Address _____	

I HEREBY CERTIFY that the above information is true and correct. I understand that any false statements made herein are subject to penalties under law. I further understand that, in accordance with Section 14-519 of the Code of Ordinances of the Town of Narragansett, THE LEASE (WITH NAMES OF ALL ACTIVE TENANTS) AND THIS REGISTRATION FORM ARE TO BE POSTED INSIDE THE PRIMARY ACCESS DOOR OF THE DWELLING UNIT for inspection by police, zoning, building or minimum housing officials of the Town of Narragansett.

Please copy this form for yourself and your tenant's records or send a self-addressed stamped envelope and we will mail you a receipted copy.

Owner(s) /Agent Signature

Date

STATE OF
 COUNTY OF

On this _____ day of _____ 20____, before me, the undersigned notary public, personally appeared _____ personally known to the notary or proved to the notary through satisfactory evidence of identification, which was _____ to be the person that signed in my presence.

 Notary Public
 Printed Name:
 (Seal)

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 23
Amend No. _____

Date Prepared:10-13-2020
Council Meeting Date:10-19-2020

TO: Honorable Town Council

FROM: Council Members Patrick Murray & Jesse Pugh

**SUBJECT: Cancel the Regular Town Council Meeting scheduled for
November 16th 2020.**

RECOMMENDATION:

That the Town Council cancel the regular Town Council Meeting scheduled for November 16, 2020 due to the Governor's Executive Order 20-82, which extends all Rhode Island Election Certifications up to 30 days.

SUMMARY:

The Governor's Executive Order 20-82 will create a *Lame Duck Regular Town Council Session* not seen in the history of the Narragansett Town Council to the best of our knowledge.

ATTACHMENTS:

1. Copy of Governor Gina Raimondo's Executive Order 20-82

SECRETARY OF STATE
PUBLIC INFORMATION
CENTER
2020 OCT -2 AM 9:03



State of Rhode Island

Gina M. Raimondo
Governor

EXECUTIVE ORDER

20-82

October 2, 2020

SEVENTY-SEVENTH SUPPLEMENTAL EMERGENCY DECLARATION – MODIFYING PROCESSES FOR THE PREDOMINANTLY MAIL BALLOT GENERAL ELECTION

WHEREAS, on March 9, 2020, I declared a state of emergency due to the dangers to the health and life posed by COVID-19 and such declaration has been extended until at least October 3, 2020;

WHEREAS, the Centers for Disease Control and Prevention (CDC) and the Rhode Island Department of Health (RIDOH) recognize that certain populations continue to remain at a higher risk for both the transmission and effects of COVID-19 and are strongly advised to remain at home unless necessary for work, medical treatment or to obtain necessities such as groceries, gas or medication;

WHEREAS, minimizing contact between individuals, including those who would ordinarily vote at a polling place, will help to slow the spread of COVID-19;

WHEREAS, a predominantly mail ballot election is projected to significantly increase the use of mail ballots, with an anticipated 350,000 to 400,000 mail ballots to be certified and tabulated for the General election;

WHEREAS, the Board of Elections (Board) convened meetings throughout the course of this pandemic to gather testimony and evidence from various sources, including RIDOH and the CDC, to determine the adverse impact upon the health and welfare of the public, including the threat of an increased rate in the transmission of COVID-19, if traditional in-person elections are conducted in the State during the pandemic; and

WHEREAS, the Board conducted a public meeting on August 28, 2020 to discuss and vote upon modifications to the elections process, including provisions of Chapters 15 and 20 of Title 17 of the General Laws in order to effectuate a predominantly mail ballot election for the General election.

NOW, THEREFORE, I, GINA M. RAIMONDO, by virtue of the authority vested in me as Governor of the State of Rhode Island, pursuant to Article IX of the Rhode Island Constitution and the Rhode Island General Laws, including but not limited to Title 30, Chapter 15 and Title 23, Chapter 8, do hereby order and direct the following:

1. The statutory requirements set forth under R. I. Gen. Laws § 17-20-26(a)(1)(i) are hereby suspended to the extent that the statute requires the Board to attach the mail ballot applications to the certification envelopes for the comparison of the voter's signature set forth on the application with the signature set forth on the certification envelope. Consistent with its vote taken on August 28, 2020, the Board will instead compare the voter's signature located on the certification envelope with the voter's signature retrieved from the Central Voter Registration System (CVRS) database maintained by the Secretary of State. Provided, that no signature set forth on the certification envelope shall be rejected until and unless the signature is also compared to the signature set forth on the voter's mail ballot application.
2. Pursuant to the intent of the General Assembly, as set forth under R.I. Gen. Laws § 17-20-26(e), and consistent with the Board's longstanding practice and procedure, no voter's signature shall be rejected if it appears to match the signature retrieved from either the CVRS or the mail ballot application, unless it is subject to a valid challenge. The burden of proof in challenging any mail ballot signature rests on the person asserting said challenge. Further, any voter whose mail ballot is rejected shall be notified and provided an opportunity to cure his or her ballot pursuant to the Board's protocol to cure any facial deficiency, omission or discrepancy pertaining to the voter's certification envelope, as promulgated under the Board's Rules and Regulations for Mail Ballot Certification Process, 410-RICR-20-00-23.

3. The statutory requirements set forth under R.I. Gen. Laws § 17-20-26(a)(2) are hereby suspended to the extent that the statute requires notice of the Board's mail ballot certification sessions to individual candidates for the day on which ballots for their races will be examined and certified. Given the projected number of mail ballots to be returned for the General election, the certification process cannot be segregated by individual races. Consistent with the Board's vote taken on August 28, 2020, mail ballots will be processed as they are received on a daily basis throughout the certification period. Each certification session shall remain public and shall be noticed to the public in accordance with the remaining requirements set forth under R.I. Gen. Laws § 17-20-26(a)(2).
4. The 14-day period set forth under R.I. Gen. Laws § 17-20-26(a)(1)(ii) for the opening and certification of mail ballots is hereby suspended for the General election. The period for the opening and certification of mail ballots shall be extended to 30 days. The extension will alleviate some of the administrative burden relating to the projected increase in mail ballots resulting from a predominantly mail ballot election.
5. The deadline for the receipt of an emergency mail ballot under R.I. Gen. Laws § 17-20-2.2(b) is hereby suspended so that, consistent with the Board's August 28, 2020 vote, a voter shall have one additional day, until the November 3, 2020 General election at 4:00 p.m., to submit an emergency mail ballot application to the local board of canvassers.

This Order supersedes Executive Order 20-74. It shall take effect on October 3, 2020 and shall remain in full force and effect until November 2, 2020 to be renewed or modified as necessary and appropriate to carry out the purpose of this Order.

So Ordered:



Gina M. Raimondo
Governor