

**NARRAGANSETT TOWN COUNCIL
REGULAR MEETING
AGENDA**

February 16, 2016

7:30 p.m.

Narragansett Town Hall
25 Fifth Avenue
Narragansett, RI 02882
(401) 789-1044

Posted 02-11-16

**NARRAGANSETT
TOWN COUNCIL**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES:

President

Matthew M. Mannix

President Pro Tem

Susan Cicilline-Buonanno

Members

Raymond A. Ranaldi

Patrick W. Murray

Christopher Wilkens

- June 1, 2015 Work Session Meeting
- June 22, 2016 Work Session Meeting
- June 29, 2015 Work Session Meeting
- July 6, 2015 Regular Meeting Minutes
- July 20, 2015 Regular Meeting Minutes

Acting Town Manager

Jeffrey Ceasrine

ANNOUNCEMENTS/PRESENTATIONS:

Town Clerk

Anne M. Irons, CMC

NYHART Inc. – Presentation OPEB and Pension Plan Update

Town Solicitor

Dawson T. Hodgson, Esq.

STATE/TOWN PROJECT UPDATES

OPEN FORUM:

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 heard as requested.

PUBLIC HEARING/DECISION – 8:00 P.M.:

A **MOTION** to CONTINUE A PUBLIC HEARING on a Petition for Abandonment from John R. Sahagian for the eastern half of Harris Avenue on Assessor Plat P to add to Assessor's Plat P, Lot 96 to March 21, 2016.

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 ACCEPT the 2016-2017 America the Beautiful Grant in the amount of \$2,600 and authorize the Town Manager to sign the agreement subject to review and approval of the Town Solicitor.
2. A **MOTION** to REFER a request from Paul Carr Jr. for a waiver of the Sewer Policy for Plat Y, Lot 4, 707 Point Judith Road to the Sewer Policy Committee for review.
3. A **MOTION** to APPROVE the 2016 Middlebridge Marina rental slip rates at \$700.00 per full slip and \$525.00 for a side slip which reflects no increases for the 2016 season.
4. A **MOTION** to APPROVE the request from the Narragansett Arts Guild for the use of Gazebo Park to operate and sell local original arts and crafts on Wednesday nights only from June 15th through August 31st, 2016 subject to local and state regulations.
5. A **MOTION** to APPROVE the request from the Narragansett Lions Club for the use of Gazebo Park for their Annual Easter Egg Hunt to be held March 19, 2016 from 9:00 am to 10:30 am.
6. A **MOTION** to APPROVE the request from the RI Lions District 42 for the use of the Town Beach for a Sand Angel Contest to qualify for the Guinness Book of Records on Saturday May 7th, 2016 from 11:00 am to 4:00 pm.
7. A **MOTION** to APPROVE the request from Perry Raso of the Matunuck Oyster Bar and Farm for the second annual fundraiser for non-profit organizations in our community. This year the event is being held for Dylan Murano and Childhood Apraxia and is scheduled for Sunday May 1, 2016 from 12:00 noon to 6:00 pm at Veteran's Park subject to state and local regulations.
8. A **MOTION** to APPROVE the request from Saint Thomas More Parish for their annual Good Friday Walk to be held on Friday March 25, 2016, subject to state and local regulations.

9. A [MOTION](#) to APPROVE the request from St. Thomas More Parish for their 9th Annual Parish Festival at Veteran's Memorial Park on Saturday June 18, 2016 from 4:00 pm to 10:00 pm. Subject to state and local regulations.
10. A [MOTION](#) to APPROVE the request from the Surfers Healing RI to conduct a one day free surf camp for children with autism at the Town Beach on September 17, 2016 from 7:00 am to 4:00 pm subject to approval of state and local regulations.
11. A [MOTION](#) to APPROVE the waiver of interest for taxpayers in accordance with Ordinance 2010-936.
12. A [MOTION](#) to APPROVE the use of the State of Rhode Island Master Price Agreement (MPA) #166 for the purchase of Liquid Propane Gas at the price of the Selkirk Posting +0.35 per gallon, for the period of December 8, 2015 – September 30, 2018.
13. A [MOTION](#) to APPROVE the purchase of MagiCard Printer Supplies from the lowest vendor, ID Security Online, in the amount of \$3,016.50.
14. A [MOTION](#) to APPROVE the service contract for Shop Key Plus vehicle and equipment maintenance software from Mitchell 1, in the amount of \$3,228.00.
15. A [MOTION](#) to APPROVE the purchase of two (2) DuMor 32-gallon receptacles and six (6) steel flat covers for the Beach from O'Brien & Son's, Inc., in the amount of \$3,355.00.
16. A [MOTION](#) to AWARD the bid for Firefighter Work Uniforms to the lowest bidder, Mag & Son Clothing, at their quoted bid prices of \$39.00/short-sleeved shirt; \$42.00/long-sleeved shirt; and \$99.95/trouser for a one-year period.
17. A [MOTION](#) to RECEIVE and PLACE on FILE the 2015 Community Development & Planning Board Annual Report.
18. A [MOTION](#) to APPROVE the application for a Private Detective License from James David Smith, 101 West Bay Drive, Narragansett, RI, subject to state and local regulations.

OLD BUSINESS:

NEW BUSINESS:

19. A [MOTION](#) to APPROVE the request from Rhode Races & Events Inc. to conduct a new Ocean State Rhode Race Half Marathon and 5K Road Race to be held on Sunday October 30, 2016 from 7:30 am to 1:30 pm subject to approval of state and local regulations.
20. A [MOTION](#) to APPROVE the purchase of Miscellaneous Equipment for the Ladder Truck from Shipman's Fire Equipment Co., Inc., in the amount of \$64,551.21, utilizing the State of Connecticut contract.
21. A [MOTION](#) to WAIVE the current policy and AUTHORIZE the use of the General Plumbing Services Contract with Stedman & Kazounis Plumbing and Heating, Inc. for the purchase and installation of one new boiler at the Towers, in the amount not to exceed \$67,552.00.
22. A [MOTION](#) to ADOPT an ordinance in amendment of Chapter 78 Utilities, Article III (Sewers), Section 78-333 "Construction by private parties; cost recovery".
23. A [MOTION](#) to SCHEDULE a WORK SESSION to review the Beach Trolley Proposal from South County Trolley & Transportation, LLC.
24. Town Council President [REAPPOINTS](#) two individuals to the Historic District Commission for three year terms to expire on January 1, 2019.
25. A [MOTION](#) to REAPPOINT an individual to the Board of Canvassers for a six year term which will expire March 1, 2022 and APPOINT an individual to fill an unexpired term, which will expire March 2020 and APPOINT two individuals as alternates for a one year term, which will expire March 1, 2017.
26. A [MOTION](#) to APPROVE the meeting schedule for the budget process for fiscal year 2016-17.

REPORTS FROM TOWN MANAGER:

REPORTS FROM TOWN COUNCIL:

EXECUTIVE SESSION:

A MOTION to RETIRE to Executive Session of the Town Council at the end of the February 16, 2016 town council meeting in accordance with RI General Laws 42-46-4 to discuss collective bargaining Local 1589 –International Association of Fire Fighters AFL-CIO-CLC and collective bargaining Local #303 – International Brotherhood of Police Officers as in accordance with 42-46-5 (a) (2) and appoint Dawson T. Hodgson, Town Solicitor as Clerk Pro Tem.)

ADJOURNMENT:

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.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: _____

Amend No. _____

Date Prepared: February 9, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager

FROM: Anne M. Irons, CMC Town Clerk

SUBJECT: Approval of Town Council Minutes

RECOMMENDATION:

That the Town Council approves the minutes from the following meetings.

- June 1, 2015 Work Session Meeting
- June 22, 2015 Work Session Meeting
- June 29 , 2015 Special Meeting
- July 6, 2015 Regular Meeting
- July 20, 2015 Regular Meeting

SUMMARY:

Attached are minutes as in accordance to state law. Executive Session minutes are sealed.

**NARRAGANSETT TOWN COUNCIL
WORK SESSION MEETING
JUNE 1, 2015 MINUTES**

At a Regular Meeting of the Town Council of the Town of Narragansett held on
Monday, June 1, 2015 at 6:00 p.m., at the Narragansett Town Hall.

Present: Matthew M. Mannix, President,

Susan Cicilline-Buonanno, President Pro Tem

Patrick W. Murray, Member

Raymond A. Ranaldi, Member

Christopher Wilkens, Member

Pamela T. Nolan Town Manager

Allan Booth, Interim Tax Assessor

Matthew M. Mannix, President calls the work session meeting to order and explained that the process of evaluation will be explained by the appraisal company and the tax assessor.

Steven Ferrar, District Manager from Vision Government Solutions addressed the council on the recent statistical assessment for the Town of Narragansett that was done by Vision Government Solutions

Mr. Ferrar informed the council he has been in the business for forty years and has worked in Narragansett many times and always does work in southern Massachusetts.

He explained that the evaluation that was recently done was a “Statistical Evaluation” and the data on file in the assessor’s office is what was used to establish the new values. The data was the sales information up to December 31, 2014 and the sales are the driving force in the determination of where the assessment goes. He said they review the sales from the first of the year up to the end of the year and the following year the assessments are completed and sent to the property owners. It was explained that there are two approaches in establishing values in the evaluation process. If a community has enough land sales then land is the first element that is established but Narragansett is basically built out and there are not many land sales that represent the all the different varied neighborhoods in the community. It was explained that to find the land evaluation a residual analysis or an extraction is used which establishes the building value first by using national cost construction manuals to develop a value for buildings and then the sales are used by subtracting the building value from the total selling price and what is left over is the indication of land value. He said it is then used across the community because of the sales in all those areas where there is no land sales. Mr. Ferrar explained that it was a standard procedure and used by every company in the business and it’s a way to establish a relationship between land and building. He noted that it was used in Narragansett. It was explained that anytime a community is done different parts of a town go up in value or down in value and different rates. He said the rates are determined by the sales and only the sales. It was noted that in overall the town did not

change dramatically but there were some areas that did change and the area of Col. John Gardiner was one of them.

Steven Ferrar reviewed a report of Bonnet Shores Valuation 2014 of old sales and new sales ratios.

He noted that all properties have to be treated at market value you cannot put some in market value and some not in market value. He stated they don't appraise people they appraise land and buildings and it is the sales and only the sales that are the driving force of the values. Mr. Ferrar said there was an indication from some residents of issues of neighborhood boundaries and he drove through a neighborhood today and normally boundaries are not changed and the boundaries probably have existed the past 10 years. He also said if they had sales that it should be changed they would have changed it but there wasn't any. He said if the council asked them to review they would do that.

Mr. Ferrar said there are constraints in staying in a range of market value and if you move out of market value you would be opened up to appeal from someone else in town.

He again said that was how the process was done and how the numbers were developed and the five sales in the area were 98% of market value. He said every one of those 5 sales indicated that there was a substantial change. The overall of 328 sales as a group was 98% and the procedure is to stay in 5% of that percentage.

Allan Booth, Interim Assessor addressed the council on the difference between sale and market values. He said his office is aware of the concerns of the Col John Gardner Road neighborhood and he is working with Vision Government Solutions on reviewing the neighborhood and the revaluation is not an easy process. He said he said believes that they can come up with defensive values which may not make everyone happy. He commented his job is not to make everyone happy but to treat everyone fairly.

Matthew M. Mannix commented he wanted to hear what the process was for the revaluation of property as this has been a huge issue. He spoke on the neighborhood make up and the Col. John Gardner Road in the Bonnet Shores area.

The following taxpayers spoke regarding their concerns and displeasure of the new reevaluation on their property on Col John Gardner Road:

Anita Dickerson and Carol McDonald gave a presentation on research that had done of the neighborhood, Donald Colette, Brian Holland, Sheryl Lamb, Donald Belanger, Donald DeStefano and Gerry McDevitt

The parameters going forward were discussed with the interim assessor such as it should be hands on instead of the statistical and taking into account that it was a small sample size of sales on Col. John Gardner Road and not do a review other neighborhoods.

Allan Booth remarked that he would review everything on that road again and will do the next road as well as the waterfront.

Mr. Mannix did note that there was a concern of holding up the budget adoption and remarked that the budget was a spending budget and does not mean the reevaluations would be locked up.

Laura Kenyon remarked that in the budget ordinance there is a range for the levy and if there are any corrections made either higher or lower that would not change the levy.

ADJOURNMENT:

The meeting adjourns at 7:18 p. m.

ATTEST:



Anne M. Irons, CMC
Council Clerk

MINUTES ACCEPTED AS
PRESENTED/AMENDED

Anne M. Irons, CMC
Council Clerk

**NARRAGANSETT TOWN COUNCIL
WORK SESSION MEETING
JUNE 22, 2015 MINUTES**

At a Work Session Meeting of the Town Council of the Town of Narragansett held on Monday, June 22, 2015 at 6:06 p.m., at the Narragansett Town Hall,

Present: Matthew M. Mannix, President,
Susan Cicilline-Buonanno, President Pro Tem
Patrick W. Murray, Member
Raymond A. Ranaldi, Member
Christopher Wilkens, Member
Pamela T. Nolan Town Manager
Laura Kenyon, Finance Director
Allan Booth, Interim Tax Assessor

Absent: Dawson Hodgson, Town Solicitor

Council President Mannix called the meeting to order and stated the purpose of the work session was to address the statistical property revaluation for approximately 100 properties with a new assessed value. He said the Interim Tax Assessor was in the process of certifying the tax roll and will explain the values for these properties in question. President Mannix referred to a spreadsheet of information Council members received.

Mr. Booth addressed the Council, stating he had reviewed values in the Bonnet Shores neighborhood, specifically those in the Colonel John Gardner Road area. He said he inspected the area, made adjustments to appraisal grouping designations, looked at sales again for market value, threw out one sale everyone agreed was unusual and came up with a new multiplier for the neighborhood, which resulted in an approximate 10% reduction. He said he then recalculated the neighborhood, certified those numbers and about a dozen property values went up Col. John Gardner and Dunes Roads, while other assessments along the waterfront did not increase. He noted a number of lots are physically on Col. John Gardner Road, but that is not their address. Some are in a different assessment grouping. For example, he noted two waterfront houses, side by side. One assessment went up, but the other did not, attributable to the 2500 and 2600 neighborhood designations. Additionally, some properties on the water were found to be coded as 2500, and should have been 2600. Those discrepancies were addressed. Mr. Booth noted the budget has been approved, and the tax roll is moments away from certification. Tax bills will be mailed at the end of the month. Explaining the appeal process, Mr. Booth said the aggrieved property owners can file an appeal, which he will then review and most likely pass on to the Tax Assessment Board of Review, in accordance with state law. If the owner is dissatisfied with the Board's decision, they can bring an appeal to the Superior Court.

President Mannix said the claim of market value was not supported, noting some assessments went down below 2011 values. Mr. Booth responded that he and the revaluation team went house to house. He said it made no sense that there would be a difference in multipliers for waterfront properties around the corner from each other, noting some of them were categorized with the incorrect neighborhood designation before his tenure began. He said the processing included taking sales from several Col. John Gardner Road transactions, subtracting new construction costs, coming up with the difference and reviewing all with Vision Appraisal.

President Mannix said there are errors and he wanted to see where the rest of the Council wanted to go for remedy. Perhaps the 100 affected bills could be pulled.

John Hynes, owner of 285 Col. John Gardner Road, reviewed 30 years of valuation for his property. He said Vision Appraisal has valued disproportionately, and the property owners want to be treated fairly. He said the 1993 water view from his property was partial, and it's not even that anymore, while Vision said it was good. He said his property is on the corner of Bonnet Point and Col. John Gardner Roads; the lots were merged and address changed. Mr. Hynes stated if the address didn't change, his assessment would not have gone up. The Council needs to protect all taxpayers, and he said he did not think Vision did a good job. He said the procedure was not appropriate, and Vision representatives were neither courteous nor helpful.

President Mannix said the Council is trying to put aside bureaucracy and avoid mass litigation.

Councilor Cicilline-Buonanno said she attended the neighborhood meeting and viewed the properties in question, and would like to find a remedy.

Councilor Rinaldi said he liked the idea of withholding these 100 or so bills, or perhaps send them the same bill they received last year, including a description of the review process it would be going through. He stated he agreed it was done incorrectly. He also attended the neighborhood meeting, and said the focus should be on the review process.

President Mannix said the whole town's billing could not be held up, but breathing room was needed to fix this problem.

Councilor Ranaldi agreed that the town needs to put more effort into it, as these are unique homes.

Finance Director Laura Kenyon reported the tax roll has already gone to the agency that prints the tax bills, and the Town Council has already set the tax rate and approved the budget. She suggested the tax bills go out with assessments as they are now (which have

been reviewed and revised). If the Council wants to set up additional meetings with the Tax Assessor, Vision Appraisal, Town Solicitor, etc., it can do that. She said this tax roll is locked the way it is, and if subsequent legal recourse would be to abate the bill, we can follow that. Anything else will need to be discussed with the Solicitor.

President Mannix noted these people will be getting their third assessment.

Mr. Booth said the meeting's attendees are concerned with their 100 bills, but Narragansett has over 11,000 taxpayers. A lot of their assessments went up. What happens with them? He said he sees a problem if the Council does not offer the same reconsideration to everyone.

Carolyn Dileo, owner of 201 Col. John Gardner Road, said they will not settle for just 10% reduction, and are requesting Council pass a resolution returning assessments to 2014 values before July 1. She said assessments and revaluations fell short across the town, with some areas being seriously undervalued. She stated the revaluation was done improperly, and she has consulted legal representation. She said an unfair burden has been placed upon a small group of people.

Councilor Ranaldi said he made his suggestion because this is so obviously wrong.

Councilor Cicilline-Buonanno reminded all that this is a work session, so no votes could be taken. She said a motion could be made at the next regular Council meeting to apply 2014 values to Dunes and Col. John Gardner Roads.

Councilor Murray stated there is a process in place, and the taxpayers should go through that process to get justice.

President Mannix said the primary goal was to protect taxpayers. The tax officials did not do their job, and it is the Council's duty to fix it.

Councilor Murray said the Tax Assessment Board of Review has not seen any of this, and that is the process that exists and should be pursued.

Richard Mercier of 169 Col. John Gardner Road said those who went through the process feel as though their complaints have fallen on deaf ears. He said the town has not complied with the requirements of law (a copy of his email was distributed), and that when Mr. Booth recalculated the numbers, it was done incorrectly. This is an issue of being fair and equitable.

Stephen Ferreira, District Manager of Vision Appraisal, said the basis of any revaluation is sales, and that is the only thing that can be considered by law. He itemized the following recent sales for properties on Col. John Gardner Road:

- 173 sold for \$849,000; new value \$729,000
- 266 sold for \$1,575,000; new value \$1,390,000
- 169 sold for \$735,000; new value \$671,000
- 298 sold for \$1,450,000; new value \$1,350,000
- 257 sold for \$727,000; new value \$697,000

In every case, Mr. Ferreira stated the assessments are below what they paid for the property. All valuations in town are based upon sales. He stated Col. John Gardner Road properties have the lowest level of assessment in the Bonnet Shores area, based on sales. He said we have to let go of emotions; this is all about sales and the marketplace. He said the market is the market. He said taxpayers have asked for an independent review, which is what the Tax Assessment Board of Review does. Every appraisal is an opinion, and it is proper to do an independent review.

President Mannix told Mr. Ferreira that he and Mr. Booth had been extremely defensive throughout the process, based upon all the feedback he received from constituents.

Anita Langer, owner of 241 Col. John Gardner Road, displayed and referred to maps she supplied, and said she and neighbors had spent hours looking into every single property (over 450 parcels), trying to determine a pattern or rationale. She said there was no increase in land values, with the exception of 21 properties where there had been a sale, transfer into trust or major renovation. Those increases ranged from 3% to 22%. She said the whole town is flawed and the Council needs to act now before the litigation process begins. If it had been done correctly, Ms. Langer stated, the mil rate would be lower.

Carol O'Donnell, owner of 278 Col. John Gardner Road, distributed and referred to photographs, then gave comparisons between various properties on Bonnet Point and Col. John Gardner Roads, as well as others. She said it was not fair and equitable, and the only thing the properties with increased values had in common was a Col. John Gardner Road address. Mr. Booth said those numbers were all changed and had been given to the Town Manager. Ms. O'Donnell continued with comparisons, referring to maps and photographs, detailing several properties, street by street, concluding by stating the burden of the town is being carried by one street.

President Mannix stated he was frustrated that residents had to do so much of this work on their own.

Councilor Ranaldi said residents will have to pay to fight, so we need to try to find a solution without taking money out of their pockets and becoming more contentious.

Father Raymond Collins, owner of 210 Col. John Gardner Road, said he was a 38-year resident whose pension had dropped 25%, due to valuation of the euro to the dollar. Taxes are set to go up 25%, he said, based on his revaluation, even with the revisions. He wondered how many waterfront properties in town saw their evaluations go up 25%. Mr. Mercier said none.

John Cooper, owner of property in the Pier area and on Col. John Gardner Road, said he was an attorney and drove three hours to attend the meeting when approached by his neighbors. He said there is something wrong with the process when the house in front of you has a 40% increase and the one behind you has 0%. Addressing the Council, he said they need to protect themselves. He said when residents lose confidence in those who rule, everything falls apart. He suggested sending out the bills, with a stay at the 2014 payment rate until this is resolved. He said the property owners have been incredibly professional, when the Tax Assessor and Vision Appraisal have not. He said a third party needs to be brought in. Mr. Cooper suggested the Council meet with its lawyer, noting the neighbors have contacted two attorneys.

Larry Parness of 205 Col. John Gardner Road asked about the process of market value. Mr. Ferreira responded that Mr. Parness' property was at market value three years ago, based upon sales that took place prior to that. He said the assessment was at 71% of sales prices prior to revaluation.

Michael Rennell, owner of 267 Col. John Gardner Road said there is lack of credibility across the board. He said his property went up another 10%. There was a grouping of properties at one end of Col. John Gardner Road whose values went up. How do you explain mine being the only one in my surrounding area that went up? He said there is no logic, no foundational metrics to support the Assessor's and Vision Appraisal's decisions. There has been no uniformity; why pick my property out? He said this has been arbitrary, and the Council needs to acknowledge the mistake, correct it and make sure it never happens again. He said it was unacceptable that the burden is now on them to correct the Town's mistake.

President Mannix said the Council, as a body of elected officials, is stepping in and not letting town staff tell them how it's going to be done. He said a town-wide reappraisal is not necessary, as they have only heard complaints from this area. He said the next step should be to reverse the Dunes and Col. John Gardner Roads appraisals to what they were three years ago.

Councilor Cicilline-Buonanno agreed.

Councilor Ranaldi said there was homework to be done between now and then, including speaking to the Town Solicitor. There should be a proper review process and letter of explanation, without expense to these property owners.

Councilor Wilkens said this needs to be reviewed by a third neutral party, and that the Tax Assessment Board of Review would be a fresh set of eyes. He said the Solicitor and Board of Review need to be brought into the process.

President Mannix disagreed, stating the decision is the Council's and needs to be made now.

Councilor Murray said the correct procedure is going through Board of Review and that taking action now would be jumping the gun. He asked Mr. Booth how many assessment disputes go before the Board and result in reversal, to which Mr. Booth replied, about 50%.

President Mannix stated the process is not working, and they need to fix it. He added that he was confident in the research done by these property owners.

Mr. Hynes said going to the Board of Review is further frustrating people. He said increased values should be reflected throughout the town.

Mr. Booth said the purpose of revaluation is to equalize taxes through values, and that the opinions of the Assessor or revaluation company change. Values in neighborhoods shift as others become more desirable or popular through rehabilitation, etc.

Councilor Murray asked about building permit activity, and two audience members raised their hands.

Brian Holland, owner of 113 Col. John Gardner Road, said the Town should send a letter to the owners, stating they are going back to the old assessments. He said he had sent a letter in, and has not heard a word about when/if anything is going to be done. He told the Council to bring the assessments down to a realistic amount or the property owners will go to their lawyers.

Mr. Booth said the owners could file an appeal with him once they get their bills, if aggrieved. There are 11,000 different opinions of value in Narragansett, he said, adding that when he was involved with the 1992 revaluation in Newport, there were 2,000.

Ms. Nolan said, in a year with no controversy, there are usually only a couple hundred appeals, and noted that this is a statistical revaluation, not full.

Mr. Cooper said just one lawsuit will be egregious, adding that the appeal process is illegitimate. He said the Town would be sending the property owners through the process when they know this is wrong. He said this is an extraordinary writ.

Kenneth Salomon, owner of 270 Col. John Gardner Road, said he was an engineer, and there are serious problems with these assessments, and that bad data equals no data.

Theodore DiStefano, owner of 94 Col. John Gardner Road, said if we each appeal, we will each need to hire appraisers. He said the Town of Barrington fired Vision Appraisal after the law firm of Blish and Cavanaugh beat the Town and Vision. He said what costs the Town in legal fees ends up costing all of us. He said a writ of mandamus would be a quicker and cheaper route to follow than appealing the assessments. He said they do not want to go that route, but see themselves as being pushed.

President Mannix reiterated the assessments should be rolled back to the 2011 values.

Mr. Booth replied that a taxpayer is capable of supporting their argument, and does not need an appraiser. The burden of proof is market value.

Mr. Murray said they do not need to commission an appraisal for each property, and that it's not right for the Council to arbitrarily pick a group of property owners and freeze their taxes.

Maryanne Vine, owner of 63 Col. John Gardner Road, said she did go through the appeal process in the past, but after they lowered it, it just went up again over \$200,000, and she was never notified by the Town.

There followed a discussion among Council members.

Walter Manning of 57 Col. John Gardner Road said the mil rate will change if assessments are adjusted.

Ms. Kenyon said when the budget was passed, a range of assessments was contemplated, and that also allows for abatements and addenda of taxes. She said she will need to consult the Solicitor.

Mr. Manning said he appealed a prior assessment, and the Board of Review ended up increasing it. Mr. Booth said that was one of the properties where the neighborhood assignment has since changed. Mr. Manning replied that 29 Col. John Gardner Road has

been for sale for two years with no offers. He said he has experienced a 24% increase in his taxes.

Consensus of Council was that they would discuss and vote on this on June 29 at a special meeting. President Mannix instructed that these bills not be sent out prior to June 29. Ms. Kenyon said she would speak to the Solicitor.

Councilor Wilkens said he did not know if the Council can legally pull some bills, and did not think the assessments could be rolled back to 2011 values.

Councilor Ranaldi asked if all the bills could be held for ten days. Ms. Kenyon replied that she did not know where the bills were in the printing queue.

Councilor Wilkens said mistakes have been made, and he wanted that whole section fixed, individually and collectively, but the tax bills need to be sent out.

Faith LaSalle, owner of 315 Col. John Gardner Road, said she is an attorney, and suggested the Council call its Solicitor immediately and ask for an opinion about holding some or all bills.

President Mannix said the Council will get the Solicitor's advice as to pulling selected bills. Councilor Ranaldi agreed and said he would be meeting with the Solicitor first thing in the morning.

John Underhill of 27 Dunes Road questioned the whole process. He said the first notice he received about his property was acceptable but, when others squawked about theirs, then we received a second notice that our value was going up an additional \$160,000. This has been an unfair process pitting neighbor against neighbor.

Ms. Langer replied that retribution toward Dunes Road owners was never our intent.

Responding to Councilor Murray's inquiry, Mr. Booth said he had never heard of a town holding tax bills back.

President Mannix said the withheld bills would be restricted to Col. John Gardner and Dunes Roads. He said he feels like he has to go door to door on Dunes Road and apologize on behalf of the Town for raising their values. He said he asked for an explanation and was simply told the values were reduced by 10%. He stated there is no credibility with the process used, and the Council will need to freeze the 2011 assessments for these properties and vote formally on June 29.

Stephen Rotenberg, owner of 133 Col. John Gardner Road, said the Interim Tax Assessor was incompetent and asked where the Council was in the process of hiring of a full time Assessor.

An unidentified speaker from the back of room said the Solicitor should have been present even though it was a work session.

There being no further business before the Council, the meeting adjourned at 8:06 PM.

ATTEST:



Theresa C. Donovan, CMC
Deputy Council Clerk

MINUTES ACCEPTED AS
PRESENTED/AMENDED:

Anne M. Irons, CMC
Council Clerk

Increase
Col John Gardner

NO INCREASE
Bonnet PT



Water

0.26
875,000
2014

86 Duvondog
875,000
new



water
NARRAGANSETT BAY

EXHIBIT B

Richard Mercier <richard.d.mercier@gmail.com>

Jun
3

to abooth, mmannix, sbuonanno, pmurray, rranaldi, cwilkens

Dear Mr. Booth:

When we spoke after the Assessment workshop on Monday evening, you asked me to send to you via email the information on the abnormal nature of the recent sales on Col. John Gardner Road. In many cases the buyers used a bid that effectively shut out buyers or they negotiated the sale privately.

- 298 Col. John Gardner Rd. - 6/13 - 298 Bonnet LLC - \$1,450,000 This was a non-market negotiated sale between an estate and the purchaser accomplished by a Bonnet-resident real estate broker, Sharon Ford.
- 257 Col. John Gardner Rd. - 11/13 - Stanton - \$727,500 - This property was put on the market during March 2012 for \$845,000. On November 1, 2013, after being on the market for over 19 months, the price was reduced to \$765,000 and it sold for \$727,500. The \$727,500 price was achieved despite a full (to the studs) renovation in 2008. The renovation included new hardwood floors, ceramic tile and stainless steel appliances. Total cost of the renovation is estimated at \$125,000. In addition, the price included high new quality furnishings as well as some rental income that was in place. The seller had purchased the property for \$697,000
- 310 Col. John Gardner Rd. - 12/13 - Nicolelli - \$1,320,000 - As Anita Langer, the Bonnet resident listing broker, indicated during the working group meeting, this property had been on the market for 3 years prior to the sale. The property had been previously listed at \$1,750,000, then reduced to \$1,650,000 with Lila Delman Real Estate. Anita Langer of Residential Properties Ltd listed it at \$1,599,000. and received offers at \$1.1m and \$1.2m. respectively. The property sold in 12/13 at the reduced price of \$1,320,000. The house was in excellent condition with all hardwoods, ceramic tile and beautifully decorated and fully furnished. It was sold with all CRMC Permits and Architectural Plans and Engineering plans for a remodel of the home. The permitting process, legal fees and architectural and engineering plans were estimated at \$180,000. dollars which were included in the sale.
- 173 Col. John Gardner Rd. - 6/14 - Connor - \$849,000 - This property was listed on MLS for \$849,000 on 4/26/14 and sold on 4/27/14 for cash. This house was built in 2011 with all the highest quality materials including all hardwoods, ceramic tile, granite, custom cabinetry and Stainless Steel Appliances literally turnkey with furnishings. It had Central Air, Built Ins and a gas fireplace. The home was exceptionally decorated in excellent taste and furnishings. This was a very rare opportunity for someone in Bonnet to purchase a house totally turnkey - all they had to do was bring their clothes.
- 169 Col. John Gardner Rd. - 7/14 - Mercier - \$735,000 - The buyers and sellers had been in ongoing price discussions but had not agreed on price during May and early June 2014 BEFORE the property was publicly listed. This property was listed on MLS on June 9, 2014 at \$769,000 and a sale contract was signed the same day. Included in the price were furnishings for this home. This property was particularly desirable to the buyers (senior citizens) because it had not only a large L-shaped open floor plan and large kitchen but also a bedroom and full bath on the main floor. Most of the homes in this area are older homes with small chopped up rooms and many do not have a main floor bedroom/bathroom. Additionally, an already signed 9-month lease provided the buyers with \$27,000 in rental income.
- 266 Col. John Gardner Rd. 8/14 - Garzilli -> M3C Holdings - \$1,575,000 This was the sealed bid sale that Sal Moio described to you. The purchaser is also the owner of 274 Col. John Gardner, is wealthy (and price was not important) and was determined to purchase the property for a family compound. Therefore, he bid very high for the property that needed a significant amount of work.

I hope this information is of assistance to you in recognizing why these sales were anomalies and not true market value. Should you have any questions, please feel free to call me at (401) 789-1533.

TUESDAY, MAY 5, 2009

BET prepping for litigation

Just received a new letter to the editor from the group Barrington for Equitable Taxes. It looks like they're getting ready to file suit against the town — I'm hearing it will be official in about two weeks — over the Vision revaluation. BET members had hinted at litigation during the March 12 and April 23 meetings, but now they're asking for any interested residents to contact them in regards to the suit. So now we'll have residents paying money to sue the town, which will use taxpayers' money to battle the issue in court...

TUESDAY, MAY 12, 2009

It's official, reval lawsuits are on the way

Residents warned that the town would face litigation over the recent revaluation, and they were right. On Monday, May 11, attorney William Landry offered an official statement regarding potential lawsuits stemming from the reval. In short, the litigation is on its way. Officially, here is what he wrote: "BET has authorized its counsel to begin preparing suit papers challenging the Vision Appraisal Co. statistical revaluation update of Barrington properties as of December 31, 2008. Several dozen taxpayers have asked to join the suit, with additional plaintiffs making similar requests each day. The suit will proceed in part on a class basis; will challenge the legality of any tax assessments and certifications that are based on the Vision Appraisal statistical revaluation update; and will seek relief requiring a corrective Town-wide re-assessment having retroactive application, plus ancillary damages and legal fees. The thrust of the plaintiffs' claims are that the Vision Appraisal revaluation systemically failed to comply with legal requirements that tax assessments (1) reflect the full and fair cash values of properties assessed, or a uniform percentage thereof; and (2) fairly distribute the burden of the property taxation among taxpayers. Subject to the approval of the representatives of the plaintiff class, the suit is expected to be filed later this month."

WEDNESDAY, JUNE 3, 2009

Lawsuit list tops 500

The list of Barrington residents named as plaintiffs in the lawsuit against the town council, town manager, tax assessor, director of finance and the town itself has grown to more than 500. And for those keeping score at home, the group spearheading the lawsuit, Barrington for Equitable Taxes, has reportedly bankrolled more than \$165,000 for the legal battle.

Barrington Homeowners Sue Town over Property Valuations

Posted on [May 27, 2009](#) by [Matt Jerzyk](#) | [Leave a comment](#)

According to [the Providence Journal](#), attorney William Landry filed a lawsuit in Providence Superior Court this week on behalf of over 400 Barrington homeowners who are requesting that the court throw out the property valuation assessments performed by Vision Appraisal and return to the 2008 valuations. The suit names the the Town Council, the tax assessor, the town manager and the finance director. The group that leads the litigation, [Barrington for Equitable Taxation](#), claims that the new valuations contain numerous errors and do not reflect the recent downturn in the real estate market.

[ach](#)

Reval Lawsuit Could End Today with Settlement

Town Council schedules late-afternoon special session to deal with proposal.

By [WILLIAM RUPP](#) (Patch Staff) November 1, 2010

Share

[Comments](#)

The Town Council meets in the late afternoon today to try to settle the revaluation lawsuit filed by hundreds of Barrington taxpayers against the town. A settlement seems likely.

The public meeting starts at 5:15 pm in the Town Council chambers. There is an executive session at 5 pm. Today's meeting actually is a continuation of a previous early-morning session that concluded without resolution.

Lawyers for the Town Council and Barrington for Equitable Taxes (BET) have been finalizing a settlement agreement since that meeting about 10 days ago.

Talks over a settlement grew out of Town Council President Judith Speakman's frustration with the time it could take for Providence County Superior Court to hear

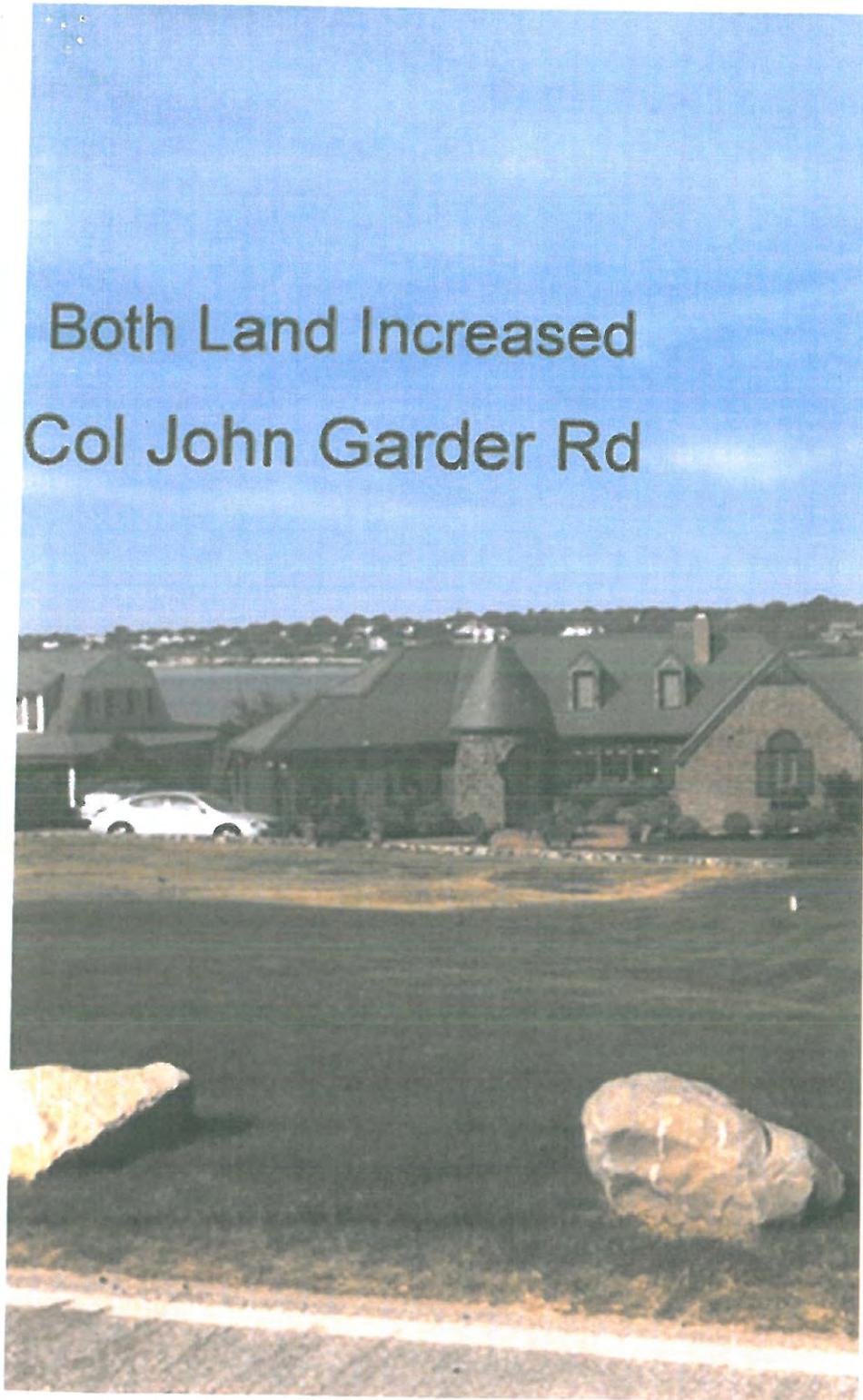
the lawsuit -- up to a year. Mounting legal fees for the town to defend itself also are an issue, Speakman said. Those fees top \$25,000.

BET sued the Town Council after it rejected a demand to scrap Vision Appraisal's 2008 revaluation. BET says that revaluation was based on flawed assumptions, inaccurate data and other issues.

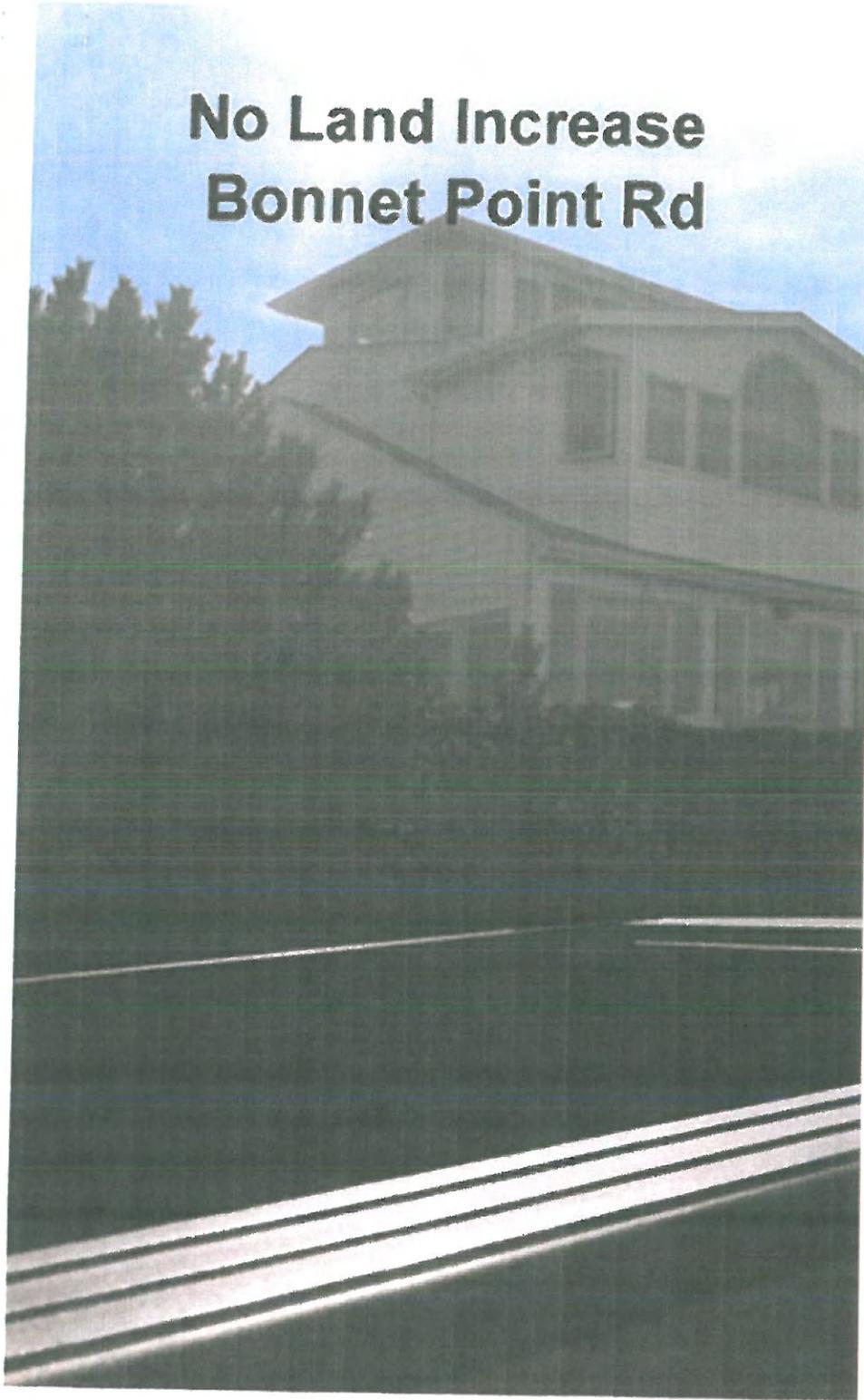
The next statistical revaluation of property values is scheduled for next year under state law. The next full revaluation is scheduled for 2014.

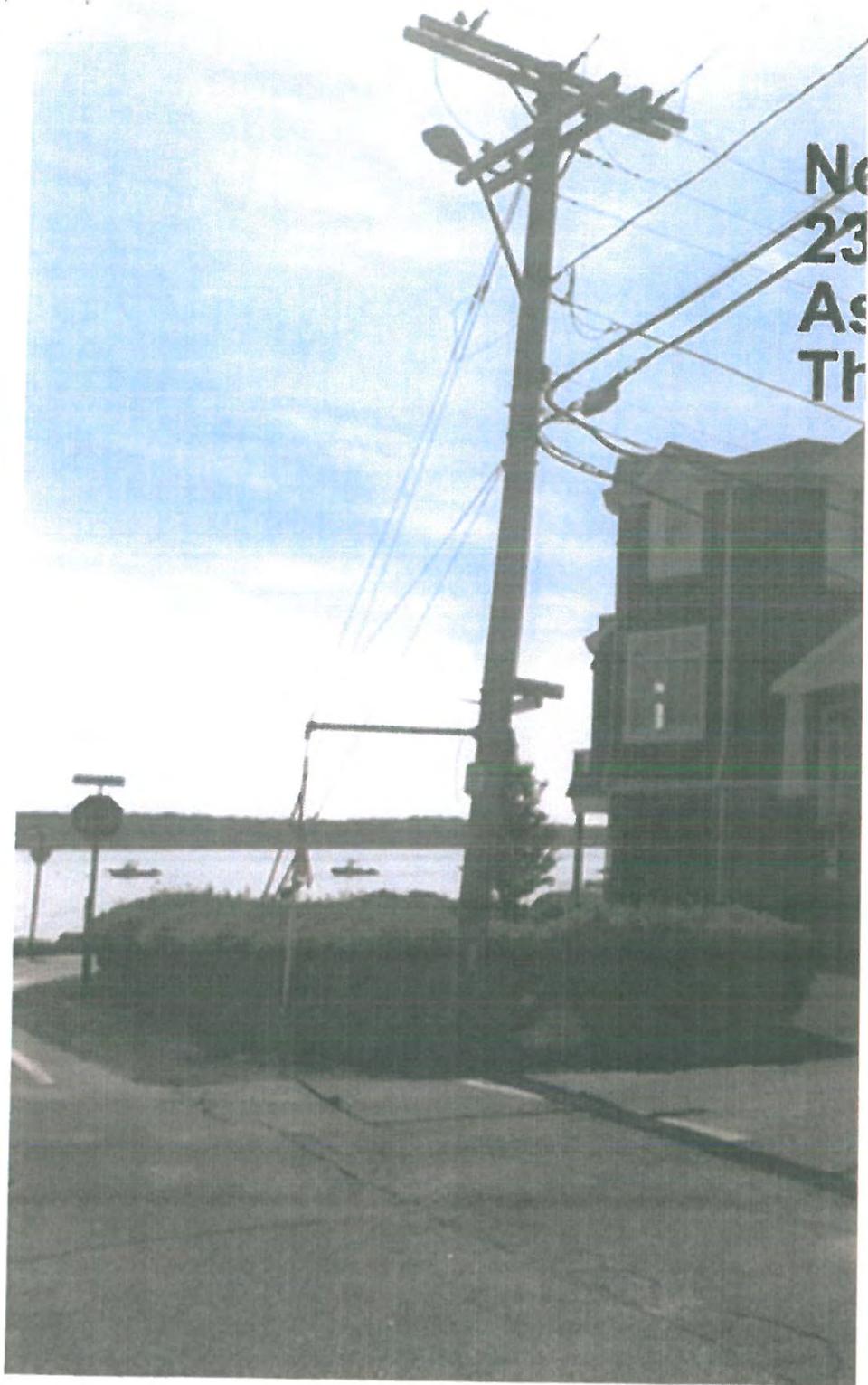
Completing another revaluation has been talked about as a way to settle the lawsuit. But it would come at another sizable cost to all taxpayers, perhaps in the hundreds of thousands of dollars.

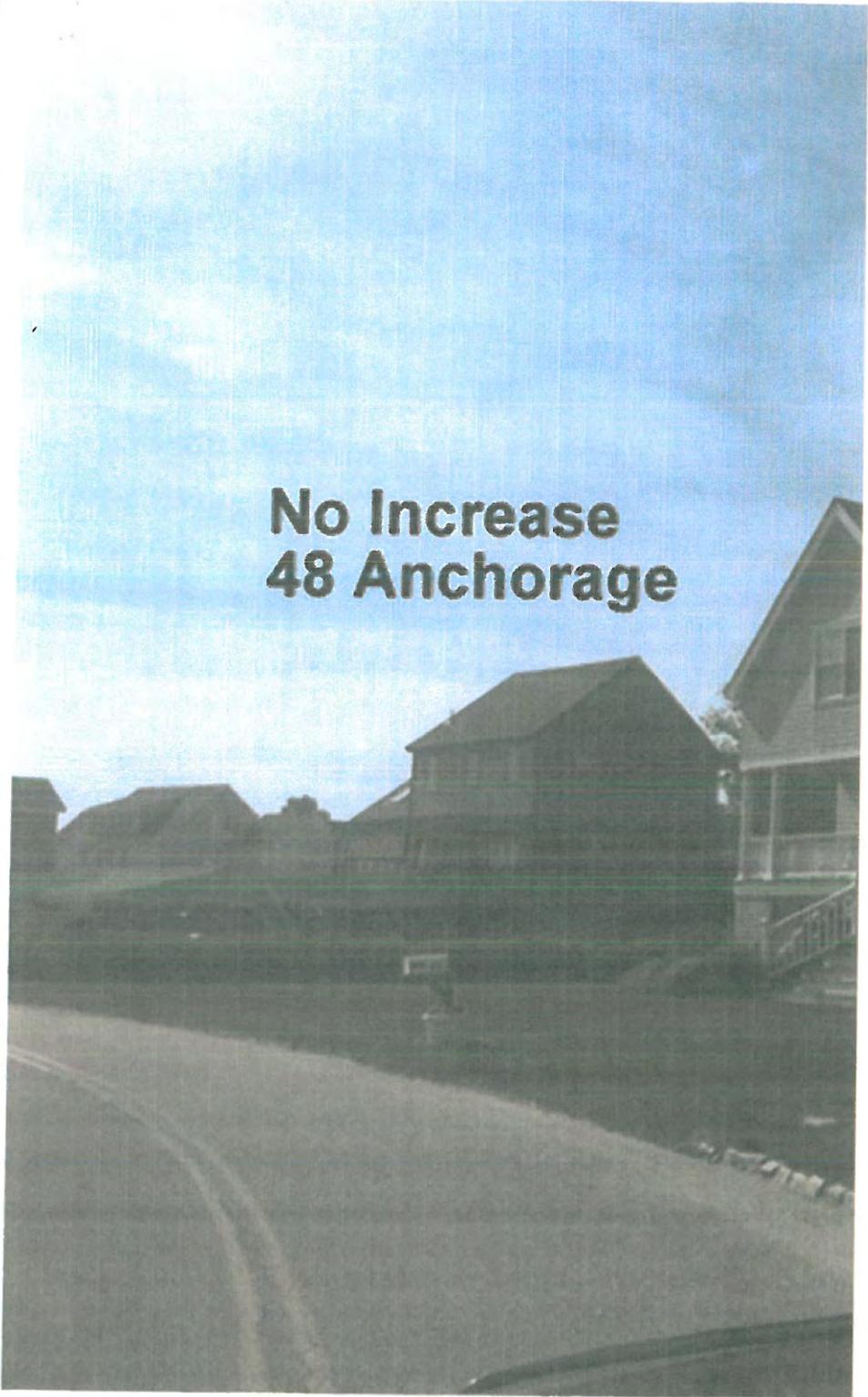
Both Land Increased
Col John Garder Rd

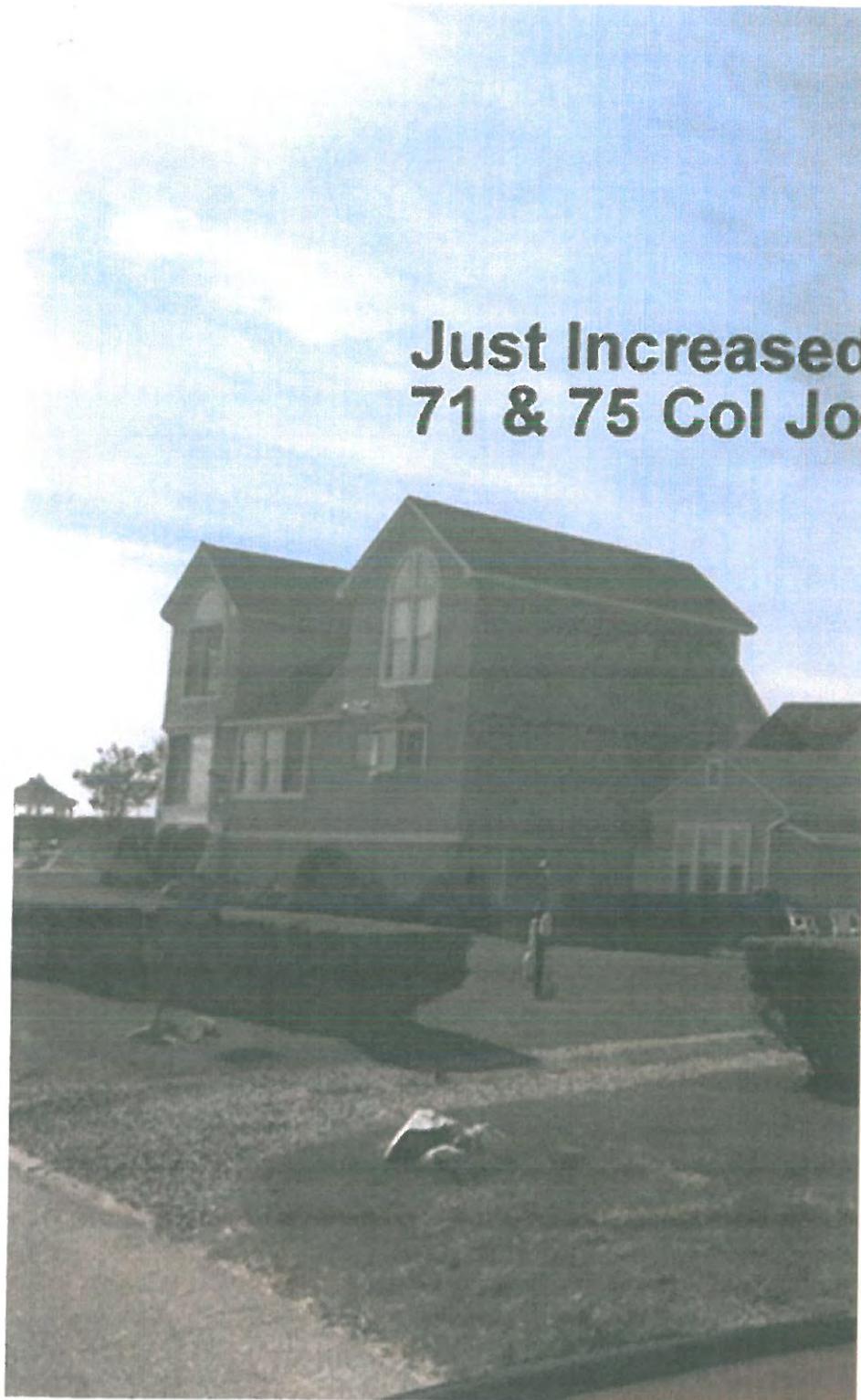


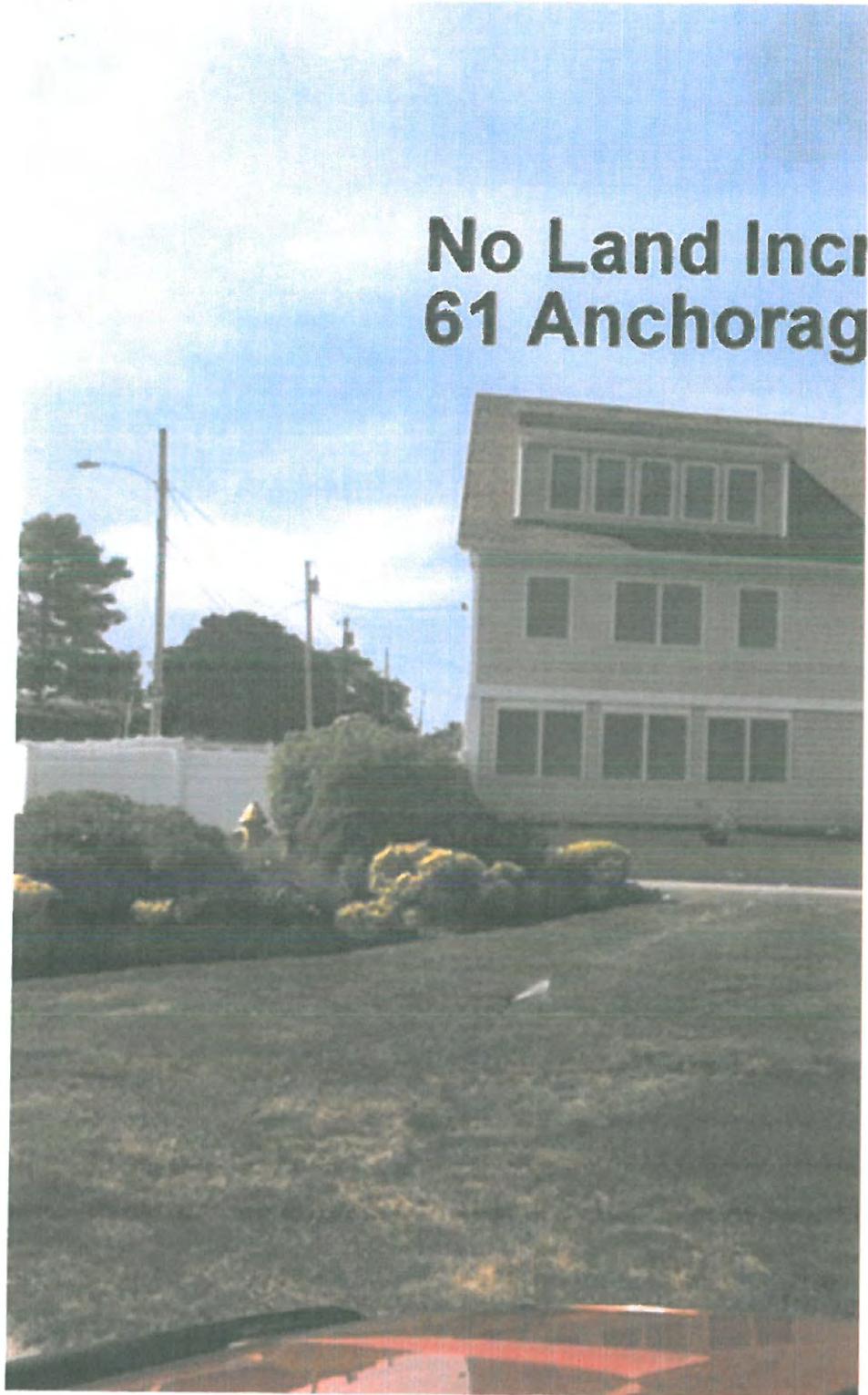
No Land Increase Bonnet Point Rd

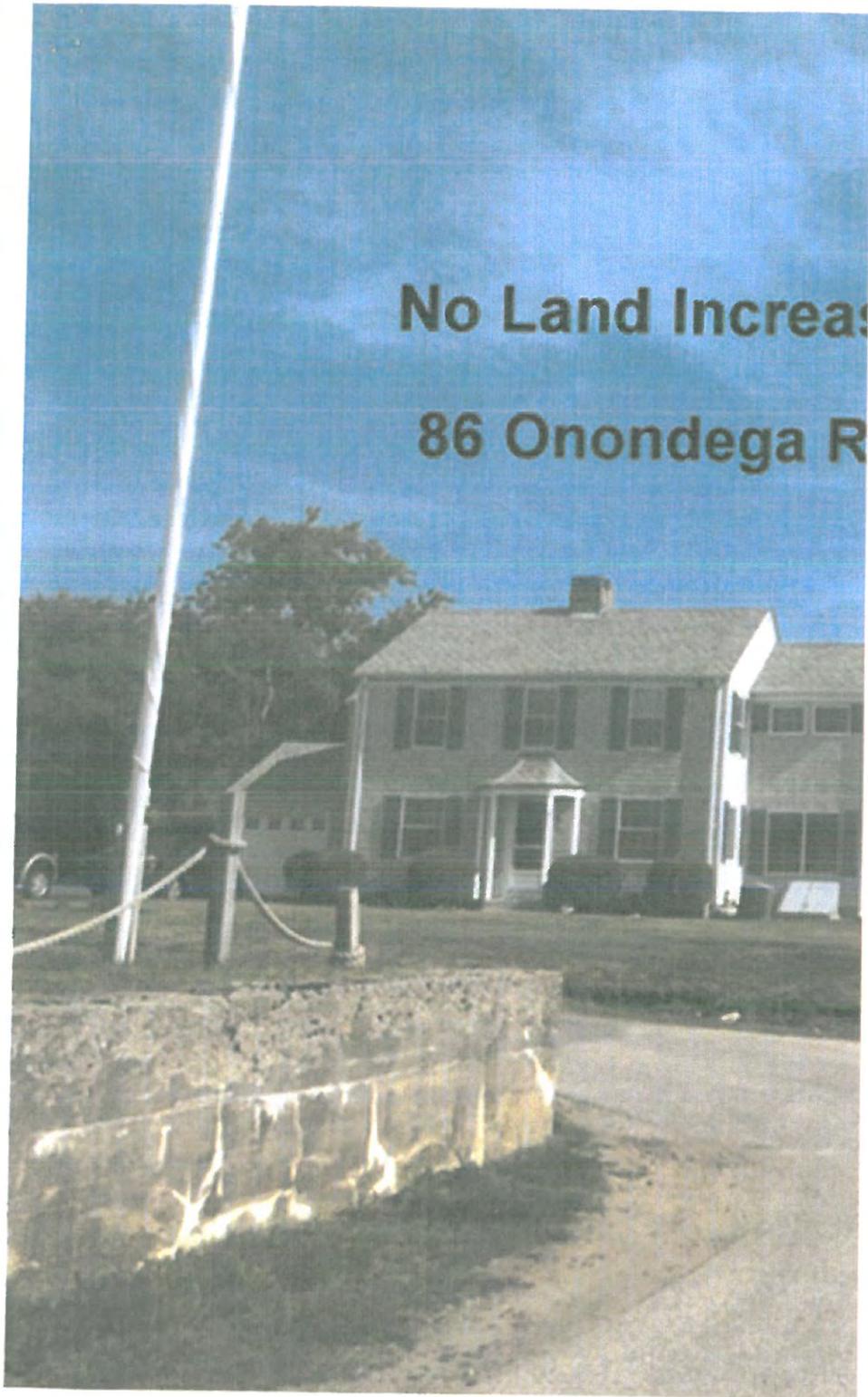












**NARRAGANSETT TOWN COUNCIL
SPECIAL MEETING
JUNE 29, 2015 MINUTES**

At a Special Session Meeting of the Town Council of the Town of Narragansett held on Monday, June 29, 2015 at 7:34 p.m., at the Narragansett Town Hall.

Present: Matthew M. Mannix, President

Susan Cicilline-Buonanno, President Pro Tem,

Patrick W. Murray, Member

Raymond A. Ranaldi, Member, Absent

Christopher Wilkens, Member

Pamela T. Nolan, Town Manager

Dawson T. Hodgson, Town Solicitor

Matthew M. Mannix, President calls the meeting to order and leads those in attendance in Pledging Allegiance to the Flag.

A MOTION to REDUCE the assessed values of residential properties in Narragansett whose properties' assessed values increased during the 2015 revaluation process to their 2014 assessed values due to errors in the revaluation process.

Several residents of Colonel John Gardner Road brought inconsistencies in the revaluation process to the Town Council's attention at the May, 2015 Town Council meeting. As a result of the feedback, the Town Council scheduled a work session on

June 1, 2015 to get a detailed presentation from Vision Appraisal and the Town's Tax Assessor regarding the revaluation process.

That presentation took place on June 1, 2015. During that work session, several residents also presented information regarding errors made during the revaluation process which demonstrated that the new assessments were too high and that Colonel John Gardner Road properties appeared to be unfairly targeted. One council member commented that it sometimes seems like Vision Appraisal targets a specific street or two in the town when it conducts revaluations. The residents' presentation led the Town Council to give instructions to the Tax Assessor to revisit and revise the assessments.

The Tax Assessor provided a list of properties with revised assessments which was provided to the Town Council shortly after the town's budget was approved. Most of the properties on the list saw modest decreases in their assessments. The Town Council scheduled a second work session for June 22, 2015 to obtain an explanation of the revised assessments. This work session was necessary so that if the council chose to take action it could do so before the tax bills would be mailed out to taxpayers at the end of June.

Susan Cicilline-Buonanno moved, Matthew M. Mannix seconded to REDUCE the assessed values of residential properties in Narragansett whose properties' assessed values increased during the 2015 revaluation process to their 2014 assessed values due to errors in the revaluation process.

Matthew M. Mannix, President remarked that he brought the motion forward and noted he met with the Finance Director and the Town Manager on the matter and informed them a solution was needed and that he was disappointed how the issue was handled. Mr. Mannix commented that it was his third budget however the first budget that also included a statistical evaluation process. He said residents brought forth inconsistencies of the new values in the Bonnet Shores neighborhood which was land that had inflated assessments. He said that a request for a remedy was met with resistant with Vision Appraisal and from town staff. He believed that there was very little effort to roll up the sleeves and solve a remedy to the problem and responses have been defensive and uncooperative. He commented that the job of an elected official is to lead, to solve problems over bureaucratic obstacles and insure the decisions are made with common sense. Mr. Mannix said over the past month data has been submitted that Vision Appraisal and town staff had made errors in calculations of market value which was needed for assessed values. He said that he was concerned that the town was playing with people's lives by increasing the assessed value without providing the rationale for the increasing. The residents have provided more rationale information than Visional Appraisal and the Tax Assessor had provided at work sessions. He proposed that any residential properties increased assessed value back to last year's assessment. He said he has zero confidence increase in other parts of town not supported by value data. He said he wants to protect all taxpayers in town. He further commented that he believes there is

a bigger problem as state law requires to conduct valuation every three years which taxpayers' money pays an evaluation company and the assessor to reassess the property values. He said we pay someone to show us how to increase taxes. He said the council's job is to minimize taxes so people can live their lives. He said he wants to do the right thing to fix the problem and hopes the council does the right thing.

Dawson Hodgson, Town Solicitor addressed the council and noted that the council does want to recognize the issue of some residents from John Gardner Road that was brought forward. He said that the proposal on tonight was changed to reflect the concern. He said that passage of the resolution/directive would preclude the certification of the tax roll. He said that in certifying the tax roll was a critical step to take in revenues and to pay the bills. He said that natural consequences of invalidating the tax roll would be passing a new budget over a course of two readings which would extend in to the next fiscal year and he did not believe that was in the town's best interest. He said that a unilateral action as how the tax roll would be created by setting aside half of the reevaluation process and leaving the other half in place would put the town in an adverse position legally with state tax law. He noted that the town would be set up for a liability of a large group of taxpayers who are not given the favorable treatment and is problematic for the town to take the position that the tax roll was in any way valid that there is a policy announcement that half of it is not valid. He said an environment is created of total uncertainty and ripe for litigation from all sides and it is not the solution to the problem.

He said it is hard to imagine of anyone who is ever satisfied with the evaluation of their property. He said it is an unpleasant process and no one likes it however there is a process for citizens to remedy their concerns and Narragansett does have a robust process in place and the importance of process is highlighted across all venues of government. He said if you believe in process than you believe in the people who you have carefully selected to implement the various towns' procedures. The Solicitor said the council needs to afford the opportunity to the Tax Assessment Board of Review to do their job. He said that is where the questions should go for the reevaluations concerns. He said a lot of harm would be done if you undo the tax roll. He said this was not the place to make the change it was at the Tax Assessment Board of Review

Mr. Mannix spoke about the state statute on tax evaluations. He also believed the tax bills should be sent out as they are and send a follow-up letters to the taxpayers who have the increased assess values.

Councilor Wilkens commented that years ago the council did send a Resolution to the legislature on proposing every five years for evaluation. He also asked if the process could be done collectively instead of separately.

The Solicitor answered that there was not a yes or no answer for that. He said they did not have to hear the same piece of information over and over but there could be some type of consolidation however it would also be determined on what was submitted.

Councilor Wilkens also asked what the opinions of the Finance Director and the Town Manager were on if the motion passed.

Laura Kenyon, Finance Director addressed the council if the assessments were changed and noted that the residential tax rate would change from \$9.94 to \$10.30 and the commercial rate would go from \$14.91 to \$15.45. She also noted that to send out new bills the cost associated with that would be \$20,000.

She explained that the assessment would have to be a range and the levy would be a range. She also noted that it's a \$164 Million Dollar difference.

The next forty-five minutes the following residents made comments:

Michael Rand, Betsy Cournoyer, Stanley Wojciechowski, Carl Marchand, Ted DeStefano, Mickey Dickinson, Brian Holland and Anita Langer

Councilor Susan Cicilline-Buonanno commented she supported the people in the room as she struggled with 150 property owners saying their assessments were not correct.

Councilor Wilkens said the town was treading on very dangerous waters to assess some properties at the 2014 assessment and some properties at the 2015 assessment.

A discussion was held on the Tax Board of Review's duties and role.

The town council took a five minutes recess.

The President called for a vote on the motion and the vote was as follows.

Susan Cicilline-Buonanno aye, Matthew M. Mannix aye Christopher Wilkens nay,

Patrick W. Murray nay

The motion failed.

The meeting adjourns at 8:45 p.m.

ATTEST:



Anne M. Irons, CMC, Council Clerk

MINUTES ACCEPTED
AS PRESENTED/AMENDED

Anne M. Irons, CMC, Council Clerk

A digital format is made a part of the record for a complete account of the special council meeting.

**NARRAGANSETT TOWN COUNCIL
REGULAR TOWN COUNCIL MEETING
JULY 6, 2015 MINUTES**

At a Regular Meeting of the Town Council of the Town of Narragansett held on
Monday, July 6, 2015 at 7:30 p.m., at the Narragansett Town Hall.

Present: Matthew M. Mannix, President,

Susan Cicilline-Buonanno, President Pro Tem

Patrick W. Murray, Member

Raymond A. Ranaldi, Member

Christopher Wilkens, Member, Absent

Pamela T. Nolan Town Manager

Dawson T. Hodgson, Town Solicitor

Matthew M. Mannix, President calls the meeting to order and leads those in attendance in
Pledging Allegiance to the Flag.

APPROVAL OF MINUTES

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to
approve the May 18, 2015 Executive Session Meeting Minutes as presented.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye

Matthew M. Mannix aye

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to approve the April 7, 2015 Work Session Meeting Minutes as presented.

Raymond A. Ranaldi aye, Patrick W. Murray aye Matthew M. Mannix aye

Susan Cicilline-Buonanno abstain

ANNOUNCEMENTS/PRESENTATIONS:

UPDATES of State Projects in Narragansett

Michael DeLuca, Community Development Director addressed the council on the “Switch Yard” to be erected on the property of the state Salt Shed. He noted he had a meeting with representatives from NGRID and RIDOT. Three different locations were suggested for the relocation of the “Switch Yard” and all were rejected by RIDOT and NGRID. He said the reason was that final engineering had been done as well as the permitting process has begun. He commented that he informed them that town officials may contact them as well as state legislatures. He will have a presentation on July 20th.

Resident Patrick Brady commented that he reviewed plans that were on file in the Engineering Dept. and the Switch Yard was located in the south end of the property.

The Town Manager was directed to find the plan and forward to the town council and Mr. Patrick Brady.

UPDATED council on local project on Central Street

Town Manager, Pamela Nolan noted that road work will begin on July 7th from Robinson to Watson Street.

OPEN FORUM:

Open Forum is now held and the following individuals address the Council, viz:

Richard Van Germeersch remarks that the town needs a parking committee not only for Gansett Days but for beach days in September as well as July for all parking issues. He said it should be done now and shouldn't wait for later. He also spoke of controls to be set up the minute it is asked for bond money to be borrowed; He said there is no such thing as school money, bond money and donations they are all accountable monies.

Melissa Crawford questioned keeping the roller rink for the town and possibility having it be a revenue maker for the town. Matthew Mannix will meet with the Parks and Recreation Director to discuss; Donald Churnick spoke about parking and traffic on Narragansett Avenue. He said that year round residents have problems entering their driveway or exiting their driveways. He explained that if there is an SUV on either side of the driveway it was very difficult to back out of the driveways. He said the residents need help with the constant flow of traffic and a suggestion is made to have no right hand turn in Caswell Street. He also noted that the traffic signal at Narragansett Avenue and Kingstown Road is very quick. He said it was a safety issue and a nightmare for residents; Karen Shabshelowitz said she was disgusted with no strategic planning for the town that concerns all citizens including the elderly. She said she has had no vehicle for the past few months and there is no place to buy bread and milk. She spoke of the Senior Citizens in South Kingstown and how they are bused to Stop & Shop. She said the

seniors in town are not being considered at all. She commented that there is taxation without representation. She said that there are more zoning variations that have been added to Wanda Street since she moved to town; Stanley Wojciechowski read an article from the newspaper about taxing. He said there should be a plan to reduce the numbers. He said more attention should be on the tax ley; Warren Pelton asked to speak on #11 and was told he had to speak at the time the matter was addressed; Al Alba, Jr. questioned if a council matter was absent from the meeting why couldn't the council member skype, face time or be on the internet somehow to be able to vote on an important matter. John Slusarksi thanked the town council for the work they do especially on the pension liability issues.

PUBLIC HEARINGS:

A MOTION to CONTINUE a PUBLIC HEARING on a Petition to amend Chapter 10 of the Comprehensive Plan entitled Housing by revising text of the 2005 Affordable Housing Plan under the heading of Policies to Promote Affordable Housing.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to CONTINUE the PUBLIC HEARING on a Petition to amend Chapter 10 of the Comprehensive Plan entitled Housing by revising text of the 2005 Affordable Housing Plan under the heading of Policies to Promote Affordable Housing.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye
Matthew M. Mannix aye

A MOTION to ACCEPT, RECEIVE and PLACE on FILE the recommendation from the Planning Board.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to CONTINUE the MOTION to ACCEPT, RECEIVE and PLACE on FILE the recommendation from the Planning Board.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye
Matthew M. Mannix aye

A MOTION to CONTINUE PUBLIC HEARING on a petition from 151 Ocean Road, LLC to amend the Zoning Ordinance, entitled Zoning, Section 7A entitled Affordable Housing.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to CONTINUE the Public Hearing on a Petition to amend Chapter 10 of the Comprehensive Plan entitled Housing by revising text of the 2005 Affordable Housing Plan under the heading of Policies to Promote Affordable Housing to August 17, 2015 at 8:00 p.m.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye
Matthew M. Mannix aye

A MOTION to CONTINUE a MOTION to ACCEPT, RECEIVE and PLACE on FILE the recommendation from the Planning Board.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to CONTINUE the MOTION to ACCEPT, RECEIVE and PLACE on FILE the recommendation from the Planning Board the August 17, 2015 at 8:00 p.m.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye

Matthew M. Mannix aye

A MOTION to SCHEDULE a PUBLIC HEARING on the Petition from Colbea

Enterprises LLC d/b/a Shell/Seasons to operate a 24 hour gasoline

station/convenience store at 1015 Boston Neck Road, Narragansett, Rhode Island.

On September 16, 2013 Colbea Enterprises LLC d/b/a Shell/Seasons had requested to be opened additional hours from 2:00 a.m. to 6:00 a.m. to operate a 24 hour convenience store at its newly remodeled convenience/gas station. The vote was 2 to 2 and the motion failed with one councilmember absent from the meeting.

Since it has been nearly two years and they believe a good neighbor to the residents in that area Colbea Enterprises LLC is again requesting to be able to operate as a 24 hour gasoline station/convenience store.

In accordance to RI State Law 5-24-1 a public hearing is required before the town council in order to receive permission for the additional hours of operation. Suggested date:

August 3, 2015

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to SCHEDULE the PUBLIC HEARING on the Petition from Colbea Enterprises LLC d/b/a Shell/Seasons to operate a 24 hour gasoline station/convenience store at 1015 Boston Neck Road, Narragansett, Rhode Island to August 3, 2015 at 8:00 p.m.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,

Matthew M. Mannix aye

A PUBLIC HEARING on a Petition from New Dragon Inc. d/b/a New Dragon, 80 Point Judith Road, Narragansett, RI, Plat P, Lot 324 to allow entertainment to the Class BV Alcoholic Beverage License.

New Dragon Inc. has petitioned to have entertainment in the lower level of the restaurant.

A public hearing is necessary to hold to allow the public input on the request for the entertainment. Notices were mailed to the abutters within the 200' radius and advertisements of the public notice were placed in the Narragansett Times.

This establishment has held an Alcoholic Beverage License since 1994 and has never requested to hold entertainment at its location.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to OPEN the PUBLIC HEARING.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

John Lau, representing New Dragon Inc. was sworn in and addressed the council on the request to hold entertainment at the restaurant on 80 Point Judith Road. He explained that they were requesting to have entertainment in the lower level area of the restaurant such as a DJ to get people dancing a few times a week. He noted that he had spoken with the Fire Marshall and he knows they would have to follow the fire codes. He explained the capacity is for 80 people however with a booth for the D.J. and with tables and chairs it would be around 60 to 70. He also noted that they were aware that they may be required to install a sprinkler system and if that was the case they would do that.

He noted food would be available and they may set of a keg system. He also explained that the entertainment would be on Thursday, Fridays and Saturdays if all goes well.

Fire Marshall David Arnold addressed the council on the current occupancy and the occupancy when entertainment would be allowed. He commented that he had no problems with it if the fire codes were met such as it would need to be sprinkled and he needed to check with the State Fire Marshall's office and it may be classified as a "night club". He explained that Mr. Lau had the option to appeal to the state board if he so chooses. Fire Marshall Arnold did note that the exits are in the same corner and he would make the recommendation of a sprinkler system.

Town Solicitor Dawson Hodgson addressed the requirement of sprinklers and how that would be necessary for the operation of a venue in that vicinity.

There were no comments from the public on the application.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to CLOSE the PUBLIC HEARING.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to APPROVE the request for entertainment for a DJ pending Fire Marshall's approval decision and based on a trial basis until renewal in November 2015, subject to all local and state regulations. (Entertainment discussion was for possible Thursday, Friday and Saturday.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

PLEASE SEE STENOGRAPHER TRANSCRIPT FOR MORE DETAILS

CONSENT AGENDA

The consent agenda items #2 through #6 were voted on with one motion. #1 was discussed and voted on separately.

- 1. A MOTION to APPROVE the waiver of admission fees for eighty children ages six to sixteen from Louie's Place [South Providence Neighborhood Ministries] for a field trip to Narragansett Town Beach for one weekday this summer**

APPROVED (Ranaldi-Cicilline-Buonanno- 4/0)

It was explained that five years ago a fundraiser began to raise money for buses and it has been done every year since.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye
Matthew M. Mannix aye

2. A MOTION to APPROVE the waiver of interest for taxpayers in accordance with Ordinance 2010-936.

APPROVED (Cicilline-Buonanno-Ranaldi 4/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

3. A MOTION to APPROVE the list of Motor Vehicle abatements in the amount of \$374.17.

APPROVED (Cicilline-Buonanno-Ranaldi 4/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

4. A MOTION to REFER a request from Richard DiNobile for a waiver of the Sewer Policy for Plat T, Lots 187-192 Pennsylvania Avenue, to the Sewer Policy Committee for review.

REFERRED (Cicilline-Buonanno-Ranaldi 4/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

5. A MOTION to REFER a request from Bilodeau Carden, LLC on behalf of Sweenor Builders, Inc. for a waiver of the Sewer Policy for Plat F, Lot 4, Hazard Avenue, to the Sewer Policy Committee for review.

REFERRED (Cicilline-Buonanno-Ranaldi 4/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

6. A MOTION to APPROVE the cost of fingerprints processed through the Department of Attorney General (State of Rhode Island), in the amount of \$35.00 each for FY2015/2016.

APPROVED (Cicilline-Buonanno-Ranaldi 4/0

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

OLD BUSINESS:

7. **A MOTION to ADOPT An Ordinance in Amendment of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled alcoholic beverages, victualling house cook shops, oyster.**

The current ordinance reads as follows and the proposal is to remove number 2) and number 3) and to amend (b) by changing 76 patrons to 30 and 50 patrons to 25 patrons that are bolded. The first reading was held at the June 15, 2015 town council meeting.

Sec. 14-83. - Class B alcoholic beverage licenses; B-A zoning districts.

- (a) The following rules and regulations shall apply to all class B alcoholic beverage licenses hereafter issued within the B-A zoning districts:

- (1) All such licenses shall be accessory to the primary use of the premises as a restaurant.
 - (2) Alcoholic beverages shall be served at tables with meals only and from a service bar only. There shall be no counter or bar service.
 - (3) Alcoholic beverages shall only be served within the interior of the premises, and there shall be no service of alcoholic beverages on any deck, patio, porch or lawn whether or not meals are served at those locations.
 - (4) No alcoholic beverages shall be served after 12:00 a.m.
- (b) Only those restaurants with a seating capacity for at least 76 patrons, as determined by the state fire marshal or his designee, shall be eligible to apply for a full-service class B alcoholic beverage license. Restaurants with a minimum seating capacity of at least 50 patrons, as determined by the state fire marshal or his designee, shall be eligible to apply for a limited class B alcoholic beverage license authorizing the sale of malt and vinous beverages only.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to adopt An Ordinance in Amendment of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled alcoholic beverages, victualling house cook shops, oyster.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye, Matthew M. Mannix nay

TOWN OF NARRAGANSETT
CHAPTER 1012

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 1: Section 14-83 of the Code of Ordinances of the Town of Narragansett entitled "Class B alcoholic beverage licenses; B-A zoning districts" is hereby amended to read as follows:

Sec. 14-83 Class B alcoholic beverage licenses; B-A zoning districts

- (a) The following rules and regulations shall apply to all class b alcoholic beverage licenses hereafter issued with the B-A Zoning Districts:
 - (2) Delete/Repeal
 - (3) Delete/Repeal
- (b) Only those restaurants with a seating capacity for at least 30 patrons, as determined by the Rhode Island State Fire Marshal or his designee, shall be eligible to apply for a full-service Class B alcoholic beverage license. Restaurants within a minimum seating capacity of at least 25 patrons, as determined by the Rhode Island State Fire Marshal, or his designee, shall be eligible to apply for a limited Class B Alcoholic Beverage License authorizing the sale of Malt and vinous beverages only.

Section 2: This ordinance shall take effect upon its 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 15th day of June, 2015.

Second reading read and passed in the Town Council meeting legally assembled the 6th day of July, 2015.

ATTEST:
S/Anne M. Irons, CMC – Town Clerk

NEW BUSINESS:

- 8. A MOTION to APPROVE the recommendation of the NCAC Building Committee to award the bid for construction of the athletic complex at Narragansett High School to Bentley Builders in the amount of \$3,047,333.33.**

On June 25, 2015, the NCAC Building Committee reviewed bids from 3 companies who were invited to submit second bids under the provision of Competitive Negotiations (RIGL 45-55-7) when the first bidding cycle resulted in all bids exceeding funds available for the project. That review on June 25 resulted in a unanimous recommendation to award the project to Bentley Builders of North Kingstown, a recommendation supported by the Architect for the project, Gale Associates, Inc. The project came in at budget with the acceptance of 3 deduct alternates: a reduced scope of athletic lighting (\$250,000 value); substantial completion of the project by March 30, 2016 instead of November, 2015; and postponing the installation of sand catchers surrounding the long jump pits (approximately \$10,000). The recommending

lighting project calls for the installation of all light pole bases and foundations, as well as all of the electrical conduit as part of the contract award, but the actual poles, fixtures and wiring will be postponed until funding is available from the School Department, hopefully by Summer 2016.

The total cost of the project is \$3.4 million, as directed by the Town Council. In addition to the contract to Bentley as described above, the track surface will be purchased under the Cooperative Purchasing Agreement for \$243,889.37 and a contingency for the entire project of \$108,777.30 is also available.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to APPROVE the recommendation of the NCAC Building Committee to award the bid for construction of the athletic complex at Narragansett High School to Bentley Builders in the amount of \$3,047,333.33.

Matthew Mannix summarized to date the funding on the proposed athletic field and noted that the Buildings Committee would review all purchases and make the recommendations to the council for approval.

Thomas Furey, Co-Chair addressed the council on the bid award process and updated the council on what the committee has reviewed and approved since they were appointed.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

9. **A MOTION to APPROVE the request from Eident Sports Marketing to conduct a new Charity Bicycle Ride to be held on Sunday July 19, 2015 from 11:30 am to 1:30 pm subject to approval of state and local regulations.**

This is a new Charity Bicycle Ride organized by Eident Sports Marketing of 19 Weaver Street, Newport, RI and scheduled for Sunday July 19, 2015 from 11:30 am to 1:30 pm. The ride starts and finishes at the University of Rhode Island with three different routes passing through six communities. The Narragansett Police and Fire Departments have reviewed the traffic plan and given their approval for this ride. A certificate of Liability Insurance naming the Town of Narragansett as additionally insured will be provided by Eident Sports Marketing prior to the ride.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to APPROVE the request from Eident Sports Marketing to conduct a new Charity Bicycle Ride to be held on Sunday July 19, 2015 from 11:30 am to 1:30 pm subject to approval of state and local regulations.

Raymond Ranaldi questioned the lateness of the request and would the town be able to handle this race at this time in July. The Chief of Police addressed the council and explained that the race was already advertised before it had been vetted through the staff and the council. He was concerned about the traffic during the time of the race.

Resident Richard VanGermeersch speaks on the matter.

Karen Zion, representing Eident Sports explains that it was not a race it was a bike tour, the bikers would follow all motor vehicle rules and it was not a new event only new to the town of Narragansett.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

10. A MOTION to ADOPT a Resolution Approving the Waiver of Interest for a taxpayer due to extenuating circumstances.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to ADOPT a Resolution Approving the Waiver of Interest for a taxpayer due to extenuating circumstances.

Susan Cicilline-Buonanno commented that she placed the matter on the agenda.

Norman Ricard addressed the council regarding his personal situation of what caused the late payment of the taxes on his property in Narragansett.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

**A RESOLUTION AUTHORIZING A WAIVER OF INTEREST ON OVERDUE
QUARTERLY PROPERTY TAX
RESOLUTION NO. 2015-10**

WHEREAS, pursuant to Rhode Island General Law §44-5-8.1 authority is granted to authorize to waive interest on one quarter's overdue real property tax payment; and

WHEREAS, pursuant to Section 70-90 of the town ordinances, the Finance Director, subject to approval of the Town Manager is authorized to waive interest on one quarter's overdue real property tax payment and/or utility bills, subject to four (4) terms and conditions.

WHEREAS, the following property owners do not meet all the terms and conditions and are requesting the town council to waive interest due to extenuating circumstances.

Norman and Gertrude Ricard
1 Laporte Avenue
Manville, RI 02838
(53 Hemlock Avenue, Narragansett, RI)

NOW THEREFORE BE IT RESOLVED, the Narragansett Town Council authorizes to waive interest for the above property owner due to extenuating circumstances.
ADOPTED this 6th day of July, 2015.

ATTEST:
Anne M. Irons, CMC
Town Clerk

TOWN OF NARRAGANSETT
S/Matthew M. Mannix
President

11. A MOTION to INTRODUCE, READ and ACCEPT a Resolution Amending the official list of Parking Restrictions and Regulations in the Town of Narragansett in accordance with the Narragansett Code of Ordinances.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded to

INTRODUCE, READ and ACCEPT a Resolution Amending the official list of Parking Restrictions and Regulations in the Town of Narragansett in accordance with the Narragansett Code of Ordinances.

A lengthy discussion is held on the parking situation in Marina Square and having employees only t park on the north side of Westmoreland Street from May to September.

Joseph Paglia, owner of Arturo Joe's addressed the council on the parking situation.

Chief Hoxsie addresses the council that if it was allowed permit parking for employees would be best.

Residents from the Glen Oaks Condominium spoke on parking issues, noise and trash.

Resident Richard VanGermeersch commented a plan needs to be in place.

Warren Pelton, resident addressed the council on the history of the parking situation since 2000.

Chief Hoxsie recommended referring to the Department of Public Works and the Engineering Department for them to make a plan to lay out curb cuts, parking spaces, fire hydrants at the area on Westmoreland for available parking and then come back to the council to review the information in order to make a decision.

Raymond A. Ranaldi moved, Susan Cicilline-Buonanno seconded and it was so voted to table the MOTION to INTRODUCE, READ and ACCEPT a Resolution Amending the official list of Parking Restrictions and Regulations in the Town of Narragansett in accordance with the Narragansett Code of Ordinances to the next meeting.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

12. A MOTION to APPOINT an individual to the Economic Development

Committee to a three year term which will expire on June 1, 2018.

The Economic Development Committee a vacant seats available for appointment due to the resignation of Carol Stuart There are two applications on file from Maribeth Carcieri and Jason Colonies. The following indicates the original board appointment date and expiration date.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
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Vacant (Stuart)	5/20/2013	6/1/2015
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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.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to APPOINT Jason Colonies to a three year term which will expire on June 1, 2018.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray nay
Matthew M. Mannix aye

13. A MOTION to APPOINT/REAPPOINT four individuals to the Harbor Management Commission for three year terms to expire on June 30, 2018, and appoint an individual as an alternate member for a one year term expiring on June 30, 2016.

The Harbor Management Commission has four member seats and two alternate member seats available for appointment/reappointment. Adam Roman and David Meiklem have both resigned. Bryan Couture and Thomas A. Hoxsie would like to be reappointed. John Jennings and Raymond Morrocco would like to move from alternate seats to member seats. There is one application on file for John A. Thompson. The following indicates the original board appointment date and expiration date.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Bryan Couture	8/6/2012	6/30/2015
Thomas Hoxsie	12/17/2012	6/30/2015
Vacant (Roman)	8/6/2012	6/30/2015
Vacant (Meiklem)	8/6/2012	
John F. Jennings (Alternate member)	10/20/2014	6/30/2015
Raymond Morrocco (Alternate member)	10/20/2014	6/30/2015

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.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to APPOINT Bryan Couture, Thomas Hoxsie, John F. Jennings, Raymond Morrocco to a three year term expiring June 30, 2018 and to APPOINT John A. Thompson as an Alternate Member for a one year term expiring on June 30, 2016.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

14. A MOTION to APPOINT an individual to the Housing Authority to fill a vacant seat which will expire February 27, 2017.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is so voted to APPOINT Normajean Shovelton to the Housing Authority to fill a vacant seat which will expire February 27, 2017.

The Housing Authority has one seat as a resident member available for appointment due to the resignation of Rhonda M. McWhinnie. There is also another vacant seat available due to the resignation of Thomas E. Furey. One application is on file for Normajean Shovelton.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Rhonda M. McWhinnie	02/27/2012	02/27/2017
Thomas E. Furey	02/01/2010	04/30/2015

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.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye,
Matthew M. Mannix aye

EXECUTIVE SESSION

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to RETIRE to Executive Session at the end of the July 6, 2015 town council meeting as in accordance with 42-46-4 to discuss Personnel - Collective Bargaining (Local #1179-Local #1033) as in accordance with 42-46-5 (a) (2) and appoint Dawson T. Hodgson, Town Solicitor as Clerk Pro Tem.

Roll Call vote was taken

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye
Matthew M. Mannix aye

ADJOURNMENT:

The meeting adjourns at 9:50 p. m.

ATTEST:

MINUTES ACCEPTED AS
PRESENTED/AMENDED



Anne M. Irons, CMC
Council Clerk

Anne M. Irons, CMC
Council Clerk

A digital format is made a part of the record for a complete account of the council meeting

<https://www.youtube.com/channel/UCaXrjLKjolyaFtqVXBLwEfg>.

**NARRAGANSETT TOWN COUNCIL
REGULAR TOWN COUNCIL MEETING
JULY 20, 2015 MINUTES**

At a Regular Meeting of the Town Council of the Town of Narragansett held on
Monday, July 20, 2015 at 7:30 p.m., at the Narragansett Town Hall.

Present: Matthew M. Mannix, President,

Susan Cicilline-Buonanno, President Pro Tem

Patrick W. Murray, Member

Raymond A. Ranaldi, Member

Christopher Wilkens, Member

Pamela T. Nolan Town Manager

Dawson T. Hodgson, Town Solicitor

Matthew M. Mannix, President calls the meeting to order and leads those in attendance in Pledging Allegiance to the Flag.

MOMENT OF SILENCE: A moment of silence was held in memory of “Ted” Wright, Mr. Narragansett who recently passed away.

APPROVAL OF MINUTES:

The President removed the minutes from the agenda.

ANNOUNCEMENTS/PRESENTATIONS:

Chief Hoxsie updated the council on the suspicious boat fires that occurred in Galilee.

He noted that the department was conducting an active investigation with the Coast

Guard, State Fire Marshall's office, Attorney General. He noted that they were actively pursuing someone with interest.

Chief Hoxsie also updated the council on the recent incident that happened at the Salty Brien Beach in Galilee where an explosion occurred and a woman was injured. He noted that the a dive time explored the Getty and did not find anything out of the ordinary, URI Scientist took samples of the sand and ground penetrating radar was used and as of this time there has been no theory of what caused the explosion on the beach.

Chief Hoxsie gave an update on a recent drowning that also occurred at Hazard Rock.

A discussion was held on adequate signage in that rocky area on Hazard Rock and how the vandalism occurs often.

PRESENTATION-Ad Hoc Committee on URI Student Rental Problems

PRESENTED- Sandra Fabrizio and Jeffry Dentler addressed the council on their mission regarding the rental properties, zoning and parking issues, quality of life.

It was noted the committee had 3 subcommittees that held meetings on zoning, parking and unrelated people issues. Jeffrey R. Tkacs spoke on the 3 rental registration recommendations from the subcommittee, 1) revised form with notarized signature and more property information listed, 2) revise town ordinances and have fire and property safety checks, updated forms for URI Living Off-Campus Guide 3) Maintain current fee.

Lynn Notarantonio spoke on the recommendations from the parking committee 1) definition of resident to be same as in the beach policies, definition of taxpayer, and

parking restrictions and enforcement and penalties. They believe more signage was necessary and more enforcement of the parking restrictions. Harry Schofield spoke on the zoning subcommittee recommendations on the definition of “household” and 3 should be changed to 4 on unrelated persons in the zoning ordinance. He also spoke of the importance of strong enforcement. The committee recommended that special use permits should be issued yearly for rental properties and they should not be issued for any property that had received an “orange sticker” the previous year. It was suggested that landlords register with URI and attend training at URI. Mr. Schofield said it was time that the council steps up to the plate and adopts the recommendations.

Matthew Mannix, President thanked the committee for their work. He said that he hoped the council will meet with each different subcommittee on the separate recommendations. The recommendations that were submitted are included in the minutes.

UPDATES of State Projects in Narragansett- Bike Path & State Salt Shed

Bike Path

Michael DeLuca, Community Development Director updated the council on the feasibility study on the proposed bike path. He noted that the town had questions on the preliminary feasibility study that was completed in January which was forwarded to the RIDOT consultants and to date he has not received any update on the questions and concerns that were submitted. He did note that he anticipated the report very soon.

State Salt Shed

Michael DeLuca, Community Development Director noted that last December he had presented an update on the Salt Shed to the Council with pictures of before and after and buffering of the property. He reviewed the landscape plan and noted the town was disappointed with the plan as it did not include big healthy plants only plants that would be planted on a residential property. He noted that he did get RIDOT involved with trying to save the large trees that are presently located there but he has been told the trees will have to go. He said the staff did agree to beef up the size of some of the proposed plantings with evergreens. He did say he had suggested removing the infiltration line and then reconfiguring the switching yard northbound and to switch the storm water drain. He said all suggestions were denied as permitting process had already begun. He also noted he was told that the salt shed building could not be painted however the concrete walls could be painted at the town's expense. He said he was told that the frontage on Point Judith Road was limited with curb lines, overhead wires and a stone wall but they would reduce the size of the asphalt to allow more plantings.

The Tree Warden, Steven Daignault asked permission to forward a letter to the state to try to save the trees in question as they do block the sight of the salt shed.

It was also noted that plantings will not be done until the construction of the switchyard is complete for the Deepwater Wind Project.

OPEN FORUM:

Open Forum is now held and the following individuals address the Council, viz:

John DiPanni commented on his concerns with National Grid's building at the Salt Shed and believes the trees can be saved and suggested to send a letter to the local state legislators to see if they can help;

Michael Moracus announced that a dedication would be held on July 25th at 5:00 p.m. at Veterans Park for the veterans from the Afghanistan and Iraq wars. He also thanked the Lions Club for all their help in dedication; Kathy Carlin questioned the status of the proposal for the proposed development for 151 Ocean Road; It was noted the project was before the Planning Board at their next meeting for the request for an amendment of the comprehensive plan and an amendment to the zoning ordinance; Carol Stuart commented that she appreciated on the Ad Hoc Committee's work and report that was submitted from as they were from variety of people and from a variety of neighborhoods in the town. She also spoke of the federal government putting their fingers into local zoning ordinances; Stanley Wojciechowski said he heard tonight of liberty and justice for all yet he also heard he cannot park on his front lawn and that was an assault on his property rights. He said he did not want government to violate his liberty regarding the number of people that could live in his house. He also commented that the town received 4th place in the nation as the best seaside community to live; Richard Van Germeersch commented that he wanted to thank Ted Wright for all his work on the 125th Anniversary celebration

and all he did for the town of Narragansett; Dr. Joe Alesse spoke on the Historic Markers on Gibson Avenue that have been recommended to move to another location across the street. He noted that the Historic District Commission voted unanimously not to move them to a new location and he asked that the markers not be moved; Chris Denkler commented on the stone markers on Gibson Avenue. He noted that at the present location there are trees all around the stone markers and it was difficult to even see. He gave a brief history of Westmoreland and Gibson Avenue; Stephen Ferrandi thanked the Ad Hoc Committee's recommendation that was presented to the council. He noted that what was important now is what the town council will do with the recommendations. He also spoke of the importance of zoning enforcement and that should come from the town council; Thomas Bolin spoke of liberty and rights and spoke of the town council for the past 30 years and things need to be changed; Keith Lescarbeau, Chair of Historic District Commission addressed the council on the progress of the stewardship of the town and believed it was from the top down to the citizens and staff. He noted that the town did receive the Rhody award one year ago from the Rhode Island Historic Preservation Commission. He noted it was originally for the Sunset Farm/Kinney Bungalow however the Commission viewed the Towers and the whole town and so the town received the award for its stewardship of properties in town. He spoke of the work the Historic District Commission has completed over the past few years; Nancy Richards spoke of the stone markers on Gibson Avenue and commented that there was no reason for the

markers to be moved to another location; Peg Fredette asked that the stone marker issue should lie and asked that the council not to bring it up. She also noted that she was never notified of the matter. She also commented that there are stones in her yard and she does not want them removed either; Richard Latimer spoke on the stone markers on Gibson Avenue and commented that he and his wife wanted to give honor to Joseph Hazard Peace as he was a kind and gentle man. He commented that they were at peace with the markers and did not care how the council decided; Debra Buffy spoke on the issues of living in the Eastward Look neighborhood and asked the council to review the Ad Hoc Committee's report and recommendation and to take the responsibility serious;

Raymond Kagels of the 2100 Association spoke on the Ad Hoc Committee's report and recommendation. He said that his association has been working hard also and they hope to forward a report to the council; Christine Webb spoke on the stone markers on Gibson Avenue and her concerns of the moving the markers to another location; Joyce Perchy thanked the Ad Hoc Committee on their hard work on the recommendations that were presented tonight on the URI student issues and the Town Manager, Chief of Police, Town Solicitor and Carol Stuart; Gary Engleson spoke of a parking concern at the north end of the town beach at South Trail. He noted that the street has now been discovered to the beach goes and there are no current restrictions and he asked that something be done for the residents only; Sallie Lattimer commented that members of the Hazard Family did endorse the moving of the stone markers to another location. She said she had wanted to

place a plaque on the markers to give the history and story of Westmoreland and Gibson Avenue. She said she met with the Town Manager and other and they met with a conclusion; Kathy Girard spoke on the stone markers on her property and was concerned that she was never notified that the markers would be moved to another location. She said only 4 members attended the meeting with the Town Manager. She said she found it dishonoring to the members of the Historic District Commission recommendation if the markers are removed;

CONSENT AGENDA

The consent agenda is voted on with one motion.

- 1. A MOTION to APPROVE the Commercial Gas Service/Main Agreement with National Grid for the installation of a new gas service for the Mettatuxet Pump Station, in the amount of \$4,241.00.**

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

- 2. A MOTION to APPROVE a one (1) year extension of the annual preventative maintenance agreement for Instrumentation, Control Programming & SCADA Equipment/System for Fiscal Year (FY) 2015-16 from Electrical Installations, Inc., in the amount of \$9,600.00 and at their quoted hourly rates.**

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

- 3. A MOTION to RESCIND the bid award for Winter & Summer Brochures 2015/2016” for the Parks & Recreation Department from Neoprint, Inc. and AWARD the bid to the second lowest bidder, Nittany Valley Offset, in the amount of \$5,097.00 and an optional amount of \$390.00 (winter) & \$490.00 (summer) per run for an additional four pages, if required.**

RESCINDED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

- 4. A MOTION to AWARD the bid for “ADS Pipe” for the Public Works Department to the lowest bidder, HD Supply Waterworks at their quoted bid prices for the one-year period of July 1, 2015 through June 30, 2016.**

AWARDED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

- 5. A MOTION to APPROVE the Uniform Rental contract for Public Works with UniFirst Corporation, at their quoted prices pursuant to the National Joint Powers Alliance (NJPA) contract for the period ending February 24, 2016.**

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

6. A MOTION to APPROVE the request from Joe Formicola and in conjunction with the Friends of the Towers to establish a fundraiser to benefit the Towers scheduled for Sunday August 16, 2015 from 6:00 p.m. to 11:00 p.m. at the Towers and Veteran's Park subject to state and local regulations.

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

7. **A MOTION to APPROVE the request from Special Olympics RI to conduct a cycling fundraiser to be held on Saturday September 26, 2015 from 7:00 am to 1:00 pm, subject to approval of state and local regulations.**

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

8. A MOTION to APPROVE a Class F-1 Liquor License for the Friends of the Towers for Sunday, August 16, 2015 at the Towers and Veteran's Park, subject to state and local regulations.

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

9. A MOTION to APPROVE a Class F-1 Alcoholic Beverage License for the
Save the Bay for August 6, 2015 at 200 Waterway, Saunderstown, RI
subject to state and local regulations.

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

- 10. A MOTION to APPROVE a Miscellaneous License application for a
Soldier & Sailor Peddler License to Donald Aspirino, Sr. of Narragansett
Rhode Island, subject to local and state regulations.**

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

- 11. A MOTION to APPROVE the list of Motor Vehicle abatements in the
amount of \$1,821.61 and the list of Real Estate & Personal Property
abatements in the amount of \$263.12.**

APPROVED (Cicilline-Buonanno 5/0)

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

OLD BUSINESS:

- 1. A MOTION to DISCUSS a RESOLUTION Amending the Official list of Parking Restrictions and Regulations in the Town of Narragansett in accordance with the Narragansett Code of Ordinances regarding Westmoreland Street and REFER the matter to the Planning Board for a review and recommendation.**

In 1999 Resolution No 99-22 was adopted prohibiting no parking on both sides of Westmoreland Street from Point Judith Road – 1000 feet in an easterly direction. In 2009 a request from Mariner Square Condominium Association was rejected by the Town Council to rescind the prohibition of on-street parking on Westmoreland Street.

The businesses in the Mariner Square Condominium Association have requested again to rescind the prohibition of on-street parking on Westmoreland Street. However, they are requesting that employees only that are associated with the businesses from Mariner Square Condominium Association be allowed to park on Westmoreland Street.

The time period for the parking would be from May 15th to September 15th during the busy summer season. This matter was tabled/continued from the July 6, 2015 Town Council Meeting and referred to staff.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to DISCUSS a RESOLUTION Amending the Official list of Parking Restrictions and Regulations in the Town of Narragansett in accordance with the Narragansett Code of Ordinances regarding Westmoreland Street and REFER the matter to the Planning Board for a review and recommendation.

Christine Lamberti, resident from Glen Oaks Condominium addressed the council on the parking situation at Marina Square and the issues that are caused to the Condominium residents if parking is allowed on Westmoreland.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

NEW BUSINESS:

12. A MOTION to APPROVE a Contract Amendment in the amount of \$26,350.00 with Northeast Collaborative Architects for Construction Administration Services for the Public Safety Building Improvements Project.

Northeast Collaborative Architects is the architectural/engineering firm that prepared the design plans and specifications for the Public Safety Building Improvement Project.

Now that the construction contract has been awarded (Urbane Construction Corporation, Town Council meeting June 1, 2015; contract award value \$1,274,900.00), we need to retain Northeast Collaborative Architects for the customary Construction Administration

Services, which includes the review of shop drawings and technical submittals, the review of contractor pay requests, interpretation of plans and specifications, review of proposed change orders, periodic site inspections and job meetings, and the coordination of final as-built drawings. These services will be supplemented by daily site inspections by the Engineering Department. The negotiated price with Northeast Collaborative Architects for these services is \$26,350.00, which is only 2% of the construction value. This is well within industry standards for a renovation project, especially one where the existing building operations have to remain fully functional during construction. Funding is available for this contract amendment within the future bond proceeds.

Susan Cicilline-Buonanno moved Raymond A. Ranaldi seconded and it is unanimously so voted to APPROVE a Contract Amendment in the amount of \$26,350.00 with northeast Collaborative Architects for Construction Administration Services for the Public Safety Building Improvements Project.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

13. A MOTION to ADOPT a Resolution authorizing a Special Assessment within the Water Enterprise Fund of \$71.50 per account per year for two (2) years.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to ADOPT a Resolution authorizing a Special Assessment within the Water Enterprise Fund of \$71.50 per account per year for two (2) years.

Residents Stanley Wojciechowski, Richard Van Germeersch and Joyce Perschy.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,

Matthew M. Mannix aye, Patrick W. Murray nay

**A RESOLUTION AUTHORIZING A SPECIAL ASSESSMENT WITHIN THE
WATER ENTERPRISE FUND
RESOLUTION NO. 2015-11**

WHEREAS, the adopted FY 2015-16 budget includes a capital project related to improvements at the Kinney Avenue and North End Water Tanks, and

WHEREAS, the Town Council has heard and considered various funding options for this important capital project, and

WHEREAS, the preferred funding methodology for this project will include a combination of funds from the undesignated Water Enterprise Fund balance and a Special Assessment against all of the Town's water accounts (excluding hydrant and fire service accounts), and

WHEREAS, the Special Assessment necessary to support this project has been calculated to be \$143.00 per account, including all Town water accounts (including residential, commercial, and industrial accounts) - (excluding hydrant and fire service accounts); and

WHEREAS, the Town Council is desirous of apportioning this Special Assessment over the next two (2) consecutive fiscal years, beginning in FY 2015-16.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Narragansett that a Special Assessment against all water accounts as described above is hereby established in the amount of \$71.50 per account per fiscal year for two (2) consecutive fiscal years, beginning in FY 2015-16, with the proceeds from this Special

Assessment used to support a capital project relating to improvements at the Kinney Avenue and North End Water Tanks, and

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to assess each water account as described above accordingly the sum of \$71.50 per year for two (2) consecutive fiscal years, with the first such assessment being made during FY 2015-16, and

BE IT FURTHER RESOLVED that any unpaid assessment(s) under this program are to be treated in a manner consistent with unpaid water usage bills according to current Ordinances, policies, and procedures.

ADOPTED this 20th day of July, 2015.

TOWN OF NARRAGANSETT
Matthew M. Mannix
President

ATTEST:
Anne M. Irons, CMC, Town Clerk

14. A MOTION to RECEIVE and ACCEPT a reimbursable Fire Act grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security Assistance to Firefighters Grant Program in the amount of \$83,060.00 and approve the expenditure of funds.

The Fire Department applied and was awarded a federal Assistance to Firefighters Grant to purchase new fire hose, nozzles and water flow appliances. This equipment will replace all the current hose and provide for upgrades of nozzles and appliances for all 4 of the Department's pumpers. Much of the current Department's equipment exceeds 25-years and has begun to fail, requiring frequent repairs and/or replacement.

The Federal share of this grant is 95% or \$79,105.00 of the approved amount and the town's share of the costs is 5% or \$3,955.00. Town funding is through a transfer from Capital Projects Fire Hose Replacement Project (00200200) to the Special Grant Fund (0827717).

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to RECEIVE and ACCEPT a reimbursable Fire Act grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security Assistance to Firefighters Grant Program in the amount of \$83,060.00 and approve the expenditure of funds.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

15. A MOTION to RECEIVE and ACCEPT a reimbursable Fire Act grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security Assistance to Firefighters Grant Program in the amount of \$725,000.00 and approve the expenditure of funds.

The Fire Department applied and was awarded a federal Assistance to Firefighters Grant which will go towards the purchase of a new ladder truck to replace the current vehicle which is nearly 30 yrs. old.

The total cost of the ladder truck is expected to be \$900,000.00 with \$3,000.00 in travel expense and \$12,000.00 in training for a total project cost of \$915,000.00. The federal grant award will cover \$690,477.00 of this amount with the balance of \$224,523.00 to be paid through the town's Grant Match Fund Account.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to RECEIVE and ACCEPT a reimbursable Fire Act grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security Assistance to Firefighters Grant Program in the amount of \$725,000.00 and approve the expenditure of funds.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

**16. A MOTION to APPROVE an amended job description for the position of
Public Works Director.**

The updated job description for the Director of the Department of Public Works removes the requirement of a Bachelor's degree in Public Administration, Business Management, Engineering or a related field.

The change in the job description was the removal of a college degree.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded to APPROVE an amended job description for the position of Public Works Director.

Councilor Christopher Wilkens commented that he was in favor of the appointment of Michael DiCicco, however, he was not in favor of the removal of the “bachelor degree” position totally and asked to amend to read “bachelor degree preferred and not required”.

Christopher Wilkens moved, Raymond Ranaldi seconded and it is unanimously so voted to amend the motion to include the words bachelor degree preferred and not required in the job description.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

The President asked for a vote on the main motion as amended and the vote was as follows:

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

17. A MOTION to APPOINT Michael DiCicco as Public Works Director for the Town of Narragansett effective July 20, 2015, under the advice and consent of the Town Council pursuant to the Narragansett Town Charter.

Per section 2-1-7 of the Town Charter, the Town Manager may appoint department heads with the advice and consent of the Town Council. The Town Manager was seeking the

Town Council to confirm the appointment of Michael DiCicco as the Director of the Department of Public Works effective immediately.

Michael DiCicco has been the Acting Director of the Department of Public Works since July 2014. In that time he has proven himself to be capable and deserving of the job permanently.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to APPOINT Michael DiCicco, as the Public Works Director.

All council members were in support of the appointment of Michael DiCicco as the Public Works Director.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

18. A MOTION to ADOPT a RESOLUTION Establishing an Administrative Compensation Schedule for Fiscal Year 2015-16 for the position of Public Works Director.

This request to adjust the salary range for the Director of the Department of Public Works is to account for the compression that has taken place between this position and the Department of Public Works Foreman position, as well as the proposed Deputy Director of Public Works position.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to ADOPT a RESOLUTION Establishing an Administrative Compensation Schedule for Fiscal Year 2015-16 for the position of Public Works Director.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

**A RESOLUTION ESTABLISHING AN ADMINISTRATIVE COMPENSATION
SCHEDULE FOR FISCAL YEAR 2015-16
RESOLUTION NO. 2015-12**

BE IT RESOLVED, that the following salary range is hereby approved for the period starting July 1, 2015 and ending June 30, 2016:

<u>Position</u>	<u>Current Range</u>	<u>Proposed Range</u>
Public Works Director	\$60,700 - \$74,474	\$75,000 - \$109,000

ADOPTED this twentieth day of July A.D. 2015.

TOWN OF NARRAGANSETT
S/Matthew M. Mannix, President

ATTEST:
S/Anne M. Irons, CMC
Town Clerk

19. A MOTION to APPROVE a job description for the position of Deputy

Public Works Director.

The Deputy Director of the Department of Public Works is a newly created management position that directly assist the Director of Public Works with personnel, operations, work assignment, methods of work, policy creation, financial integrity, collective bargaining and union activity, citizen inquiries, operations of all DPW functions and any other job the Director of Public Works may assign.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to APPROVE a job description for the position of Deputy Public Works Director. Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

20. A MOTION to APPOINT Stephen L. Daignault, Jr. as Deputy Public

Works Director for the Town of Narragansett effective July 20, 2015.

The Town Manager is seeking the Town Council to confirm the appointment of Stephen Daignault as the Deputy Director of the Department of Public Works effective immediately.

Stephen has been the Acting Superintendent of Operations of the Department of Public Works since July 2014. During that time he has shown the Town Manager all the skills and attributes necessary to successfully perform the job of Deputy Director of Public Works. It is appropriate that Mr. Daignault serve as Acting Director should the Director not be available. The Town Manager believes that Mr. Daignault problem solves, deals with resident inquiries and problems, works on the DPW budget, and, in effect, performs all the duties listed in the job description.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to APPOINT Stephen L. Daignault, Jr. as Deputy Public Works Director for the Town of Narragansett effective July 20, 2015.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

**21. A MOTION to ADOPT a Resolution Establishing an Administrative
Compensation Schedule for Fiscal Year 2015-16 For the position of Deputy
Public Works Director.**

**A RESOLUTION ESTABLISHING AN ADMINISTRATIVE COMPENSATION SCHEDULE FOR FISCAL
YEAR 2015-16
2015-13**

BE IT RESOLVED, that the following salary range is hereby approved for the period starting July 1, 2015 and ending June 30, 2016:

<u>Position</u>	<u>Proposed Range</u>
Public Works Deputy Director	\$69,000 - \$99,000

ADOPTED this 20th day of July A.D. 2015.

TOWN OF NARRAGANSETT
S/Matthew M. Mannix, President

ATTEST:
Anne M. Irons, CMC-Town Clerk

The council recessed for five minutes.

**22. A MOTION to SCHEDULE a hearing to APPROVE a request from
Gilbane Development Company on behalf of GP Pier Retail LLC for the
approval of plans to renovate the exterior of Building D in the Pier
Market which would include a new roof with cupola, siding and windows
and REFERS to the Planning Board for Recommendation.**

According to the Town's Supplementary Zoning Regulations, Section 7.1 Urban Renewal Zone (b) the Town Council has the right to review and approve all changes to any previously approved plan, site plan, construction or other work done within the urban renewal zone and to also review and approve all new construction projects, site plan

changes or any other work proposed within the urban renewal zone and (c) all applications submitted to the town council for review and approval pursuant to either subsection 7.1(b) or any other provision of the redevelopment plan referenced in subsection 7.1(a) shall be referred to the planning board for their review and recommendation to the town council. As you know G.P. Pier Retail, LLC was approved in November for a building permit for renovations to Building D. The renovations have been ongoing since that time and are nearing completion. A site plan for landscaping renovations has been submitted for the next phase of the project for approval by the town council.

The Planning Board's recommendation of November 13, 2014 read as follows:

(b) Ensure protection of the perimeter landscaping during construction and provision of a full plan showing how the site will be landscaped following completion of the construction to ensure compliance with the Urban Renewal Development Plan requirements.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to SCHEDULE a hearing to August 3, 2015 to APPROVE a request from Gilbane Development Company on behalf of GP Pier Retail LLC for the approval of plans to renovate the exterior of Building D in the Pier Market which would include a new roof with cupola, siding and windows and REFER to the Planning Board for Recommendation. Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye, Patrick W. Murray aye, Matthew M. Mannix aye

23. A MOTION to APPOINT/REAPPOINT one individual to the Zoning and Platting Board/Minimum Housing Board of Review for a 5-year term, which term will expire on July 1, 2020, and APPOINT/ REAPPOINT two individuals an alternate members to the Zoning and Platting Board for a 1-year term to expire on July 1, 2016.

The Zoning and Platting Board/Minimum Housing Board of Review has one seats available for reappointment. Anthony M. Brunetti has requested to be reappointed. There are also two seats as alternate members available for reappointment for which John C. Kennedy and Joseph Paglia have requested to be reappointed. One application is on file from Daniel Pirhala, Jr. which the Town Council has previously interviewed.

The following indicates the original board appointment and expiration dates.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Anthony M. Brunetti	7/6/2010	7/1/2015
Joseph Paglia, Alternate	7/21/2014	7/1/2015
John C. Kennedy, Alternate	7/21/2014	7/1/2015

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.

Susan Cicilline-Buonanno moved, Raymond Ranaldi seconded and to REAPPOINT Anthony M. Brunetti.

A discussion was held on term limits and interviewing zoning applicants. Resident Meg Rogers commented that if Mr. Brunetti was reappointed he would be serving a total of twenty years on the board on and she commented that Narragansett should have good, clean government and asked for a delay on the appointment and hold an interview process.

Raymond Ranaldi moved, Patrick Murray seconded and it is unanimously so voted to CONTINUE the motion to APPOINT/REAPPOINT one individual to the Zoning and Platting Board/Minimum Housing Board of Review for a 5-year term, which term will expire on July 1, 2020, and APPOINT/ REAPPOINT two individuals as alternate members to the Zoning and Platting Board for a 1-year term to expire on July 1, 2016 contingent upon holding interviews for the applicants.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Patrick W. Murray aye, Matthew M. Mannix aye, Christopher Wilkens recused

24. A MOTION to SCHEDULE a PUBLIC WORK SESSION with the board members of the Maury Loontjens Memorial Library.

The Maury Loontjens Memorial Library met with the town council at a work session on March 2, 2015 to discuss the need of a new library. At that time it was discussed that a

work session for the public would be scheduled at a later date. President Mannix suggests that the meeting be scheduled on a Monday night where a regular council meeting has not been scheduled.

Susan Cicilline-Buonanno moved, Raymond A. Ranaldi seconded and it is unanimously so voted to SCHEDULE to September 28, 2015 @ 6:00 p.m.

Raymond A. Ranaldi aye, Susan Cicilline-Buonanno aye, Christopher Wilkens aye,
Patrick W. Murray aye, Matthew M. Mannix aye

EXECUTIVE SESSION:

A MOTION to RETIRE to executive session after the July 20, 2015 council meeting as in accordance with 42-46-4 to discuss potential litigation Raymond Beaudry and litigation Steven Storti vs. The Town of Narragansett as in accordance with 42-46-5(a) (2) and appoint Dawson T. Hodgson, Town Solicitor as Clerk Pro Tem.

(Ranaldi-Wilkens Roll Call Vote

Cicilline-Buonanno aye, Murray aye, Ranaldi aye, Wilkens aye, Mannix aye

ADJOURNMENT:

The meeting adjourns at 10:35 p. m.

ATTEST:

MINUTES ACCEPTED AS
PRESENTED/AMENDED



Anne M. Irons, CMC
Council Clerk

Anne M. Irons, CMC
Council Clerk

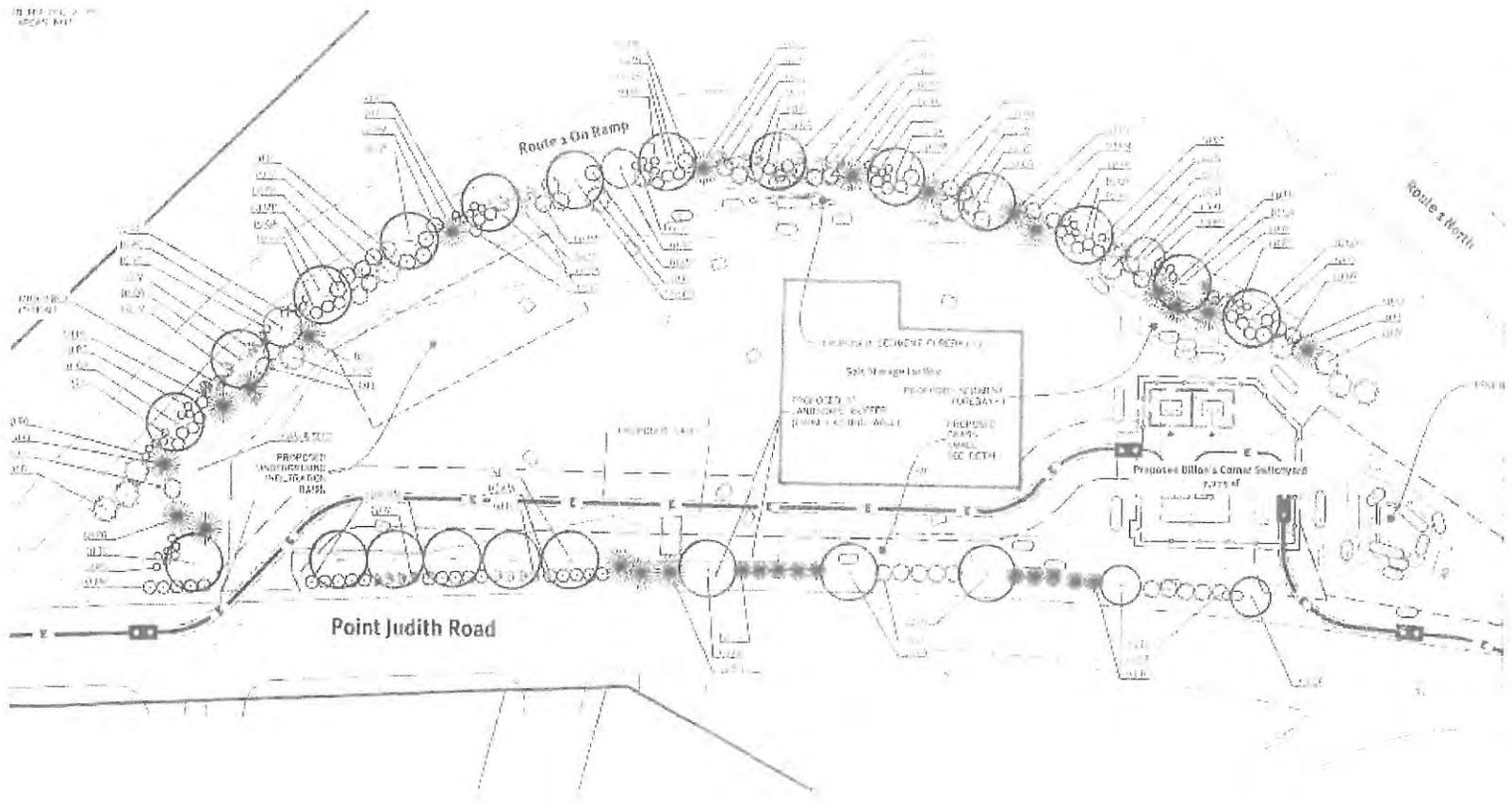
A digital format is made a part of the record for a complete account of the council meeting.

<https://www.youtube.com/channel/UCaXrjLKjolyaFtqVXBLwEfg>

Narragansett Town Council Meeting

July 20, 2015

Landscaping Plan

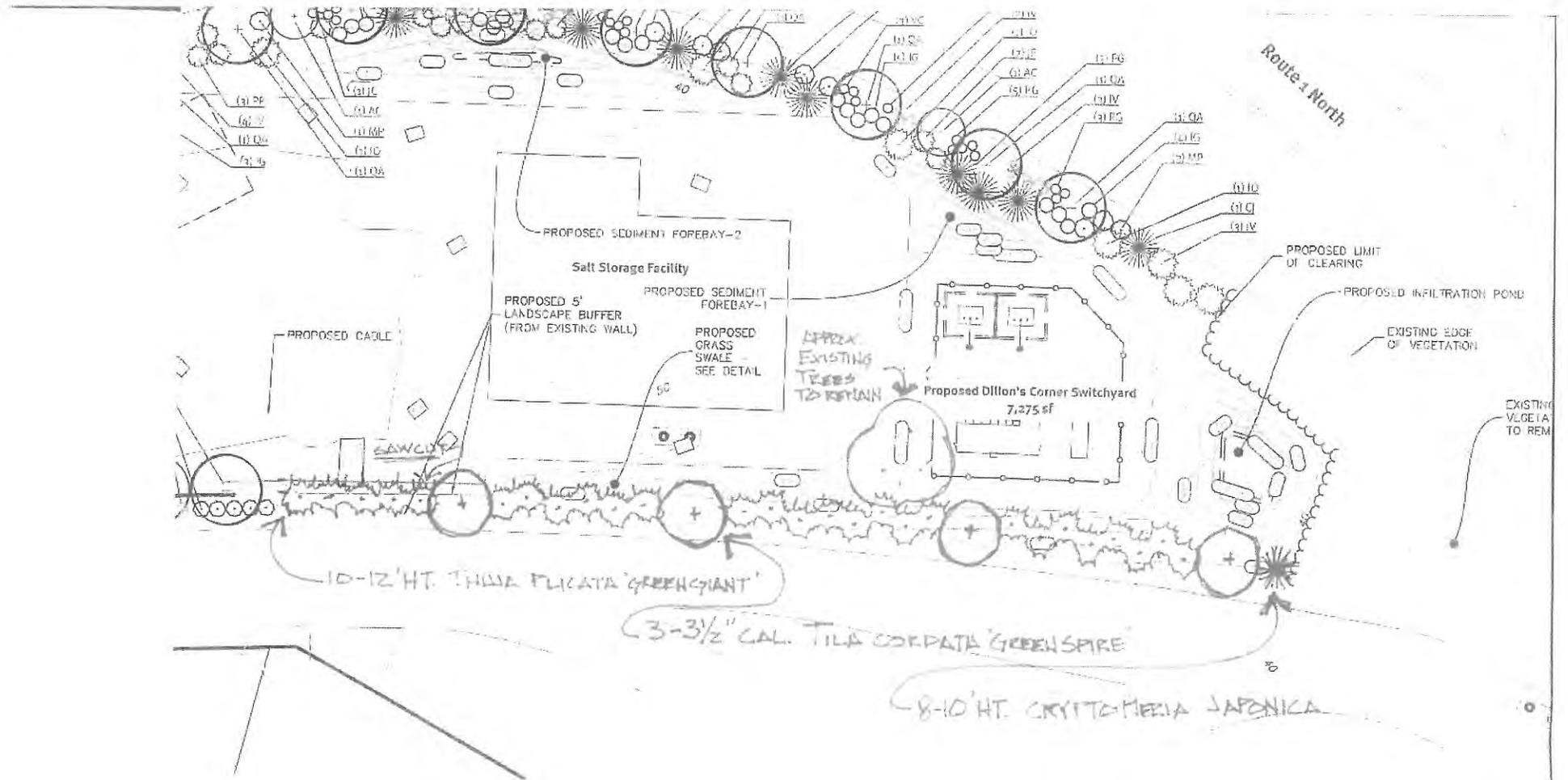


Draft Landscape Plan – Plant Schedule

East Side of Site

- 3 London Planetree: 2.5 -3.0” caliper
- 2 English Oak: 2.5 – 3.0” caliper
- 3 White Spruce: 8’-10’ B&B
- 10 Arborvitae: 10-12’ B&B
- 10 Winterberry: 4-5’ B&B

Revised Red-Line Plan



Red-Lined Plan – Plant Schedule East Side of Site

- 3 Little Leaf Linden: 3.0-3.5” caliper (4 in Revised Plan)
- 1 Japanese Cedar: 8-10’ B&B
- 30 Green Giant Arborvitae: 10-12” B&B (27 in Revised Plan)

June 17, 2015 Meeting

- Meeting with RIDOT and National Grid officials
 - Trees & Landscaping Options:
 - Option 1: Reconfigure shape of switchyard
 - Option 2: Remove infiltration pond
 - Option 3: Direct stormwater into sub-drain system
 - Option 4: Improve veg. plantings on east side of site to buffer view of Salt Barn
 - Options 1-3 rejected due to completed engineering and state permitting
 - Roof: Cannot be painted or add a decal
 - Siding: Cannot afford wood shingles but will allow the concrete to be painted at Town expense
 - RIDOT would not oppose use of the concrete walls for an artistic mural

July 17, 2015 Meeting

- Meeting with RIDOT and National Grid officials
 - Landscaping Plan Revisions
 - Two Large Trees – Cannot avoid removal due to proximity to Switchyard electrical components.
 - Curblineline, overhead wires and stone wall limit space for more extensive plantings on east side of site.
 - RIDOT and NG officials agreed to consider reduction of asphalt onsite to widen the planting area. Uncertain until site measurements are done.
 - RIDOT and Grid landscape staff will work together to identify tree species that can provide low-level and high level visual buffering.
 - Will share with Town staff prior to any decision
 - Outcome will be modified PAP and minor revision to drainage

15 July 2015

Town Manager Narragansett

Pamela T. Nolan

25 Fifth Avenue

Narragansett, RI

RE: AD HOC Committee on Student Rental Issues (Overview)

Dear Ms. Nolan

First, on behalf of the "volunteer" AD HOC committee on Student Rental Issues, we want to acknowledge the foresight and proactive position the previous town council and current town manager took in authorizing this committee. The mission of this volunteer committee is to improve the quality of life in regards to party neighborhoods and rowdy renters. The intent is to address these issues before zip code 02882 experiences another "riot" involving over 1,000 URI students and 18+ police officers from 3 different departments. A four prong strategy was set forth; (1) police enforcement, (2) URI involvement,(3) landlord involvement and (4) town ordinances to utilize these areas to combat disruptive behaviors. (URI AD HOC Committee meeting notes 25 August 2014)

Zip code 02882 may be a victim of its own success. According to website WWW.city-data.com there are over 2,600 rental residences in Narragansett, which equates to 38% of the total residential houses (9,159). Taking this a step further, the town has issued over 2,700 rental unit billings over the past 3 years. A realtor website "neighborhood navigator", states the residential housing rental property is over 30%. This same website has an additional classification of "vacant" at 30%. One definition of "vacant" is a secondary residence, not primary residence and not lived in by the owner. Which could lead one to believe the actual rental housing property percentage is higher than 38%. This suggests the 2nd property may not be included in the rental registration data base for the town of Narragansett. To put a different light on the 2nd property, it is an excellent target for Air BNB rental on a daily basis. Albeit, the overriding conclusion of several sources either government or private enterprise indicates the American dream is flourishing in zip code 02882.

The American dream of owning a second property in which to earn rental income feeds quite naturally into the growth of URI student enrollment. Again, several sources have indicated the number of college students residing in zip code 02882 in an academic season (August-May) is greater than 5,000. By comparison, the off-campus URI student population in Narragansett is greater than the entire student enrollment of Roger Williams University (4,375). (WWW.city-data.com).

The town of Bristol and RWU have adopted and implemented a "good neighbor policy". This policy focuses directly on the relationship between community and university off-campus housing. In addition to policing, the town and college have dedicated personnel to address disturbances to quality of life by

off-campus housing. Their approach has been recognized in an international gathering of community and university entities in Washington DC this spring. This provides Narragansett a working model to improve quality of life disrupted by rental off-campus housing.

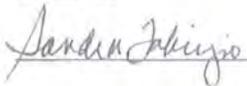
These facts are the catalyst behind the efforts of the AD HOC volunteer committee created by the town of Narragansett. The areas addressed are beyond and not limited to student rental issues only. There were numerous inputs from the public; it was determined summer tourists/visitors have a notable impact on the daily quality of life for the year round residents. After looking at numerous ways to address the issues, it was decided to form 3 subcommittees: Zoning ordinance, Rental Registration and Parking. These are inter-related and dovetail into one another.

During the course of the past 12 months the volunteers met with various town departments, local landlords, property management firms and out of state landlords. Town ordinances were heavily scrutinized and analyzed for impact on the quality of life charter of this committee. The results of this effort are being offered via the subcommittee chairs representing the full AD HOC committee to this chamber and council.

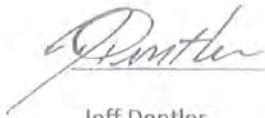
Finally, you may fall into the trap of challenging stats. Understanding the real issues at hand and impact on the quality of life for the year- round residents of zip code 02882 is this council's accountability and ownership. Put a long overdue end to an unnecessary hardship. To pretend and extend the status quo and do nothing is a pattern of previous administrations. Embrace the audacity to break old habits. This is not a plea for the town council to provide answers; rather it is a request to take action on the solutions offered by the volunteer committee.

Respectfully,

Co-Chairs



Sandra Fabrizio



Jeff Dentler

neighborhood navigator

Community Information

School Information

Nearby Establishments

Home Values

Community Overview

Comparative Community Overview

Cost of Living



Community Overview (FAQ)

Revise Search

This report is a detailed community overview for 02882, Narragansett, RI.

Community Characteristics (FAQ)

These distinctive characteristics represent factors which have a strong influence on this community. Factors are considered "distinctive" if this community falls into the top 25% for these characteristics nationally.

- Closest Major Sports Teams: New England Revolution

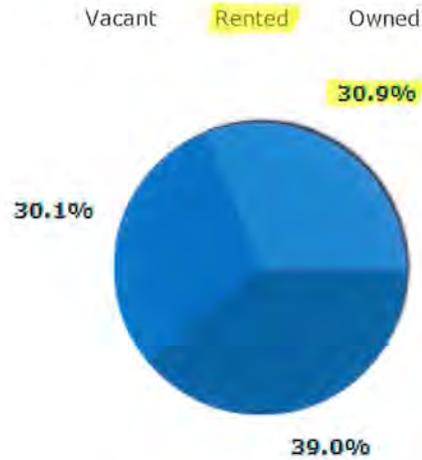
Community Summary

Population Growth (since 2000)	n/a
Population Density (ppl / mile)	1,097
Household Size (ppl)	2.31
Households w/ Children	17%

Housing Stability

Annual Residential Turnover	18%
5+ Years in Residency	41%
Median Year in Residency	4.08

Housing Inventory



Percent of Residential Dwellings

Population Demographics (FAQ)

The population of the community broken down by age group. The numbers at the top of each bar indicate the number of people in the age bracket below.

Gmail

COMPOSE

rental units billed

Inbox x

Inbox

- Starred
- Important
- Chats
- Sent Mail
- Drafts
- All Mail
- Spam
- Trash
- Circles
- 3 Unrelated Subcom...
 - Zoning Ordinances
- Ad Hoc Rent Committ...
- Ashley
- Chelsea
- Other Saved Mail
- Parking subcommittee
- Registration Process ...
- More

Cindy Duckworth <cduckworth@narragansettri.gov>
to me

2739 rental units billed in 2012
 2782 rental units billed in 2013
 2740 rental units billed in 2014

Cindy Duckworth
 Building Inspection Dept.
 Town of Narragansett
 25 Fifth Avenue
 Narragansett, RI 02882
[\(401\)788-2569](tel:(401)788-2569)
[\(401\)782-0620](tel:(401)782-0620) fax
cduckworth@narragansettri.gov



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Houses: 9,159 (6,846 occupied: 4,238 owner occupied, 2,608 renter occupied)
% of renters here: 38%

Read more: <http://www.city-data.com/housing/houses-Narragansett-Rhode-Island.html#ixzz3cbbzTndT>

2010 Narragansett 9,371 housing units

2010 Population 15,868

Colleges/universities with over 2000 students nearest to Narragansett:

- University of Rhode Island (**about 5 miles; Kingston, RI; Full-time enrollment: 14,656**)
- Salve Regina University (**about 9 miles; Newport, RI; FT enrollment: 2,349**)
- New England Institute of Technology (**about 16 miles; East Greenwich, RI; FT enrollment: 3,183**)
- Roger Williams University (**about 19 miles; Bristol, RI; FT enrollment: 4,375**)
- Community College of Rhode Island (**about 20 miles; Warwick, RI; FT enrollment: 10,500**)
- Bristol Community College (**about 27 miles; Fall River, MA; FT enrollment: 5,707**)
- Johnson & Wales University-Providence (**about 27 miles; Providence, RI; FT enrollment: 10,898**)

Read more: <http://www.city-data.com/city/Narragansett-Rhode-Island.html#ixzz3cbXCqhNT>

The ITGA 11th Annual Conference in Washington, DC

More than 300 Professionals Will Convene in DC to Share Strategies for Improving Town–Gown Relations

Hosted by the George Washington University and the District of Columbia, this year's conference attracts over 300 attendees from across the United States, Australia, Canada and the United Kingdom. The conference program is designed to showcase cross-disciplinary efforts that have proven results. Sessions are tailored to professionals that engage everyday in town-gown challenges and opportunities encountered in their communities. Topics of interest include joint city/university initiatives, integrated campus community planning, service learning programs, sustainability, stakeholder engagement, off-campus housing, and emergency management and public safety.

Conference highlights include:

- The Reception on Capital Hill
- Keynote speaker Tina Tchen, Assistant to the President and Chief of Staff to the First Lady Michelle Obama
- Presentations for the ITGA Inaugural Impact Awards, The Larry Abernathy Award, and ITGA Presidential Excellence Award
- AND over 60 presentations and interactive discussions addressing current topics in campus-communities across the globe.

If you are unable to join us, we hope to see you next year. Visit our website for more details.

The ITGA Newsletter will resume July 2, 2015.

Policies

RWU has a number of policies that apply to our commuter students -- from our **Good Neighbor Policy** for all students residing off campus in Bristol to our student conduct code. Learn more about important information that pertains to you.

Good Neighbor Policy

Roger Williams University students have been living off campus for many years and in most instances have developed positive and lasting relationships with area residents. Off campus students must understand and appreciate that residents of a particular community have made a long-term commitment to their neighborhood; students are transient members of the community and usually remain only for the duration of their academic tenure. The quality of life and the overall character of a neighborhood can be greatly influenced by the lifestyles and sense of citizenship exercised by student residents. A respectful and courteous attitude is usually returned in kind and makes the neighborhood a more pleasant place in which to live. In fact, some students may find community service activities further their sense of belonging in their neighborhood.

Living off campus is a maturing experience that carries concomitant responsibilities. As a student living in the community, you are a representative of Roger Williams University and your conduct will reflect directly on the University. Families living in the neighborhoods around our campus have a right to enjoy a reasonable level of peace and quiet. As students, your academic and personal schedules often conflict with the more routine schedules of families. Students are expected to exercise good judgment and be sensitive to the needs of their neighbors.

Most neighborhood residents are not against responsible parties. What concerns them, however, is rowdiness, public drunkenness, disorderly conduct and people partying outside with loud music or other noise late into the night. Party hosts put themselves in serious jeopardy when their guests act irresponsibly. As a social host, you assume all the risks associated with state and local laws regulating drinking age, noise and public safety when you host a party at your apartment.

Recent court decisions have held the social host liable for personal injury and property damage caused to a third party as a result of the irresponsible service of alcoholic beverages to guests. This liability is compounded when minors are involved. It is important to understand that the University has no interest in regulating what goes on in the privacy of your home. However, when otherwise private actions or behaviors become public and attract the attention of neighbors or others within the community that is when Roger Williams University becomes involved.

Living off campus does not circumvent your responsibility as a member of the Roger Williams University community to abide by the Student Code of Conduct. Take the responsibilities of living off campus seriously. This social experience is part of your education and should be a pleasant one for you and your neighbors.

TO: Narragansett Ad Hoc Committee on Rental Issues
FROM: H. Schofield, Sub Committee Chair on Zoning Enforcement
Members: H. Schofield, Joe Santos, Susan Cicilline-Buonanno
SUBJECT: Sub-Committee Recommendations
DATE: July 13, 2015

Summarized Recommendations

Sections 1 and 2 of this report together with three attachments provide essential background that we strongly encourage all council members and town officials to read. Our attached report provides strong justification for our summarized recommendations that are threefold as follows:

1. Based on recommendations from Solicitor Dawson Hodgson, we recommend changing our currently posted zoning definition of a "household" from three unrelated individuals, which is the most widely used definition and the minimum required under RI state law, to four unrelated individuals. We also recommend changing the definition of "dormitory" in the town zoning ordinance to comprise more than four unrelated individuals.
2. We recommend strong enforcement of current zoning rules, as modified by item 1 above, to require rental landlords in R10 and R10A zones who wish to house more than four unrelated individuals to apply and qualify for Special Use Permits ("SUPs") for dormitory use, based on the following safety and security criteria:
 - SUP's must be obtained on an annual basis and requires payment of an annual application and permit fee that is at least as large as that required for Guest Houses.
 - Submission of an annual Rental Registration Form as recommended by the Ad Hoc Rental Registration Sub-Committee, verifying that a valid SUP permit has been granted.
 - Building inspection and approval based on fire safety, ingress/egress, living space ratios, etc. See Section 2B entitled Rooming House Ordinances.
 - SUP owners must consent to annual inspections.
 - Parking must be compliant with the Ad Hoc Parking Sub-Committee Recommendations (e.g., no parking on lawns, limit on number of vehicles, no overnight on street parking).
 - Names of tenants must be provided along with copies of leases.
 - No SUP should be issued to a property to be occupied by a tenant who has received an orange sticker in the past 12 months.
 - No SUP issued to any property that has received an orange sticker in the last 12 months.
 - If URI students will occupy the premises, participation of the landlord at a URI training session and registration of landlord with URI Dept of Residence Life is required. This would need to be coordinated with URI. URI campus housing rules should also be reviewed with a view toward incorporating relevant provisions into Narragansett requirements (e.g., inspections and fire safety, drug and alcohol policies, etc.).
3. Modify our social host ordinance to remove all landlord liability protection to the extent that their tenants are students under the age of 21.

Our Ad Hoc Committee recommendations constitute the most comprehensive and effective set of rental regulations ever put forth. If implemented they ***will*** address the student rental problems on behalf of residents. It's time for this council to step up to the plate and do the right thing by adopting them. Adoption of our recommendations is the only form of thanks for this effort that really counts. Residents deserve to get their town back.

Section 1 – Findings and Recommendations

Our Ad Hoc Committee was formed to develop and recommend solutions to the quality of life, demographic and neighborhood blight problems that have grown significantly and spread throughout Narragansett over the past two decades as a direct result of student rentals. This issue has been a long-standing town wide concern brought forth by multiple neighborhood associations including the “Where’s the Town” initiative. It was also the top concern of residents who contributed to public forums a few years back that lead to formation and adoption of the EDC Plan that has since been abandoned. Most recently, it is the chief concern expressed by residents who participated in public forums conducted as the basis for the town’s newly forming Comprehensive Plan.

Our subcommittee, one of three established by the full committee, was established to conduct a review of the town’s existing zoning regulations, with particular focus on the town’s ability to enforce the restrictions contained in its Code of Ordinances regulating the number of unrelated people that can live together in a single family household. The other two subcommittees were created to address parking and rental registration issues.

As summarized in Attachment A, the definition of “Household” limits the number of unrelated people living together in a single-family household to three. Accordingly, Narragansett’s current Table of Use Regulations (Attachment A, Table 1) restricts housing more than three unrelated persons, except for the following circumstances:

- Granting of Special Use Permits in R10 and R10A zoning districts
- Granting a Resident Family License to take in five to twelve boarders or roomers in R10 and R10A zoning districts.
- Bed and Breakfast for no more than four guests in any zone, by owners who live in the residence.

Attachment A also documents the fact that Narragansett’s Code of Ordinances is now substantially compliant with RI Statutes.

Assertions and Findings:

Since its formation this subcommittee has met with and heard from all constituent parties; residents, rental landlords and realtors who manage properties on behalf of rental landlords. Landlords and realtors were represented at our meetings by the Narragansett 2100 Group. Residents in attendance have represented themselves as well as their respective neighborhood associations. Chief Hoxie has provided data summaries that reveal the true nature of the rental problems. What follows is a summary of the assertions made by the residents and constituent groups listed above followed by the subcommittee’s findings.

Assertions:

- Landlords and realtors (2100 Group) suggest that the problem relates primarily to a small percentage of troublesome rental houses that frequent orange stickers, and that more stringent punitive measures such as fines and home inspections that force fire and safety compliance is what’s needed. They point out that Narragansett has always been a summer rental town with students living “down the line” for as long as anyone can remember.
- 2100 Group also asserts that houses managed by realtors are generally well run.
- 2100 Group also asserts that rental problems relate to student renters, not summer renters.
- Residents from all sections of town complain that noise, litter, overcrowded and poorly

maintained houses, out of control parking on lawns and crowded streets, and illegal signage are ruining their neighborhoods and their quality of life.

- Complaint summaries provided by Chief Hoxie reveal that the recent increases in fines, police arrests and greater police enforcement have led to an improvement in party control.

Date	Sept-May 12-13	Sept-May 13-14	Sept-May 14-15	2012-2015 Totals
Noise Complaints	633	657	382	1672
Unfounded NC	95	77	70	242
Stickers Issued	33	48	54	135
Public Nuisance	10	11	2	23
Annual NC Totals	633	657	382	1672
Arrests				
Poss. Alc. Minor	56	89	79	224
Fake ID Arrests	21	22	12	55
Obstruction	0	9	1	10
Trans. Alc Minor	86	61	77	224
Open Container	1	8	13	22
DUI	34	45	19	98
Disorderly Conduct	48	62	16	126
Assaults	16	22	3	41
Social Host	63	89	37	189
Littering	0	9	13	22
Drug Law Viol	18	6	16	40
Urinating	0	0	5	5
Public Nuisance	10	37	9	56
Other	0	0	33	33
Annual Arrest Totals	358	459	333	1145

Table 1 – Three Year Summary of Rental Complaints and Arrests

Findings:

- Table 1 contains a three-year police summary of rental complaints and arrests.
- The number of orange stickers issued has averaged 45 houses per year for the past three years. This is supportive of Narragansett 2100 Group Claims that a small number of homes generate problems significant enough to warrant orange stickers.
- Chief Hoxie also confirms from police data that approximately 60% of all orange stickered houses listed in Table 1 are managed by realtors on behalf of landlords. This fact does not support Narragansett 2100 Group's assertion that realtors are generally good operators of the rental properties they manage.
- According to Chief Hoxie, more than 95% of the complaints, arrests, fines and stickers result from student renters, not summer renters. This supports Narragansett 2100 Group's claims that the problems are with student rentals and not summer rentals.
- By far the biggest complaint category is noise complaints. While down to 382 this year verses 633 and 657 for the two prior years, Figure 1 documents the fact that these noise complaints are coming from **ALL** neighborhoods in Narragansett and not just a few. Figures 2 through 8 provide neighborhood-by-neighborhood level detail of this same data, with the Eastward Look, Scarborough area suffering the largest impact. These police maps confirm long-standing complaints by residents that student rental problems are pervasive throughout Narragansett, a well known fact.
- Table 1 arrest records also show that most of the arrests relate to use, transportation and possession of alcohol by students, many of whom are minors.
- Among the alcohol related arrests, Social Host Violations are a significant occurrence.
- Signage blight is another problem that cries out for ordinance enforcement.

Contrary to the Narragansett 2100 Group's assertions otherwise, the police data shown in Table 1 and Figures 1 through 11 that follow, document the town-wide extent of the problems created by Narragansett's student rentals. Referring to Figure 1, noise complaints are highlighted on the map by circles labeled 3, and extend throughout Narragansett from the North End to Pt. Judith and all neighborhoods in between. Neighborhood by neighborhood detail is provided in Figures 2 through 7. Beyond noise, Figures 8 through 11 document the lack of property maintenance and neighborhood blight created when student rentals overrun neighborhoods.

Figures 12 and 13 document the safety and security problems that result from out-of-control parties. Figure 14 together with its associated *Providence Journal* article from July 9, 2015 documents similar student rental problems in Providence. While the relatively small portion of these noise complaint houses that result in Orange stickers may be the worst offenders, they are but the tip of the iceberg relative to the impact student rentals have on neighborhood quality of life in Narragansett. While orange stickers designate nuisance houses, this designation often masks the root cause of the orange sticker; a neighborhood wide event that often involves 50 to 200 students, many of whom are intoxicated. This creates a safety issue for police and residents as well as the students themselves, yet only the house originating the disturbance typically gets the sticker. Sadly, the figures and data presented herein reveal a complete disregard for neighborhoods and their full time residents by many owners and too many managers of student rental properties.

The findings presented herein **do** support Narragansett 2100 Group's assertion that summer rentals are **not** a significant contributor to the rental problems this committee was created to address. Summer renters may have large gatherings of friends and relatives, but more than three or four unrelated individuals do not typically rent the houses. And summer renters consist primarily of adults and families. The problem **is** student rentals. Therefore, the zoning enforcement recommendations presented herein are designed to target the student rental problem for what it is: a significant disruption to the quality of life and family residential value of Narragansett's neighborhoods, as well as a threat to the health, safety and well being of the many URI students and others living in Narragansett.

Our recommendations are also compatible with those put forth by the parking and rental registration subcommittees such that, taken collectively, the Ad Hoc Committee puts forth a comprehensive set of solution recommendations that should significantly reduce the student rental problems this committee was created to address. We believe the supporting data put forth on behalf of these recommendations cry out for the very solutions we are proposing. This data proves beyond any doubt that Narragansett's student rental problem has risen to crisis proportion and needs immediate action by the Town Council. Declines in school population, lack of affordable housing for young families and recent reductions in business activities are all collateral damage resulting from the dramatic increases in student rentals over the past two decades. The Committee's recommendations are designed to bring about long overdue neighborhood safety, security and family protection to Narragansett's neighborhoods.



Figure 1 – Town Wide Noise Complaints



Figure 2 – North End Noise Complaints



Figure 3 - Bonnet Shores Area



Figure 4 - The Central Pier



Figure 5 - The Pier and South



Figure 6 - Eastward Look, Scarborough Area



Figure 7 - Pt. Judith Area

The following images provided by Carol Stuart document the neighborhood blight that accompanies high concentrations of student rentals. While these photos were taken in Eastward Look, similar photos could just as easily be gathered from nearly every area of town.



Figure 8A – Parking on Lawns



Figure 8B – Parking on Lawns



Figure 9A – Collateral Damage from Parking on Lawns

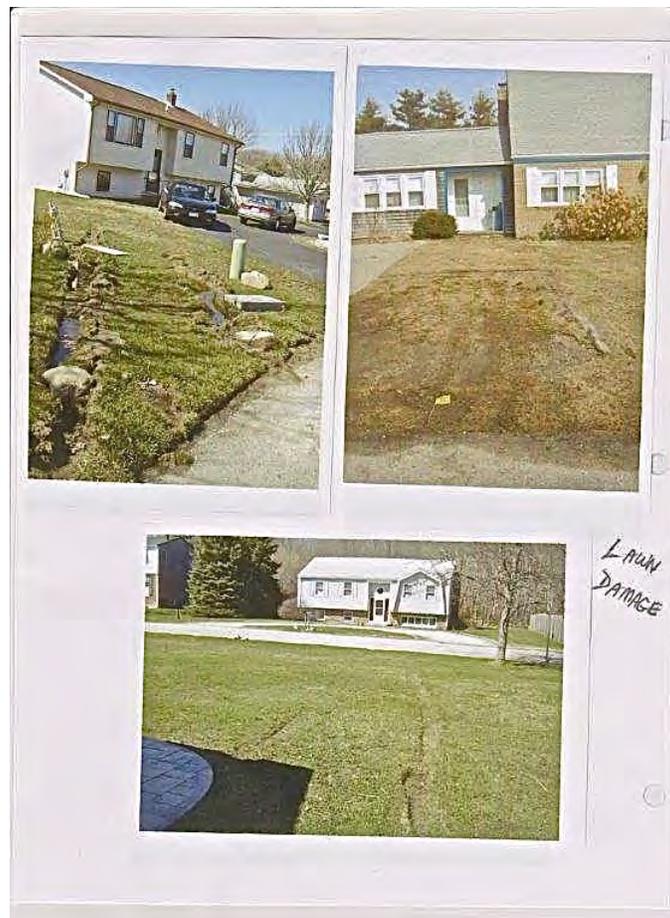


Figure 9B – Collateral Damage from Parking on Lawns

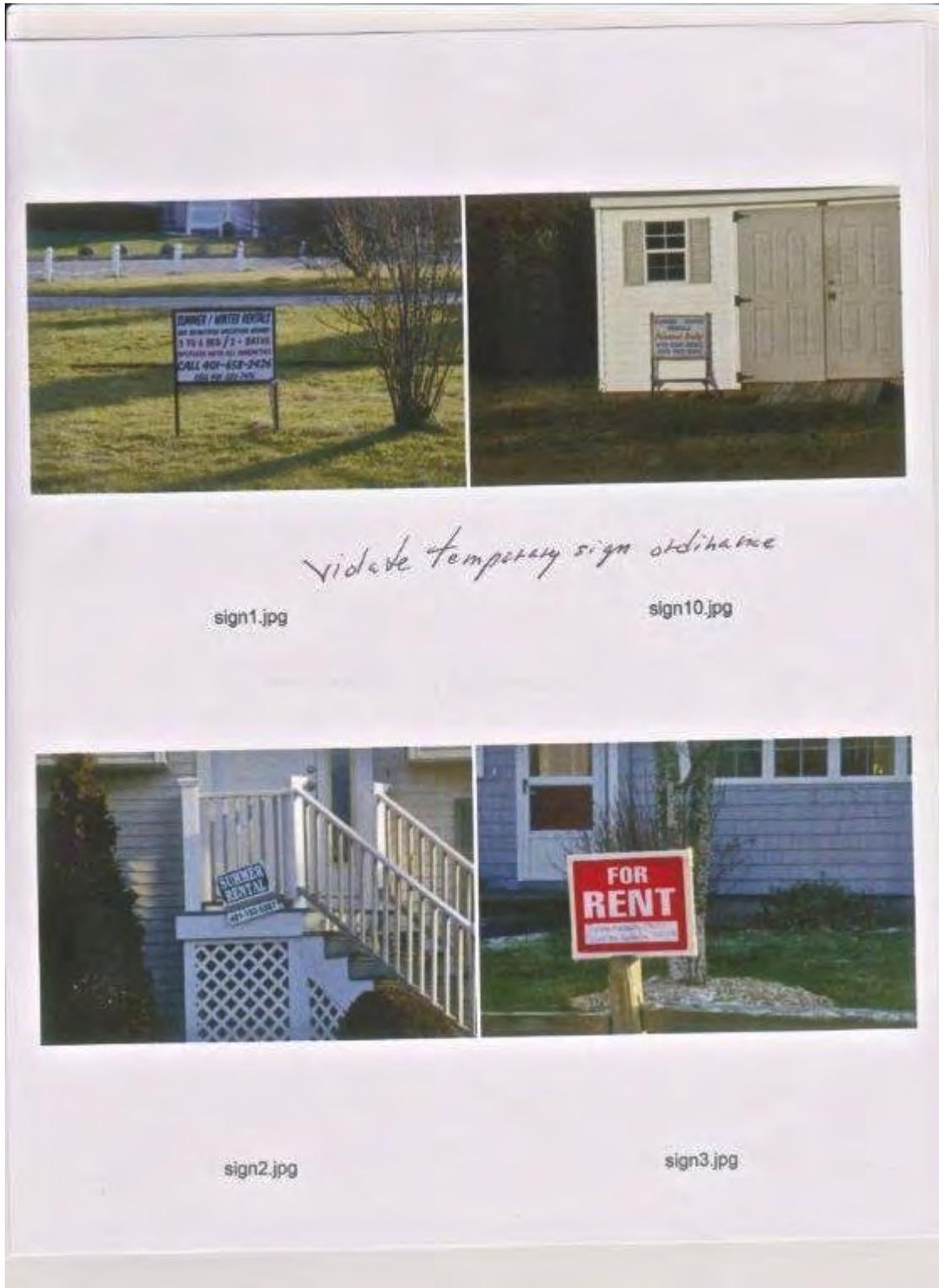


Figure 10 – Signage Blight From Ordinance Violations



Figure 11 – Vandalism



Figure 12 – Green Lane, Eastward Look, May 3, 2014 Cinco De Mayo Party

Figure 12 was taken on Green Lane during the Cinco-De Mayo riot in May of last year that lead to the formation of this committee. However, it should be noted that many similar student gatherings of more than 100 students routinely take place in this neighborhood. While these “parties” do not always rise to level of riot that occurred on May 3, 2014, they completely disrupt the piece and neighborhood tranquility and quality of life the residents pay taxes to enjoy. URI students routinely trample all over the rights of residents with complete disregard, and many times pose a presence that threatens public safely. Table 2 below, provided by the Eastward Look Homeowners Association, summarizes Eastward Look police complaints for 2014 and 2015.

Incidences	52
Nuisance Houses	20
Underage Drinking Arrests	9
Arrests Fighting	2
Social Host Arrests	20
2nd Nuisance House arrests 2nd Offense	4
Disorderly Conduct Arrests	3
Misc Arrests/Assaults	7

Table 2 – Eastward Look Police Complaint Summary, 2014 – 2015

Figure 13 below was taken at a spring URI celebration on Narragansett Avenue last month. When a neighbor called the owner she was told to call the rental landlord, who in this case was Ann O'Brien. Clearly, the activities shown in this picture pose a safety threat to URI students living in Narragansett that URI would not permit on its own campus.



Figure 13 – 45 Narragansett Avenue, May 2015 – House is managed by Ann O'Brien

Many residents in other towns and cities are also speaking out to fight back against the disruption to neighborhood quality of life and quietude created by student rentals. Note that, in the following article from the July 9, 2015 edition of the Providence Journal, one could change the heading of the article from Providence to Narragansett and, except for names, the article exactly describes the circumstances here in Narragansett.

Elmhurst residents, landlords weigh in on proposed student rental rules

Providence Journal files / Andrew Dickerman. Multi-unit buildings on Eaton Street advertised as student rental housing. Posted July 9, 2015:

» Related Content:

- Off-campus PC students who hosted St. Patrick's Day kegger slapped with another 'orange ...
- Several arrests made at neighborhood party near Providence College...
- Providence police respond to college parties near PC with arrests, and orange nuisance s...
- Providence landlord summoned over 'party houses' in 'orange sticker' campaign...
- Providence police start putting orange stickers on 'party houses'...
- Providence College students venture into the neighborhood
- Neighborhood of the Week: Elmhurst in Providence

By John Hill, Journal Staff Writer Posted Jul. 9, 2015 at 1:00 AM PROVIDENCE, R.I. — Elmhurst residents who said they're tired of drunken college student parties and landlords who said they're being punished for the acts of a few bad apples took turns addressing the City Council's Ordinance Committee on Wednesday evening as the panel began considering rules that could limit how many college students a landlord could allow in a single-family house. The changes are part of a package of proposed rules that could limit to three the number of college students who could rent rooms in a single-family house, require landlords who rent to them get a student housing license and mandate inspections for the houses involved. The most restrictive ones, the three-student limit and the licensing requirement, are expected to go before a public hearing later this month. The proposals are a response to what Ward 5 Councilwoman Jo-Ann Ryan said is a trend in the Elmhurst neighborhood of investors buying single family homes and then renting them out to a half dozen or more students. The Rev. Augustine Judd, pastor of St. Pius V Church at 55 Elmhurst Ave., and others told the committee that many nights the students have loud parties that go past 2 a.m. and some wander the streets inebriated and urinating in yards. "The neighborhood is changing, and not for the better," he said. Robert A. D'Amico told the committee that the proposals it was looking at could be unconstitutional. He added that placing an unexpected limit on tenants — and by extension a ceiling on the rent they can collect — could lead to mortgage defaults. "There has been no consideration of the fallout this will have on landlords," he said. jhill@providencejournal.com (401) 277-7381 On Twitter: @jghilliii



Figure 14 – Eaton Street multi-family homes advertised as student housing

Finally, figures 15 and 16 illustrate a brochure distributed in various retail establishments frequented by URI students including liquor stores, by Palazzesi Real Estate Company of Wilbraham, MA. Palazzesi is advertising several rental home choices in Eastward Look that they own and rent to URI students as a business. URI student rental landlords are running unregulated defacto businesses to the detriment of Narragansett neighborhoods.

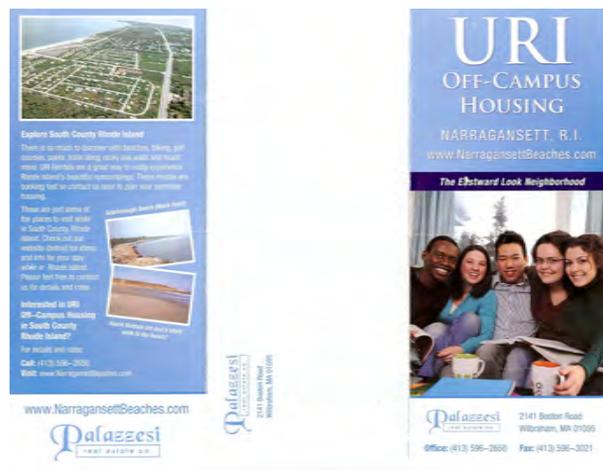


Figure 15 – Front page of URI rental homes brochure

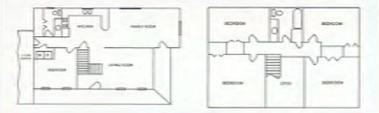
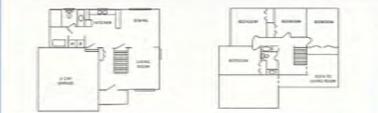
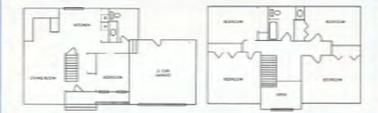
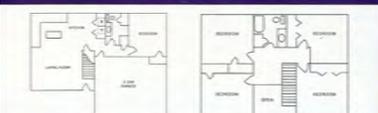
 <p>5 Ashley Court 5 Bedroom • 2 Full Bath</p> 	 <p>9 Ashley Court 4 Bedroom • 2 Full Bath</p> 	 <p>10 Ashley Court 5 Bedroom • 2 Full Bath</p> 
<p>URI OFF-CAMPUS HOUSING</p> <p>Office Located at: 2141 Boston Road, Wilbraham, MA 01095 Office: (413) 596-2650 Fax: (413) 596-3021 www.NarragansettBeaches.com</p>	<p><i>We hope to make your stay in Narragansett a special time for all!</i></p> <p>All Homes Equipped with:</p> <ul style="list-style-type: none"> • 4-5 Bedrooms • Living & Dining Area • Outdoor Furniture • Quite Neighborhood Living • 2 Full Baths • 2-Car Garages • Patios 	<p>Easy Access to Rhode Island's Area Activities Boating • Fishing • Restaurants • Parks • Shopping Amusements 1/2 Mile to area beaches Minutes from Block Island Ferry (All within a 3 mile radius)</p> <p>Just minutes away from:</p> <ul style="list-style-type: none"> • 30 Minutes to Warwick, Misquamicut & Watch Hill • 30 Minutes to Newport • 30 Minutes to Mystic • 40 Minutes to Providence • 40 Minutes to Ledyard
 <p>15 Ashley Court 5 Bedroom • 2 Full Bath</p> 	 <p>40 Summit Ave 5 Bedroom • 2 Full Bath</p> 	 <p>42 Exeter Blvd. 4 Bedroom • 2 Full Bath</p> 

Figure 16 – Inside of tri-fold brochure advertising URI rental homes

Section 2 – Recommendations

To address the neighborhood safety, security and destruction issues documented in Section 1, Narragansett needs to expand and enforce its posted zoning ordinance limiting the number of unrelated people living in single-family homes. It should be noted that the currently posted ordinance limits the definition of a “household” to no more than three unrelated persons. Referring to town zoning, the majority of districts suffering from abuse by landlords are the R10 and R10A districts. Currently posted Town zoning allows for issuance of Special Use Permits (SUPs) in R10 and R10A zones, as a dormitory use condition for allowing more than three unrelated people to occupy single-family homes. Lower density zones do not allow any exceptions and this restriction should be continued. It is important to note that Narragansett’s currently posted zoning ordinance was enacted following the 1994 *Distefano v. Haxton* decision by Judge Steven Fortunato, to insure compliance with the current state ordinance.

On June 10, 2015 this subcommittee met with Town Solicitor Dawson Hodgson to discuss options for zoning enforcement. As a condition of enforcing a limitation on the number of unrelated persons who can live together in single-family households, Solicitor Hodgson recommended that our committee propose changing the currently defined regulation from three to four unrelated persons. Solicitor Hodgson also commented positively on the strong focus by which this report bases its recommendations for Special Use Permits on compliance with public safety requirements (requirements consistent with those that URI specifies for on and off campus student living).

This Subcommittee recommends the Town strenuously enforce its existing zoning language as summarized in Attachment A, but modified to allow the definition of household to comprise no more than four (4) unrelated individuals as recommended by Solicitor Hodgson, and similarly to limit the definition of “dormitory” to comprise more than four unrelated persons. This means any rental landlord wishing to house more than four unrelated persons must apply for and be granted a Special Use Permit for dormitory use in order to do so. Only houses in R10 and R10A zones can qualify for this status.

Given the above, the operative question is therefore, what conditions should justify issuance of R10/R10A Special Use Permits for dormitory usage and what should be the requirements imposed on landlords as a condition for approval. To address this question this Subcommittee recommends that the town adopt two-step criteria as follows:

- Determine whether a rental home whose owner requests a Special Use Permit is suited to be classified as a “dormitory” (alternatively rooming house or boarding house definitions could be adopted)
- Insure that all properties classified as dormitories (rooming or boarding houses) meet strong criteria for safety, access/egress, space, parking, density and maintenance, as a precondition for granting a Special Use Permit.

It should be noted that fraternity and sorority houses – which by definition are houses occupied by college students -- are prohibited outright in Narragansett R10 and R10A zoning districts. No one has questioned the legal validity of this prohibition as well-within the town’s zoning powers to protect the integrity of its family residential neighborhoods, and yet many of the student-occupied houses that give rise to the issues at the root of the town’s student housing problems are tantamount to college frat houses.

Summer Renter Friendly:

As Narragansett 2100 has pointed out only a small minority of reported problems are summer renter related. Summer renters may have large gatherings of friends and relatives, but consist primarily of adults, many of whom are only weekend visitors. Therefore, as long as summer rental homes are not leased to more than four unrelated individuals, usually the case, our herein proposed recommendations should not impact the majority of summer rentals.

Student Rentals are the Problem:

As documented herein most of the overcrowded homes rented to students are, for all practical purposes, de facto fraternities, sororities, or at the very least unauthorized dormitories. Further, the overwhelming majority of all rental problems documented by the Narragansett Police are student rental problems. Student rental problems can be broadly classified in two categories:

1. Problem houses that have and do receive nuisance house designation via the posting of orange stickers.
2. Houses for which the police are called due to various noise, litter, parking, overcrowding, unsightliness and other neighborhood blight problems, for which no stickers are issued (Figures 1 through 7).

Category 1 typically amounts to less than 50 houses, but they tend to be the worst offenders, typically are repeat offenders, and often result from mass, out-of-control parties that disrupt entire neighborhoods. Category 2 however, is widespread throughout Narragansett and is the reason this problem is serious enough to have sponsored formation of this committee. The data contained in Section 1 demands aggressive zoning ordinance and rental rules enforcement to protect public safety, neighborhood integrity and quietude. Residents deserve nothing less.

To summarize regarding students, adopting rules that specifically address student rentals will avoid placing unnecessary burdens on summer rentals that do not typically create problems. Student rental issues are a serious, well-documented problem that has turned many rental houses into de facto frats and dormitories, without the benefit of the same safety and fire regulations URI imposes as campus living standards. The Town's power to regulate and restrict overcrowding, especially student rental overcrowding, on the basis of fire and public safety is well established under applicable law. Therefore anyone challenging the reasonableness of these recommendations, or accusing the town of unfairly targeting students, need only look to URI's own on and off campus living rules and recommendations (Attachment B) and the supporting data included herein.

By following the aforementioned strategy, this subcommittee believes the town will place itself in the strongest legal position to defend any potential litigation that may result. Basically, per the recommendations put forth herein, the town will not be unreasonably infringing on property rights or individual rights, imposing any rules not widely used elsewhere and is not depriving rental owners from a zoning vehicle that enables them to continue their businesses. But it will be requiring those rental property owners who apply for special use treatment in those zones where it is allowable to meet requirements that protect public safety and neighboring properties. Table 3 shows that this same rationale is widely deployed around the country for the same reasons.

Municipality	Methodology	Reason
Vancouver, WA	Occupancy limits. Definition of family.	Prevent overcrowding. Public Safety.
Burlington, VT	Definition of "functional Family unit." Limit of 4 unrelated persons, if criteria for zoning and house size comply.	Establish and maintain low density residential districts.
Ladue, MO	Ordinance limit on number of unrelated adults has been upheld.	Family preservation. Public health and morals.
Amherst, MA	Family bylaw limits the number of unrelated individuals living in one dwelling unit to four. Constitutionality of this rule has been upheld.	Family neighborhood preservation.
Urbane/Champaign, IL	Strong single-family unit definition. Limits the number of unrelated persons living in a single-family house to four. Landlords must required tenants to sign sworn affidavits to no more than four.	Family neighborhood preservation.
West Lafayette, Ind.	Established eight rental categories; single family, house sitting, not more than two unrelated persons living with a family, etc. Require periodic house inspections and fee based rental certificates	Limit over-occupancy, noise, traffic, parking, trash and poor property maintenance.
Carbondale, IL	Established R1 zones that limit occupancy to family members plus one unrelated or nor more than two independents.	Family neighborhood preservation and protection. Limit parties, overcrowding, parking and continuous litter.
Ames, Iowa	Zoning classes, with specific occupancy rules. Comprehensive definition of family limits unrelated renters per unit to three, or one more person than the number of bedrooms, up to five, providing minimum parking area compliance. Violating landlords fined \$500.00 per renter.	Family neighborhood preservation and protection. Limit parties, overcrowding, parking and continuous litter
Bloomington, Ind	Family zoning districts that limit unrelated renters per household to three. This ordinance was upheld in court.	Public health, safety, morals, convenience and general welfare.
West St. Paul, MN	Density zoning that limits single-family home rentals to 10% of each block.	Protect neighborhoods from overwhelming rentals.
Belle Terre, NY	Zoning Limit on the number of unrelated renters per unit. Landmark US Supreme Court decision upheld family zoning occupancy limits. Supreme Court upheld that the Belle Terre ruling did not affect any fundamental constitutional right.	Maintain and protect character of single-family neighborhoods where family values, youth values, quiet seclusion and clean air make it a sanctuary for people.
Saginaw, MI	Zoning defines family so as to prevent more than two students from renting a single family home. Strong definition of family vs. groups sharing a house for convenience and economics	Family neighborhood preservation and protection.
Boston, MA	Amended zoning in 2008 to restrict more than four undergraduates from sharing a leased dwelling. Students are not a protected class	Prevent overcrowding Protect and improve residential quality of life.

Table 3 – Summary of Municipalities that limit zoning occupancy

Section 2A - Recommended Special Use Rules:

As a starting point, the following list of rules represent reasonable criteria that should be required for issuance of SUP status for dormitory use in R10 and R10A zones only:

1. SUPs must be obtained on an annual basis and requires payment of annual application and permit fee that should be at least as large as that required for Guest Houses.
2. Submission of an annual Rental Registration Form as recommended by the Ad Hoc Rental Registration Sub-Committee verifying that a valid SUP permit has been granted.
3. Building inspection and approval based on fire safety, ingress/egress, living space ratios,
4. Owners must consent to annual inspections.
5. Parking must be compliant with the Ad Hoc Parking Sub-Committee Recommendations: e.g., no parking on lawns, limit on number of vehicles, and no overnight on street parking.
6. Names of tenants must be provided along with copies of leases.
7. No SUP should be issued to a property to be occupied by a tenant who has received an orange sticker in the past 12 months.
8. No SUP issued to any property that has received an orange sticker in the last 12 months.
9. If URI students will occupy the premises, participation of the landlord at a URI training session and registration of landlord with URI Dept of Residence Life is required. This would need to be coordinated with URI. URI campus housing rules should also be reviewed with a view toward incorporating relevant provisions into Narragansett requirements (e.g., inspections and fire safety, drug and alcohol policies, etc.).

Section 2B – Rooming Rules and Definitions

From Attachment A, and per R.I.G.L. 45-24.3-5, "Rooming house" means any dwelling or that part of any dwelling containing three (3) or more rooming units in which space is occupied by three (3) or more persons who are not members of a single family. Former Solicitor McSally used this same definition to draft an updated rooming house ordinance in 2005. Per R.I.G.L. 45-24.3-12 (RI state housing maintenance and occupancy rules) , the State of RI provides a comprehensive set of compliance rules for rooming houses (Attachment C). The point to these rules is that a rooming house must have minimum size sleeping units with multiple entry and egress points, that one sleeping unit cannot exit through another sleeping unit, and that basements cannot be used for living or sleeping purposes without special considerations and approvals, etc. Not surprisingly, many of the URI rules listed in Attachment B adhere to these same state rules. Why should the Town of Narragansett allow owners of single family homes in residential neighborhoods to operate de facto rooming houses or dormitories that violate both state and URI housing fire and safety rules? Given a suitable student disaster in Narragansett and the tragic legacy of the Station night club fire, a clever plaintiff's attorney could easily argue that Narragansett has willfully and knowingly enabled conditions that posed health and safety problems for URI students, many of whom are under 21.

Student Rentals

The following recommendations pertain specifically to student rentals and are designed to put the burden of responsibility for the impact student rental properties have on their respective neighborhoods on the rental property owners where it rightly belongs. This is a public safety matter for Narragansett, just as it is for URI.

- Fire and Safety Regulations:
With specific reference to student rentals, the subcommittee recommends that any

property requesting an SUP to house more than four unrelated persons must adopt and apply the same set of fire and safety regulations URI applies to its own on campus living as contained in Attachment B, and must also comply with RI general housing laws as referenced above. Compliance with these requirements would be confirmed via periodic inspections.

- **Social Host Ordinance Provision:**
Per Narragansett's current social host ordinance, landlords are expressly excluded from liability unless they are present or live on premises with tenants. This Subcommittee recommends removing landlord liability protection to the extent that their tenants are students under the age of 21. This would also be consistent with URI policy of prohibiting alcohol consumption by their students. Why would URI or anyone else object to this initiative?

It should be noted that many of the recommendations proposed herein have been suggested by the Narragansett "2100" rental group, and most all of them have been championed for many years by various neighborhood associations and their leaders. It's time for the Town of Narragansett to act responsibly on behalf of its residents, adopt these recommendations and move forward toward a brighter, safer and more responsible future.

Section 3 – Supporting Data

Narragansett has not enforced its current zoning regulations that relate to limiting the number of unrelated persons living in single-family household since the 1994 decision by Superior Court Judge Steve Fortunato in *Distefano v. Haxton* that struck down its then-existing ordinance. Since then Narragansett has modified its ordinances to comply with RI statutes by adding provisions for group homes, boarding and rooming houses and dormitories that addresses the constitutional due process and equal protection rulings issued by Judge Fortunato. Further background relating to this issue is contained in Attachment A.

To capitalize on this change former Town Solicitor Mark McSally prepared and proposed an amendment to town ordinances declaring that "dwelling units rented to three or more unrelated individuals meet the definition of rooming house" (Attachment A, Section 3). Although the Town Council defeated this amendment proposal at that time, Mr. McSally provided a solid legal argument supporting it.

Section 4 of Attachment A summarizes the nationwide consistency of applying occupancy limits on rental properties. Table 3 (page 18) highlights a list of some of the cities and towns that employ pertinent legal language descriptions and reasons for limiting the number of unrelated people living in a single-family household. Table 3 confirms the widespread use and acceptance – including many states whose political climates tend to be more aligned with Rhode Island -- of zoning that limits the number of unrelated persons that can live together in a single-family home. As summarized in Attachment A and evident from examples shown in Table 3, both the US Supreme Court and most higher state courts uphold the following two defining conditions:

1. Students do not constitute a "protected class" under civil rights law jurisprudence. This means that laws which treat students differently will generally be accorded the most

deference by the courts and as a consequence will generally be upheld.

2. Limiting the number of students who can live together does not infringe upon a fundamental constitutional right.

As shown in this memorandum, a wide body of precedent zoning and court-upheld legal decisions already exists. These references provide a well-documented legal foundation Narragansett can build upon as well as many examples Narragansett can pull from to enforce and improve its zoning regulations. The rules adopted by Ames, Iowa – home of Iowa State University -- are particularly relevant to Narragansett's circumstances, and have been suggested to the town in past years as a good reference.

Beyond the health, safety and quality of life issues presented herein that result from student rentals, overcrowding of single-family houses contributes excessive financial costs to the town. Narragansett incurs road repairs due to excessive traffic, sewer upgrades as well as police and fire overtime costs that are directly attributable to student rentals. The Narragansett *Times*, recently reporting on the town budget, related that the Town Council expressed concerns about these high costs; \$360,000 in police overtime (an average of \$52,000 for URI party control) and \$720,000 for fire coverage. The recommendations contained herein should substantially address these problems.

Relevance of the *DiStefano* Decision

It's important to note that any steps the town adopts to enforce or strengthen zoning ordinances limiting the number of unrelated persons living in a single family home could be legally challenged by the ACLU fronting for a purportedly aggrieved party based upon the 1994 *DiStefano* decision. The committee does not believe this represents a valid excuse to shy away from doing what is right and what is needed, particularly when the Town could also face legal jeopardy from a failure to act and for allowing security, health and safety issues to persist. Many attorneys have rendered opinions that suggest the *DiStefano* decision was ill-conceived, that it relied on a zoning discrepancy with state law that no longer exists and also stated that the Town did not mount a defense. Judge Fortunato also based his decision on testimony by Town officials that the Town could not show that rentals caused a sufficient degree of neighborhood difficulties – which is clearly not the case today.

The current status in Narragansett demonstrates the negative impact of student rentals with reference to the issues noted in Section 1 (e.g. overcrowding, partying, noise, quality of life as well as ratio of rentals to owner-occupied homes), and documented by police records. Thus, the social impact of seasonal rental problems, *student rentals in particular*, has changed dramatically since the *DiStefano* decision was issued.

Attachment A

TO: Narragansett Ad Hoc Committee on Rental Issues
FROM: H. Schofield, Sub Committee on Three or More Unrelated Boarders
Members: H. Schofield, Nancy DeNuccio, Joe Santos, Susan Buonanno
SUBJECT: Sub-Committee Status Report
DATE: December 8, 2014

Sub-Committee Goal and Purpose

The purpose of this sub-committee is to clarify the means by which the Town can regulate the number of unrelated people living in single-family homes in residential neighborhoods.

The Sub-Committee on unrelated boarders has conducted a review of existing ordinances and usage definitions to establish a baseline starting point from which to make recommendations.

We note as a starting point that under the existing town zoning ordinances in R10 and R10A zones, the following rules exist:

1. dormitories require a special use permit
2. the taking of more than five boarders in single-family homes requires both a license and a special use permit.

We note that these usage rules are not currently enforced by the Town, and that such usages are not permitted in any other zones as shown in Table 1.

Section 1 which follows contains a summary of relevant zoning definitions for “household”, “family” and “dormitory” taken from the Town website. Also included as Table 1 are excerpts from the corresponding Table of Use Regulations that pertain to taking in borders, rental of rooms, sorority or fraternity usage or dormitory usage in residential zones.

Section 1 – Zoning Ordinance Definitions

1.1 - Narragansett Zoning Ordinance Definitions

Household. One or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. The term "household unit" shall be synonymous with the term "dwelling unit" for determining the number of such units allowed within any structure on any lot in a zoning district. An individual household shall consist of any one of the following:

(a)

A family, which may also include servants and employees living with the family; or

(b)

A person or group of unrelated persons living together. The maximum number shall be three persons.

Family. A person or persons related by blood, marriage, or other legal means. See also "Household."

Dormitory. A structure used for housing unrelated individuals in suites, which usually has common dining, kitchen and sanitary facilities.

TABLE OF USE REGULATIONS													
Code	Description	R-80	R-40	R-20	R-10	R-10A	BA	BB	BC	IA	IB	P	Comments
06	Taking of boarders by a resident family (up to two boarders)	P	P	P	P	P	X	X	X	X	X	X	
061	Taking of boarders by a resident family (five to 12 roomers or boarders)	X	X	X	S	S	X	X	X	X	X	X	License required
062	Renting of rooms as bed and breakfast (no more than four guests)	P	P	P	P	P	X	X	X	X	X	X	Owner must reside on premises
063	Sorority or fraternity house	X	X	X	X	X	X	X	X	X	X	X	
0631	Dormitory for permitted use	X	X	X	S	S	X	X	X	X	X	X	

Table 1 – Relevant Table of Use Regulations

Notably, the Table of Use Regulations listed above clearly requires that Special Use Permits (labeled as “S” in the table above), which include a site plan review and approval, be obtained by any property owners wanting to take on boarders, or utilize their property or properties as dormitories in R10 or R10A zones. While bed and breakfast usage is permitted, this usage category requires that owners reside on the premises. Sorority and fraternity houses are prohibited outright (X).

At the very least, these use regulations pose the question as to how residential houses overstuffed with unrelated students really differ from sororities or fraternities? Further, the Town’s definition of a household is limited to either a “family” or no more than three unrelated persons living together in a single household. I believe these definitions are compliant with, and in fact based upon, RI State zoning enabling law.

1.2. State Zoning Ordinance Definitions per R.I. G.L. 45-24-31

(34) Household: One or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit. The term "household unit" is

synonymous with the term "dwelling unit" for determining the number of units allowed within any structure on any lot in a zoning district. An individual household shall consist of any one of the following:

- (i) A family, which may also include servants and employees living with the family; or
- (ii) A person or group of unrelated persons living together. The maximum number may be set by local ordinance, but this maximum shall not be less than three (3).

Relevant State Housing and Occupancy Definitions per R.I.G. L. 45-24-3-5

Household: A family and/or one or more unrelated persons, including servants, and not more than two (2) boarders, who share the same dwelling and use some or all of its cooking and eating facilities.

Family: One adult person plus one or more persons who are legally related to the adult person and residing in the same dwelling unit with that person.

Dormitory: A room or group of rooms in a dwelling used for living and sleeping purposes by four (4) or more persons.

Rooming House: Any dwelling or that part of any dwelling containing three (3) or more rooming units in which space is occupied by three (3) or more persons who are not members of a single family.

Rooming Unit: Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

As shown above, the town's zoning ordinances and definitions are consistent with state zoning ordinance definitions, including housing and occupancy definitions.

Section 2 – Distefano v. Haxton

Since this 1994 decision that struck down Narragansett's then existing zoning ordinance, the town has since revised its ordinance to comply with state ordinances as shown in Section 1. Thus, there is definition consistency between the town and the state that limit the number of unrelated people living in a single -family household to three.

Section 3 – Prior zoning attempts that failed passage

On April 13, 2005 Solicitor McSally prepared and proposed an amendment to the Town Ordinances entitled "Rooming Houses and Boarding Houses". He stated in back up correspondence to two successive town councils that a solid argument can be made that "dwelling units rented to three or more unrelated individuals meet the definition of rooming house". His amendment redrafted the ordinance to be consistent with state law that provides a consistent definition for "rooming house" as shown in Section 1.

While this amendment was voted down by the council at that time, Mr McSally provided a solid legal argument for implementing such a rule.

Section 4 – Consistency with other Communities

Narragansett appears to be unique among many communities in RI and elsewhere across the nation inasmuch as it does NOT enforce legislation that regulates the number of unrelated people living in a single family home or dwelling. Rhode Island examples include Newport, Portsmouth, South Kingstown, Bristol and North Smithfield. Nationwide, many other college towns have enacted similar ordinances, Ann Arbor, MI, Aimes, Iowa, Amherst, MA, Gainesville, FL, Belle Terre, NY, Bloomington, Indiana, West Chester, PA, Pullman, WA, Stillman, OK and E. Lansing, MI to name a few.

The unfortunate DiStefano v. Haxton decision, which many felt was constitutionally wrong at the time but was never challenged, has been used ever since as a reason why Narragansett cannot do what other towns and cities already do in this regard. Nonetheless, it appears the ordinance definitions put forth in the memo support the conclusion that Narragansett can in fact, impose regulations that govern the number of unrelated persons living together in a single family household.

4.1. Sensitivities Regarding Student Rights

In the past, whenever this issue of regulating the number of unrelated people who can live together in a single-family household comes up in any form of public forum there is great sensitivity attached to placing such a policy in the context of regulating student rentals. Possibly this is a fallout of the 1994 Distefano v. Haxton decision. Yet both federal and state courts have rejected arguments that students warrant “protected class” status. Much constitutional analysis has been conducted nationwide to address this question, along with the question as to whether students have a fundamental right to live together. In Village of Belle Terre v. Boraas, the Supreme Court held that zoning regulations that limit the number of unrelated people who can live together in one household do not infringe upon a fundamental right.

Courts have recognized that group rentals for college students differ from traditional family occupancies as they are “transient” and “seasonal” in nature, and that over-occupancy contributes negative impacts on neighborhoods. Court rulings have also stressed that it is constitutional to protect the public health, welfare and family values expected in single-family residential neighborhoods via appropriate restrictions and zoning ordinances.

Neither I nor any of the member of our sub-committee are lawyers. Therefore, we do not present the case data referenced herein on the basis of any legal expertise from within this committee. Nonetheless, the sub-committee does want to site the degree to which legal constitutional analysis largely supports the ability for Narragansett to regulate the number of unrelated people living together in a single-family household.

Section 5 – Summary

The sub-committee believes the data contained in this status report supports the town’s ability to limit the number of unrelated people living in a single-family household. If the town does so by moving forward with dormitory and/or rooming house ordinance enforcement, it is the governing regulations the town decides to impose as a condition for granting such licenses and/or special use permits that will determine their ultimate effectiveness in helping to resolve our current residential neighborhood rental problems.

Attachment B – URI Fire Safety Regulations

Fire Safety Guidelines and Requirements for Residence Halls

(Please Note: This information represents the most current fire safety guidelines for URI residence halls and supersedes all other URI generated documentation pertaining to residence hall fire safety with the exception of the URI Student Handbook.)

Why You Should Care...

With so many things to think about, why should students pay much attention to fire and life safety policies and procedures? The answer is clear: it can be **a matter of life and death**. Proper fire prevention measures and the knowledge of life safety procedures within residential communities save lives. Since 1973, there have been more than 45 residence hall fires across the United States including the tragic Seton Hall fire of January 2000 that killed three students and injured 62. With so many people living in such close proximity within our halls, every resident plays an important role in preventing fires and responding appropriately to life safety emergencies. Every resident assumes the responsibility of complying with fire safety policies, procedures, and guidelines as put forth in the University of Rhode Island Student Handbook and the Housing Rental Agreement. Violations of University fire safety related policies and procedures - **including the defacement of hallway exit signs, falsely activating fire alarms, discharging fire extinguishers, and activating fire suppression/sprinkler systems** - are treated with the highest priority and may result in removal from residence halls.

Your Fire Safety Checklist...

- Report campus emergencies immediately to the **Campus Police at 874-2121**.
- Always know two escape paths from your room in the event that one is blocked.
- A fire evacuation plan has been placed on or near the inside of your room/apt. door. Learn the plan and do not remove or cover the evacuation plan from your room. If the evacuation plan is missing from your room/apt., please notify your Resident Advisor or Site Manager.
- Smoking in all URI residence halls and student rooms is prohibited.
- Fire suppression systems, *or sprinklers*, have been installed in all traditional residence halls at URI. Sprinkler heads protrude from the walls and ceilings of common areas and student bedrooms in all residence halls. A sprinkler head is designed to discharge a large volume of water in a short period of time and can cause extensive damage to residential unit. **Do not hang any items from sprinkler heads and do not tamper with, or attempt to modify, fire suppression systems and sprinkler heads.** The accidental or intentional discharge of a fire suppression system will result in financial restitution and Campus Police, URI student conduct, and State Fire Marshal investigation.
- Smoke/fire detectors have been installed in all residence halls at URI. Detectors are located on ceilings and walls, and trigger building fire alarms that are designed to save lives. **The covering of, or tampering with, any fire detector in any residence hall location so as to render this equipment inoperable is strictly prohibited** and will result in financial restitution and Campus Police, URI student conduct, and State Fire Marshal investigation.
- If you smell smoke or see fire in your building, **pull the closest fire alarm box and immediately evacuate the building; do not attempt to fight the fire.**
- If the fire alarm sounds in your building, do the following:

- grab your key and/or ID card
- feel your room door before opening it; if it is not hot, leave immediately; if it is hot, stay in your room, phone for help, and wait for a fire fighter
- assuming your door is not hot and smoke has not filled the hallway, proceed to the nearest exit and **immediately leave the building; do not attempt to fight the fire!**
- once outside, move away from the building and wait for further instructions; check around for your roommate to make sure s/he is safe
- never, never ignore a fire alarm; failure to vacate a building during a fire alarm is a violation of the University's student conduct code
- do not use the building elevator
- In the case of a catastrophic event or disaster on or near the URI campus, students are instructed to: a) immediately contact and advise family members of their status and well being; and b) check the URI voice mail system for further instructions.

Fire Safety Equipment & Inspection...

Fire alarm systems – the most important component of the fire safety program - along with all other fire safety equipment, are properly tested and maintained in compliance with all governing codes. Fire drills and evacuation assessments are conducted in each residence at least two per semester. All other equipment is inspected and maintained according to governing codes. HRL and Department of Public Safety Fire/Life Safety Division personnel randomly inspect student rooms each semester. Students are given no less than 24-hour notice of these random inspections. Residents who are found in violation of fire safety guidelines are given one day to make corrections without penalty. Candles will be confiscated and discarded immediately. The University takes seriously any deliberate defacement, tampering, or theft of fire safety equipment including fire extinguishers and exit signs. Students found responsible for such behavior may face removal from residence halls as a recommended judicial sanction.

URI Fire Safety Guidelines and Regulations...

Selections (edited) from the [URI 2012-2014 Student Handbook](#)

- **6.1 Fire Alarm.** Every resident must immediately vacate a building when a fire alarm sounds.
- **6.5 Combustible Materials.** All gas and charcoal grills, fluids, charcoal, and gas containers are not permitted in residences/residential buildings or balconies. Gasoline operated machinery, such as motorcycles or mopeds, and any other combustible items including combustible engines (regardless of their state of dismantlement), non-electric lanterns, and large combustible decorations including live Christmas trees or any part of them, are not permitted in residential units. Candles and incense are prohibited from all campus residences. The burning of any and all substances is prohibited. Violation of this policy can result in the confiscation of such materials by Campus Police or through administrative search.
- **6.6 Smoking.** Smoking is prohibited in all public and private areas within University owned or operated residence halls, houses, and apartments. Smoking is prohibited within 20 feet of all University controlled residences.
- **6.7 Emergency Exits.** Stairways, corridors, and doors are emergency exits, and objects of any type cannot be kept in these areas at any time. Objects of any type, including bicycles, left in these areas will be confiscated at owner's risk and expense.
- **6.8 Posting.** The posting of any paper, cardboard, poster, or other flammable material is

prohibited in all common areas in residential buildings, except as otherwise designated by appropriate university officials. Posting in individual residence halls can be done only with the approval of the Residence Hall Director. Memo boards and/or pads on residence hall room doors are also prohibited.

- **6.10 Appliances.** Refer to the Housing Rental Agreement for the most current regulations on appliances in residence halls. Do not wrap electrical cords around/between bed frames and/or posts. All halogen lights are prohibited. Improper extension cords and improper adapters are not allowed. This includes two-wire cords, extension cords, and non-surged protected cords of any kind. All appliances must be plugged directly into the outlet or an approved surge protected power strip.
- **7.7 Window, Wall and Carpet Coverings.** Regulation window coverings have been provided in all residence hall rooms and all common areas. These may not be replaced except by HRL. All carpets, flags, and tapestries provided by students must have a "fire spread" rating below 25 and a "low smoke generation". A certificate from the manufacturer, adhering to the above, must be available to HRL on request. Nothing can be attached, taped, or tacked to the ceiling or the electrical or fire alarm conduit on the wall or ceiling.

Selections (edited) from the Housing and Residential Life Website and Housing Agreement

- **12. Room Decoration and Maintenance.** Each resident by completing an on-line room application and receiving a corresponding room assignment assumes responsibility for the care and use of their room and its furnishings. Residents may not dismantle, refinish, paint, dye, or alter in any way the walls, floors, ceilings, windows, drapes, doors, furnishings, or other fixtures in a room or common area without specific permission from HRL. Further, repair or renovations of a room by any external sources is not permitted without the express approval of HRL. Residents may not post any paper, cardboard, poster, or other flammable material on any hallway surface. Memo boards or note pads may not be posted on the hall side of room doors. In addition, moderation should be used when decorating inside the room. Items may not be hung from the ceiling, or cover light fixtures. Tapestries or large wall hangings must be flame retardant and not cover more than 50% of total wall area within each room. Live Christmas trees and non-UL rated lights are prohibited. Candles and incense are prohibited from all campus residences. Residents may not hang, drape, or display a banner from, on, or out of balconies or windows at any time except for the purpose of official University business with prior approval from the University.
- **15. Smoking.** Smoking is prohibited in all University owned and operated residences. This includes all resident rooms and common areas. Smoking is prohibited within 20 feet of all University residences and buildings
- **17. Items Allowed in Rooms.** The following items are allowed in HRL resident rooms: an electric clock, razor, low watt hair dryer, curling iron, stereo, television, video equipment, fan, computer, UL listed iron with auto shut-off switch, non-halogen lamp, refrigerator not to exceed 5.0 cubic feet total capacity and a microwave. Drapes or blinds have been provided for each student room and may not be replaced by the student without consent of the University. Carpets may be furnished by the resident and must have a fire spread rating below 25 and be classified as low smoke generation. A certificate from the manufacturer, adhering to these standards, must be available to the University upon request.

- **Fire Safety.** Residents are expected to notify the Department of Public Safety of any potential fire and/or safety hazards and promptly report a fire of any type. All residents are responsible for reading and observing all University fire safety guidelines as posted in the University Handbook, the URI Public Safety web site <http://www.uri.edu/safety/fire.html> , and the URI Housing and Residential Life web site <http://housing.uri.edu/info/fire-life-safety.php> . All residents are expected to observe all established and communicated fire safety procedures including the participation in fire alarm or evacuation drills. Students must leave the buildings during a fire drill or be subject to disciplinary action. Fire extinguishers, alarm systems and conduit, detectors, sprinkler heads, strobes, devices, door closure hinges, and exit signs shall not be tampered with or tested by unauthorized persons, nor should anything cover, be attached to, or hung from fire safety equipment. Students are expected to help prevent false alarms and should report any tampering with fire safety equipment to their Residence Hall Director. Residents are financially responsible for charges assessed as a result of tampering with fire safety equipment, are subject to disciplinary charges, and can be arrested under Rhode Island law.
- **Prohibited Items in Residence Halls.** The following are prohibited items in HRL resident rooms: air conditioners; personally owned space heaters; quartz halogen lights; non-surge-protected extension cords; hot plates, hot pots, and coffee makers with exposed heating elements/plates; electric frying pans; electric woks; stoves; toaster ovens; grills(gas, charcoal, or electric); or any other cooking appliances. In addition, The Department of Housing and Residential Life prohibits home-made bed lofts, water beds, outside antennas, firearms, ammunition, explosives, fireworks, dangerous weapons, hazardous chemicals, gasoline, and motorized vehicles or their parts. Pets are not allowed with the exception of fish in aquariums less than 20 gallons.

URI Campus Fire Safety Resources...

University Police and Security Department – Campus Emergencies 874-2121

The URI Police and Security Department is a community policing organization. This full time policing agency investigates and prosecutes crimes occurring within its jurisdiction. The Police and Security Department oversees the Village Watch security programs focused within the residential sector of campus. The department is located on Briar Lane just east of the Kingston Post Office.

Department of Public Safety Fire/Life Safety Division

The Department of Public Safety Fire/Life Safety Division oversees all campus fire safety and code requirements at URI. This award winning department performs regular fire in inspections and random room inspection in all campus facilities; serves as the University's primary risk management agency; provides training programs and presentations to faculty, staff and students; and provides direct liaison activities with the Kingston Fire Department. The Department of Public Safety Fire/Life Safety Division is located at 177 Plains Road in the western sector of campus.

Attachment C – State of RI Rooming House Statute

TITLE 45

Towns and cities

CHAPTER 45-24.3

Housing Maintenance and Occupancy Code

SECTION 45-24.3-12

§ 45-24.3-12 Rooming house – (a) No person shall operate a rooming house, or occupy, or let to another for occupancy, any rooming house except in compliance with the provisions of §§ 45-24.3-6, 45-24.3-7, and 45-24.3-11. No owner or other person shall occupy, or let to another person, any vacant rooming unit unless it is clean, sanitary, and fit for human occupancy, and in compliance with all applicable requirements of this state and of the corporate unit.

(b) No person shall operate a rooming house unless he or she holds a valid rooming house permit issued by the appropriate authority in the name of the operator and for the specific dwelling or dwelling unit specified therein. The operator shall apply to the appropriate authority for the permit, which shall be issued only after it has been determined that the rooming house is in compliance with the applicable provisions of this chapter and with any rules and regulations adopted pursuant to this chapter. This permit must be displayed in a conspicuous place within the rooming house at all times. No permit is transferable. Every person holding a permit shall give notice in writing to the appropriate authority within twenty-four (24) hours after having sold, transferred, given away, or otherwise disposed of ownership of, interest in, or control of any rooming house. The notice shall include the name and address of the person succeeding to the ownership, or control, of the rooming house. Every rooming house permit expires at the end of the year of license following its date of issuance, unless sooner suspended or revoked as provided in this chapter.

(c) At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sewer system or septic tank, approved by the health officer and in good working condition, must be supplied for each six (6) persons, or fraction thereof, residing within a rooming house, including members of the operator's family wherever they share the use of these facilities, provided:

- (1) That in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half (1/2) the required number of water closets;
 - (2) That all these facilities are so located within the dwelling to be reasonably accessible for a common hall or passageway to all persons sharing these facilities;
 - (3) That every lavatory basin and bathtub or shower is supplied with heated and unheated water under pressure at all times;
 - (4) That no facilities are located in a basement, except by written approval of the appropriate authority;
 - (5) That cooking in a rooming unit is prohibited unless utilities are installed in accordance with applicable local and state law;
 - (6) That communal cooking and dining facilities in a rooming house prohibited, except as approved by the enforcing officer in writing; and
 - (7) That rooming unit doors have operating locks to insure privacy.
- (d) Every room occupied for sleeping purposes by one person contain at least eighty (80)

square feet of floor space, and every room occupied for sleeping by more than one person contains at least sixty (60) square feet of floor space for each occupant, and every room must also contain at least four (4) square feet of closet space per occupant with at least an unobstructed height of five feet (5'). If the room is lacking, in whole or in part, an amount of space, equal in square footage to the deficiency, be subtracted from the area of habitable room space used in determining permissible occupancy.

(e) Every rooming unit about the first floor must have immediate access to two (2) or more safe, unobstructed means of egress, appropriately marked, one of which will have a minimum head room of six feet (6') six inches (6"), leading to a safe and open space at ground level, as required by the appropriate statutes, ordinances, and regulations of this state and of the corporate unit.

(f) Every provision of this chapter, which applies to rooming houses, also applies to hotels and motels, except to the extent that any provision may be found in conflict with the laws of this state or the corporate unit.

(g) Structurally sound handrails must be provided on any steps containing five (5) risers or more. If steps are not enclosed, handrails and balusters spaced no more than six inches (6") apart must be provided. Porches and/or balconies located more than three feet (3') higher than the adjacent areas have structurally sound protective handrails thirty inches (30") to thirty-six inches (36") high, and, if unenclosed, balusters spaced no more than six inches (6") apart must also be provided. Alternate systems providing at least the same degree of safety, if approved by the appropriate authority, will be accepted.

(h) Access to or egress from each rooming unit must be provided without passing through any other rooming unit, dwelling unit, or bathroom.

History of Section. (P.L. 1970, ch. 325, § 1.)

Narragansett Ad-Hoc Committee for Student Rental Issues

Subcommittee for Rental Registration Action Plan Recommendations

The subcommittee for rental registration was formed to investigate and make recommendations regarding the current rental registration process via a range of actions; 1) listening to inputs provided by residents, landlords, impacted home owners, rental agents, property managers, Town staff, and URI staff from a number of public meetings. 2) Review of relevant reference materials accumulated over time by various individuals and groups that have been previously involved in the issue. 3) Review of the current Narragansett Rental Registration Form and the related Town Ordinances on rental dwellings. 4) Discussions among the subcommittee members and full Ad-Hoc Committee members at meetings. 5) Review of the City of Newport Rental Registration Form. 6) Review of the Narragansett-URI Coalition Action Plan, dated 02/24/2011. 7) Review of the University of Rhode Island Office of Student Life "Living in Narragansett A Student Guide for Living Off Campus" publication.

Issue #1 Over the years the town of Narragansett has experienced a number of problems associated with rental housing. Examples of these problems are late night noise, trash and garbage disposal, and parking. Also, because of the town's strong rental housing market, a recent trend has developed whereby new single family homes have been built to accommodate as many as eight unrelated persons. These 'mega' houses function more as commercial enterprises rather than single family dwelling units creating traffic and parking problems. Noise and other impacts that are not compatible with areas zoned for single family residential use. Narragansett's existing ordinances are inadequate to deal with the many and diverse issues associated with rental housing. (Taken from the Narragansett-URI Coalition Action Plan, dated 02/24/2011)

The subcommittee for Rental Registration maintains these issues described in the above narrative remain to be on-going conditions. And these have a negative impact on the quality of life for owner occupied residents in a number of neighborhoods.

Recommendations:

- 1) Revise the current Narragansett Rental Registration Form to include additional specific house information to be provided by the rental home owner, rental agent, or property manager including a notarized signature upon completion of the revised form. Information required on revised form includes; number of bedrooms, square footage of each bedroom, square footage of habitable living space etc. See the draft 1.5 of the revised rental registration form.
- 2) Revise the Town Ordinances related to the rental registration program to require the information on the proposed revised form. See the attached Town Ordinance

revision.

- 3) Appropriate Town staff complete a building code and fire safety inspection within ten business days of the issuance of the orange nuisance sticker.
- 4) Maintain the current annual rental registration fee; \$85.00.
- 5) Offer URI draft revised documents for the URI Living In Narragansett-A Student Guide for Living Off Campus in the sections for Fire Safety and Initial Condition Checklist to include a description of minimum size bedrooms, multiple means of fire egress, and location of bedrooms within the available rental homes. See attached draft documents.

Ad-Hod Committee for University of Rhode Island Student Rental Problems

Rental Registration Sub-Committee

Members; Ann Marie Silveira, Tony Columbo and Jeff Tkacs

Recommendations

All of the following recommendations, if implemented, would provide a better quality of the information in the data base of the current and future inventory of rental homes.

- Include the following in a revised rental registration form; number of bedrooms, square footage of each bedroom, and square footage of habitable living space etc.
- Require an notarized signature of the individual completing the rental registration form
- The Town develop a policy where the rental home has been self inspected by the owner or by Town staff for building code compliance
- Town administration develop a policy and procedure to inspect each home, within ten business days after the issuance of the orange nuisance sticker
- URI to include updated information regarding the minimum building code requirements for bedrooms in the Guide for Student Living Off Campus in Narragansett

This rental dwelling registration form applies to ALL rented dwelling units. This registration is for a one year period to be renewed annually in December for the following calendar year. The annual fee is \$85.00 per individual rental unit. Failure to register will result in a late fee of \$300.00. Municipal court and additional fines will result for renter occupancy of unregistered rental unit. (list the exact fine amount for occupancy of an unregistered rental unit) A separate rental registration form MUST be completed and submitted for each owned rental dwelling unit. All section below MUST be completed except for Section Four. (this must be decided to be optional or required)

INSTRUCTIONS FOR COMPLETING THIS FORM; All sections must be completely filled out. Forms not completely filled out will not be processed and will be returned for completion. Check made payable to the Town of Narragansett must be included with the completed rental registration form.

Section I

Rental Unit Property Address _____ Plat # _____ Lot# _____

(House numbers must be displayed and visible from the street)

Number of Bedrooms AND square footage of each bedroom(minimum 70 square feet for one person sleeping area, 50 square per each person in bedrooms for two persons)

Number of Bedrooms _____ Square Footage of each bedroom _____, _____, _____, _____, _____, _____

Number of Bathrooms _____ Rental Unit (please check) ___septic ___sewer ___other

Total square footage of habitable living space _____

Section II

Rental Type Please check only one; _____September to June _____Summer only _____Yearly _____September to June AND Summer _____Month to Month _____Other

Property Owner Name _____

Property Owner Address _____

Property Owner Phones _____; _____ Property Owner Email; _____

Section III

Property Manager or Rental Agent (Required if Owner is not a resident of Rhode Island per Section 34-18-22.3 of State of Rhode Island General Laws)

_____ **Please check**; The Owner resides in Rhode Island AND does NOT use a property manager or Rental Agent

Manager/Agent Name _____ Name of Agency _____

Manager/Agent Address _____

Manager/Agent Phone _____ Email _____ 24x7 Phone _____

Section IV

House Inspection

OPTIONAL (eliminate this section completely; as per inputs from the most recent public Town Hall Meeting, and the analysis of the practicality of such implementation details to this question; What will any Town Department with this information??)

OR

Please complete and submit the attached Self Inspection Housing Inspection Form

(This form to be developed by the Town Building Code/Minimum Housing staff)

Section V

Parking; List the number of off street parking spaces for this rental home occupancy _____

Section VI

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 THE NAMES OF ALL ACTIVE TENNANTS AND THIS REGISTRATION FORM, ARE TO BE POSTED INSIDE THE PRIMARY ACCESS DOOR OF THE RENTAL DWELLING UNIT FOR INSPECTION BY POLICE, ZONING BUILDING HOUSING OFFICIALS of the Town of Narragansett.

Owners Signatures _____ Date _____

_____ Date _____

Notary Statement/Seal/Signature

(Legal wording to be provided by others)

To be completed by Town staff

Received Date _____ Processed Date _____ Check # _____

Processed by _____

Town distribution of processed forms; Building Department, Tax Assessment, Town Clerk, Fire Chief, Police Chief, Other

SAMPLE

HOUSING INSPECTION REPORT

Address _____

Owner _____ Phone _____

Mailing Address _____ City _____ Zip _____

Exterior Property Area

- Exterior area is free of rubbish and garbage, tall weeds, and junk vehicles.
- Sidewalks and driveways are in good repair and free of hazardous conditions.
- Accessory structures are in good condition.
- Fences in good repair.
- Clear egresses from enclosed yard.

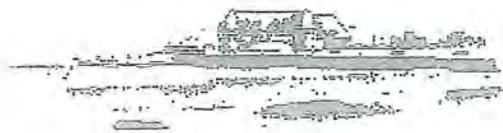
Exterior Structure

- Exterior painted surfaces are free of defective conditions such as excessive peeling.
- Assigned street numbers are visible from the street.
- Structural members are in sound condition including decorative features and overhangs.
- Foundation walls are free of open cracks and appear to be in sound condition.
- Siding is free of holes, breaks, and loose or rotten materials.
- Roof is in sound condition and does not appear to be leaking.
- Exterior stairs, decks, porches, and balconies are free of hazardous conditions and are structurally sound.
- Window and door frames are in good condition and weather tight, Glazing in sound condition.
- Openable windows are operable and will hold open position.
- Insect screens are provided for all habitable rooms.
- Doors and hardware are in good condition and operate easily.

Interior Structure

- Surfaces are clean and in good condition (no peeling paint, loose plaster, holes, tears in floor covering).
- Unit has minimum plumbing facilities in good working order, properly connected to an approved water supply and sewage system. (bathtub or shower, lavatory, kitchen sink, and water heater)
- Supplied refrigerator & stove in good condition & working properly.
- Heating facilities are in working order and properly vented if gas, oil, or wood appliance.
- Unit has minimum electrical facilities, maintained in a safe operating condition. (2 duplex type outlets per room, 1-laundry, 1-bathroom & light fixtures installed properly and where required.
- Egresses are unobstructed and provide a safe passage to the exterior.
- Handrails are installed on stairs with 3 or more risers and guard rails on surfaces more than 30 inches above finished floor/grade and in sound condition. interior exterior
- Smoke detectors are installed in the immediate vicinity of the sleeping areas and one per floor, including basements.
- Smoke detectors tested and working properly.
- Carbon monoxide detectors installed properly & working.
- Unit appears to be free of insect, rodent or other pest infestation.
- Unit complies with minimum area per occupant requirements of _____
- Lease and notice of ordinances of the city posted in accordance with _____

TO BE DEVELOPED BY TOWN STAFF



TOWN OF NARRAGANSETT

Rental Registration Form

25 Fifth Avenue Narragansett, RI 02882

Tel (401) 782-0613 Fax (401)782-0620

Email: rentalregistration@narragansettri.gov

Rental Dwelling Registration
For all Rented Dwelling Units

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: _____ Fee Due: _____ (\$85.00 per unit)

Please make checks payable to Town of Narragansett and remit to address above.

Type of Rental (PLEASE CIRCLE ONE): September-June, Summer, Sept-June & Summer, Yearly or Not a Rental

Owner: _____
Billing _____
Address: _____

Home Phone _____
Work Phone _____
Email _____

Out of State Landlords must have an instate contact for the rental dwelling per Section 34-48-22.3 of the State of Rhode Island General Laws

Name of Agency _____
Contact Name _____
Address _____

Phone _____
Email _____

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 tenants records or send a self addressed stamped envelope and we will mail you a receipted copy.

Owner(s) /Agent Signature _____

Date _____

Registration Form Ordinance Article XVI Rental Dwellings

Existing Section 14-518 Registration

- A) Required. No rental dwelling/unit shall be let, leased or otherwise permitted to be occupied in whole or in part, by a tenant for residential and/or dwelling purposes unless and until the record owner has registered such property with the building inspector.
- B) Form. The rental registration form shall include the Tax Assessors plat and lot number, address of the rental dwelling/unit, statement of proper display of house number, the number of dwelling units therein, the number of bedrooms, the square footage of each bedroom, statement of minimum square footage, the total of habitable living space square footage, the type of sanitary service system, the number of bathrooms, name, mailing address, email address and phone numbers of the owner of record, the type of rental dwelling/unit period of occupancy of tenants; September to June, summer only, yearly, September to June AND summer, month to month, or other. In addition, the name, mailing address, email address and phone numbers, including a twenty-four hours, seven days a week phone number for any leasing rental agent and/or property manager. The form shall include instructions to be followed to complete the form and the completed form shall be notarized. The form shall also include identification of the specific Town Department staff processing the form and a list of the Town Departments the completed processed form was distributed.
- C) Filing date; term. On or before December 31 of each year, the record owner of the rental dwelling/unit shall file the completed rental registration form with the registrar, which registration shall be valid for a one year period from January 1 to December 31 of the following year. If the property is registered during the calendar year, the registration shall be valid until December 31 of that same year.

URI Office of Student Life Living in Narragansett

A Student Guide for Living Off Campus

Recommended additions to this URI publication

Chapter 1 Living Off Campus-Fire Safety Tips

Know all possible bedroom escape routes and practice them with all roommates. Know how to get out of every room in your house in case of emergency, especially each bedroom. Basements with habitable space, recreation rooms etc. **AND EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPENABLE EMERGENCY ESCAPE AND RESCUE WINDOW OR EXTERIOR DOOR OPENING FOR EMERGENCY ESCAPE AND RESCUE. ALL EMERGENCY AND RESCUE OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 4.4 SQUARE FEET.** There must be two exits, windows and doors and safe cleared way out in case of fire.

Bedroom Inspection Questions

- 1) Do I have to pass through another bedroom or other room to safely exit in case of fire?
- 2) Can I or a rescue responder “fit through” the exterior escape window?
- 3) Does my bedroom appear to have been formerly a garage, breezeway, or divided and split from a larger bedroom?
- 4) Is my bedroom in an attic, or basement?
- 5) Does my bedroom have a minimum of 70 square feet for one person and minimum of 50 square feet for each of two persons sharing a bedroom?
- 6) Are the working fire, smoke, carbon monoxide detectors in the house AND warning sounds and light can be heard and seen from within my bedroom?
- 7) Are there window grates, bars, screens or other security devices installed that would impede my escape in case of fire? Example; security devices on the escape windows that would have to be removed only from the outside?
- 8) Is the bottom sill of the escape window no more than 44 inches above the floor?
- 9) Have I determined and practiced an escape route from my bedroom?

Narragansett Ad-Hoc Committee General Recommendations Draft 1.0

The following are recommendations/actions that are generally speaking outside of the three subcommittees work. They result from a variety of inputs; comments from the public at meetings, the dialogue among Ad-Hoc Committee members at meetings, other areas of conversations and further analysis concepts that have been uncovered in trying to understand the complexity of the URI student rental issues.

These are obviously items that would require much deeper level of analysis by the Council and various impacted administrative departments. It is not the intent of this draft for these to be representative of any exhaustive review on implementation. Some of these are spin-offs from the Narragansett-URI Coalition Action Plan 2011 and are being brought forward as recommendations having not been fully implemented.

- 1) Town Council authorize a specific work group of Town Staff, URI Executive Staff, and elected officials(s) to continue/initiate a dialogue to address the student rental situation impacting specific Narragansett neighborhoods. Example, the Town and the University discuss options and action plans to develop additional campus housing and therefore reduce the need for off campus housing and URI paying for police overtime.
- 2) Town Council authorizes and directs a task force to investigate the feasibility of development of a residential rental license program. Coalition 2011 recommendation. Example; development of licensed residential zone(s) applicable to any home of four or more bedrooms in typical residential zones and applicable license regulations.
- 3) Town Council continues to work with various neighborhood and advocacy groups, Narragansett 2100 as an example, to seek solutions to the student rental issues.
- 4) URI develop in conjunction with Narragansett officials a required off campus living seminar, possibly for partial academic credit, to provide a comprehensive living guide for a student's responsibility of living off-campus. Coalition 2011 recommendation.
- 5) URI develop a methodology to communicate its policies and procedures on code of student conduct for students that have been arrested for actions in Narragansett and regularly report this in Council Executive Session, acknowledging and respecting all student confidentially rights.
- 6) Narragansett government/elected officials report to the residents, in open session, twice a year the progress of actions completed, pending etc. of various student rental issues.
- 7) Narragansett Police Department consider what state of the art community policing programs exist, increased cooperative police presence options, and other neighborhood watch type programs there are relieve resident/student tensions.
- 8) Narragansett government consider developing a method to communicate the on-going problems and concerns of the government, URI and the town residents to the non owner

occupied rental home owners; perhaps in conjunction with the existing rental registration program.

- 9) Town consideration of enacting a moratorium on rental housing registration. Example, for a two year period, no additional rental homes can be added to the registration inventory. Town utilizes unpaid student interns to conduct an administrative audit of the rental registration form and assessment records. Town conduct field inspections of the homes identified as the most egregious in the student rental focus areas; example, Eastward Look

June 24, 2014

Parking Sub-Committee Recommendations

There has been an increase of people/tourists coming to Narragansett, particularly in the summer months. It is understood that these visitors help support Narragansett's economy. However, Narragansett now has an escalating parking issue, which must be addressed. More municipal parking needs to be created in the high tourist areas around the Town.

In addition, the parking issues also exist in the winter months due to the great amount of students who rent in the town, often in houses where the available parking exceeds the amount of students who are allowed to reside there.

Currently, people are parking their vehicles, in some cases unregistered vehicles, on any and all surfaces on their property.

Our current ordinance Article II Section 74-35 (a & b) regarding parking states:

(a) Parking restrictions on specific streets adopted by the town council shall not be printed in this Code, but shall be placed on file in the town clerk's office. The town clerk shall maintain a list of all parking restrictions and regulations approved by the town council. The town council is further authorized to designate areas of the town where parking is prohibited as tow-away zones. The owner of any motor vehicle, which is towed away from a tow-away zone, shall be liable to the town for all costs and expenses as set forth in [section 74-36\(b\)](#) below.

(b) Suitable and conspicuous parking signs are to be installed by the department of public works on the specific streets where parking is regulated by town council action. All amendments to the list of parking restrictions and regulations on specific streets shall be made by resolution of the town council; provided, however, that no such resolution shall be adopted at the meeting at which it is introduced but shall, rather, be referred to a subsequent regular or special meeting at least seven days thereafter for a vote.

(Code 1986, § 19-30; [Ord. No. 999, § 1, 6-2-2014](#))

This ordinance supports the town's model vision of a clean and nuisance-free environment for all neighborhoods. Aesthetically, we all want to keep our town looking beautiful and friendly. So, why then, is this ordinance not being enforced as far as people parking on grassy (lawn) surfaces?

Many towns, both large and small, have banned parking on lawns: Boston, MA; Palmyra, NJ; San Jose, CA; Winston-Salem, NC; Charlotte, NC, Portland, TX, Michigan City, IN, Fairfax County, VA, Austin, TX and Burlington, VT, to name just a few. See Exhibit #1

1. Definition of a Resident

Narragansett has more than one definition of a Resident. The definition should/ shall be the same for all Town purposes. For example:

a) Narragansett Town Beach Pass

In order to qualify as a Resident for a Narragansett Town Beach Pass one must own property and pay taxes of at least \$800 a year OR one must have a 12 month lease with utility bills in their name, with their Narragansett address.

b) Parking Pass for areas where permits are required.

According to Town policy, registered landlords are eligible to obtain up to four (4) transferrable short-term rental parking permit(s) for all tenants leasing a property for a term of less than 6 months. Rental parking permits are to be hung temporarily from the rearview mirror of tenants' vehicles while they occupy the property; landlords are required to collect them from their tenants at the end of their occupancy to be transferred to subsequent tenants.

2. Definition of Taxpayer and a Bona Fide Resident

a) Narragansett Town Ordinance Sec. 82-41 defines a Taxpayer as any person owning property and paying local real property taxes of at least \$800 a year.

b) The same ordinance defines a Bona Fide Resident as any person, who has established legal residence in the town, i.e., has a 12-month lease with utility bills in their name, with their Narragansett address.

Recommendations from the Parking Sub-Committee are as follows:

A. Parking for Overflow

Only Narragansett Residents (Taxpayers and/or Bona Fide Residents) shall obtain parking permits for free. Acceptable proof of residency for a Taxpayer and/or Bona Fide Resident shall be the same as the Narragansett Town Beach Pass policy. See Exhibit #2

1. Two (2) parking passes shall be issued to taxpayer and/or bona fide residents at each Narragansett address where permits are required.
2. Up to four (4) parking passes may be issued to taxpayer and/or bona fide residents at each address, **if the cars are registered and insured to the Narragansett address.** Should a landlord/taxpayer have their vehicle registered to an address other than the Narragansett property

- (out of town or out of state registration), they shall be entitled to 2 parking permits (or up to four (4) for taxpayers vehicles only)
3. There shall be a charge of \$175 if a permit must be issued to anyone that is not a Narragansett Resident.
 4. Four (4) Hangtags for businesses (that have street frontage where parking permits are required) can be issued at the discretion of the Town Manager and/or the Narragansett Police Chief.
 5. By limiting the number of parking passes this reduces traffic congestion, traffic overflow, and overcrowding of homes.

Please note that when researched, most RI communities, as well as communities in other states, charge for parking permits for cars that are not registered to the address. For example, Providence charges \$200.00 for cars registered outside of Providence. See Exhibit #3

B. Parking Restrictions

1. No parking on any grassy surface. With an Ordinance that restricts parking on any grassy surface, this will protect the values of homes, prevent underground damage and stop the degradation of the aesthetic appearance of single-family residential areas as well as any environmental hazards. See Exhibit #5. The current Narragansett Ordinance states:

“Plans and specifications for the required off-street parking facility and its access drives shall be submitted with the application for site plan review, pursuant to [section 18](#) of this ordinance, or, if site plan review is not required, with the application for a building permit for the main use. Each car space shall be at least 8½ feet wide and 18 feet long and shall be served by suitable aisles to permit access to all car spaces. In no case shall the gross area of the facility be less than 270 square feet per car space, except in single-family areas where there shall be no less than 200 square feet of gross area per car space.

The facility shall have a dust free, hard surface, either pervious or impervious, and shall be provided with bumper guards where needed”.

Cross reference— Traffic and vehicles, [ch. 74](#).

2. **Narrow Street Parking**
Allow parking on only one side of narrow streets. This will allow appropriate access and navigation for emergency vehicles and larger trucks.
3. **New/Renovated Homes parking areas**

All new construction or homes that are to be renovated must comply with the current Narragansett building codes for parking. Currently, the ordinance states that 200 square feet per bedroom is required for parking. Two (2) vehicle spaces would be the minimum per property. A permit for a driveway must be issued to match the number of bedrooms in the residence.

4. No Parking on Town Easements and/or any Town owned property all Town properties will prohibit parking, particularly overnight parking, and on any Right of Ways, easements, etc.
5. All roads (Town and/or State roads) **must be enforced for NO OVERNIGHT PARKING/OCCUPANCY Ordinance Sec 46-6**. This means no person/persons shall be sleeping in any type of vehicle overnight ie. Car, truck, bus, motorhome, camper, boat on trailers, etc. This is critical, especially in the summertime. Various areas such as Ocean Road and Galilee areas have had people sleeping overnight in vehicles. **Ordinance Sec. 46-6 Fine \$100.00**
6. Removal ***of vehicles parked in excess of twenty-four hours***. No motor vehicle shall be ***parked*** upon any highway/road under the jurisdiction of the state traffic commission for a continuous period in excess of twenty-four (24) hours. Any law enforcement officer, state or municipal, may order the removal of the vehicle by towing. Any charges incurred for the towing shall be recoverable from the owner of the vehicle by the state or the municipality paying for the towing by civil action commenced in the district court for the district in which the illegal parking occurred. The civil action shall not be available, however, if the owner of the vehicle pays the towing charges directly to the person who furnished the towing services. This currently is a RI State Law TITLE 31 CHAPTER 31-21 STOPPING, STANDING, AND PARKING RESTRICTIONS SECTION 31-21-10.1 THIS MUST BE ENFORCED!!! See Exhibit #4
7. More signage is needed in 'No Parking' and '2-Hour Parking' zones throughout the Town

C. Parking Violation Penalties

1. The Town should review all parking violation penalties. They should be the maximum RI state law allows.
2. Create an Ordinance that states if a vehicle is parked in a Handicap, No Parking Zone, 2 Hour Parking Zone, that is in violation, the vehicle shall be towed at the owner's expense.

In closing, the Parking Sub-Committee recommendations, along with the recommendations from the Zoning and Rental Registration Sub-Committees wants the best for every resident and individual to enjoy our town and be proud of it. Quality of

life is important for EVERYONE. In order for this proposal to work from all 3 committees ENFORCEMENT is the key. With that being said, we all want to make Narragansett a more beautiful and friendly Town for all.

Exhibit #1

ZERO TOLERANCE POLICY

The Zero Tolerance Policy of the Boston Police is an aggressive proactive Police response to complaints from the neighborhoods of rowdy and drunken behavior, vandalism, assaults, destruction to property and loud parties. The Policy is also a proactive method of addressing the safety concerns of all the residents of the community. The Zero Tolerance Policy is directed to all citizens that engage in unlawful and criminal activities in the community.

The most common complaints deal with minors drinking in public. Public drinking in Boston is a crime and anyone drinking in public will be arrested. Another complaint is loud and disruptive parties. Again minors are fueled by alcohol and become disruptive in the neighborhoods by playing loud music and yelling and screaming. This constitutes disorderly conduct and is a crime in Massachusetts and anyone committing disorderly conduct will be arrested.

Individuals that host these loud parties will be arrested for keepers of a disorderly house and all persons listed on the lease will be either arrested or summoned into Court. Any person that is injured as a result of being supplied with alcohol, the person supplying the alcohol can face both criminal and civil penalties.

The Zero Tolerance Policy is implemented so all of our residents can enjoy their community without having to be subjected to assaults, vandalism and Breach of the Peace complaints. Arrests for all violations will be swift. You can assist the Boston Police in securing the tranquility of your neighborhood by being a good person and responsible neighbor. Enjoy all that the City of Boston has to offer, but remember any and all violations of law will be strictly enforced.

Apartments, Illegal Lodging Houses

The State Building Code prohibits a landlord from renting a unit to more than five unrelated lessees, unless the building is licensed as a lodging house. The remedy for overcrowding could be eviction of all parties. Check out the building first, before you rent.

District 14 of the Boston Police Department has developed a working partnership with the City of Boston Inspectional Services Department which enforces this law.

If you choose to rent from a landlord who allows more than five unrelated individuals in a single unit, keep in mind that the results may be that you're evicted.

For further information contact

City of Boston Licensing Board 617-635-4170 (Lodging Houses)
City of Boston Inspectional Services 617-635-5300
Boston Police, District 14 Community Service Office 617-343-4376

No Parking Front Yards

City of Boston Ordinance 16-46.3b

Yard Parking - Any person who violates any section of the Boston Zoning Code, as it may be amended, through the use and occupancy of land, building or structure in a residential zoning district as defined in the Boston Zoning Code for the purpose of parking motor vehicle on any *front yard, side yard or rear yard* as defined in the Boston Zoning Code Article 2A shall be in violation of CBC 16-46. Each day a violation occurs or remains unremedied shall be considered a separate violation.

City of Boston Ordinance enforcement: 16-46.4

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N.J. town bans residents from parking on their lawns

(http://www.nj.com)

comments

Print (http://blog.nj.com/ledgerupdates_impact/print.html?entry=2011/12/nj_town_bans_residents_from_pa.html)
 Star-Ledger (<http://connect.nj.com/user/njoscnd/index.html>) By Star-Ledger Continuous News Desk
 Continue (<http://connect.nj.com/user/njoscnd/posts.html>)
 News Follow on Twitter (http://twitter.com/nj_news)
 December 15, 2011 at 8:12 AM, updated December 15, 2011 at 8:28 AM



A map view of Palmyra, where residents will no longer be able to park cars on their lawns.

PALMYRA
 (<http://www.nj.com/palmyra>) — Residents in Palmyra will no longer be able to park cars on their lawns, according to a report on [PhillyBurbs.com](http://www.phillyburbs.com)

(http://www.phillyburbs.com/news/local/burlington_county_times_news/palmyra-bans-parking-on-grass/article_8065b278-a141-5c9f-9b8d-1e53197e665f.html).

The council passed the ordinance after receiving numerous complaints from residents about neighbors leaving vehicles on the grass. Mayor Karen Scheffler told the Burlington County Times the ban was implemented for "aesthetic reasons."

Violators are subject to a fine of up to \$1,000 when enforcement begins June 1.

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What will happen then?

Eventually the car may be towed, but it is a long process. The City must send a written, 30-day notice to the registered owner of the vehicle and the owner of the property. This is followed by a 10-day notice.

What if the car is pushed onto the street?

To report an inoperable vehicle on the street, call 277-5305. You will hear a recording that will ask you for the license plate number, if any, the address, cross street, color of the vehicle, and description. A Vehicle Abatement Officer will investigate the next time they are in the district.

If you would like to report a violation, please provide the following information:

- 1 your name, address, and daytime telephone number;
- 1 the address where the motor vehicle is parked on the lawn;
- 1 the license plate number of the vehicle;
- 1 the location on the lawn;
- 1 whether the vehicle appears operable or inoperable.

If you have more than 3 addresses to report, we ask that you supply the above-requested information by mail or by fax. Thank you for helping us keep the cost of this program low.

Para mas informacion,
por favor llame (408) 535-3555

For more information
call (408) 535-3555

SAN JOSE
City of San Jose
Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113-1905

Lawn Parking Ordinance



City of San Jose
Dept. of Planning, Building and Code Enforcement
Code Enforcement Division
170 W. San Carlos Street
(408) 277-4528
(408) 277-3290 fax

Why did the City Council enact this Ordinance?

The City Council enacted the Lawn Parking Ordinance in response to complaints from citizens that motor vehicles parking on lawns created visual blight in the neighborhood, lowered property values, and, in some cases, created a safety concern.

What exactly does the Ordinance prohibit?

The Ordinance prohibits parking any motor vehicle (including automobiles, trucks, boats, campers, recreational vehicles, and motorcycles) on any portion of a front yard or corner lot side yard except on an area that is paved.

What is a "paved surface"?

A "paved surface" can be cement, brick, asphalt, paver, etc. It should be installed so it does not drain onto neighboring property. It is *not* a paved surface if only the areas under the tires are paved. In some areas of town there are existing strips of cement leading to a parking area - this is *ok* but will not be acceptable for new installations.

Where may I park my car?

Cars may be parked: in the garage; on the driveway or any other paved surface, except the public sidewalk; in side yards that are not adjacent to a street if no required exits from the house are blocked; in the rear yard if 60% of the yard area remains open space; and on the street as long as they are moved every 72 hours.

What about my travel trailer or my kid's bicycle?

Another ordinance, the Zoning Code, prohibits storing your trailer in the front setback of your property. The Lawn Parking Ordinance does *not* prohibit parking a bicycle or tricycle on the lawn.

How is the Ordinance enforced?

When Code Enforcement receives a complaint, a letter will be sent to the registered owner of the vehicle and, if different, the owner and occupant of the property. The letter will give the vehicle and/or property owner ten days to locate an alternative parking space for the motor vehicle.

Why should the property owner be held responsible if his tenant parks on the lawn?

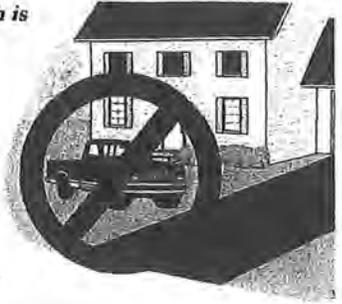
Generally, property owners are responsible for any code violation on their property. The property owner also is the only one who can authorize paving for any additional parking.

What happens if the vehicle is not moved?

If the vehicle is not moved, an Administrative Citation will be sent to the registered owner of the vehicle and may also be mailed to the property owner. This citation is similar to a parking ticket in that the person receiving the notice may pay the fine without going to court. This is *not* a criminal citation.

How much is the fine?

The fine is \$25.00, but a new citation may be issued every day that the vehicle is discovered parked on the lawn.



What if the citations are ignored?

If the owner ignores the citations and refuses to move the vehicle, the City could issue a Compliance Order which carries fines up to \$2500 per day, plus administrative costs.

What if I pull my car onto the lawn to wash it? Will I be cited for that?

No. Neighbors won't complain if this is just a temporary situation or infrequent occurrence. The Ordinance is designed to prohibit someone from routinely parking his or her car on the lawn.

What if my neighbor has an old junk car up on jacks but it's stored on his driveway, not his lawn?

There is another City Ordinance that prohibits storing inoperable vehicles in driveways or front yard. Call the Vehicle Abatement Unit, 277-4528. Be sure you state that the vehicle is on private property. You will need to provide the correct address, a description of the vehicle, and the license plate number, if available. *Note:* The vehicle has to be inoperable (missing essential parts like the engine, transmission, or wheels); no action can be taken if the vehicle is only unregistered, not used, or looks ugly.

Parking on Front Lawn

* The Parking on the Front Lawn ordinance prohibits parking in front and side yards lots, except on improved driveways or parking pads.

What does the ordinance prohibit?

Parking of vehicles in front yards and side yards of a corner lot, except on an improved driveway or parking pad.

Where does the ordinance apply?

The ordinance applies to single-family detaches, duplex, triplex and quadraplex dwelling units.

Are there exceptions to the ordinance?

Exceptions to the ordinance will apply when no parking is allowed on adjacent streets and the principal dwelling is less than 20 feet from the abutting street or the lot width is less than 25 feet. Additionally, special family events or social gatherings occurring no more than once a week will be exempted from the ordinance.



What is the purpose of the ordinance?

The ordinance supports the City's model vision of a clean and nuisance-free environment for all Charlotte neighborhoods.

What is the background of the ordinance?

During the November 2001 Neighborhood Summit and the 2002 Neighborhood Summit, residents shared concerns about the long-term impact of vehicles parked on front lawns in their communities. These concerns were included in the City's vision for the development of model neighborhood standards. The desire for an ordinance was included as a component of model neighborhood status within the Model Neighborhood Standards at a Glaring publication adopted by City Council in December 2002.

What is the effective date of the ordinance?

The ordinance became effective April 1, 2004.

What is the penalty for violating the ordinance?

The ordinance carries a \$25 fine with possible vehicle towing upon a 4th occurrence. The fine will be imposed beginning May 1, 2004.



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Features

ORDINANCE AMENDING CHAPTER 42, ARTICLE IV ENTITLED STOPPING,
STANDING AND PARKING

BE IT ORDAINED by the City council of the City of Winston-Salem as follows:

Section 1: Sec. 42-173 Reserved is hereby written to read as follows:

Sec. 42-173 Parking of certain vehicles prohibited on front lawns.

* (a) It shall be prohibited for any person owning or having control of a motor vehicle, water craft, non-motorized camper or any trailer designed to either be pulled by a motor vehicle or to carry a water craft, camper or motor vehicle to park or allow to be parked at any time in the front yards (between a line drawn parallel to the street from the point of the dwelling that is closest to the street and the improved road surface) other than on an improved driveway or improved parking pad that is a minimum of ten feet in width. Additional continuous improved area may be provided but the total improved parking and driveway area shall not exceed 30% of the front yard area. Pre-existing improved driveways and pre-existing improved parking pads that exceed 30% of the front yard area, upon adoption of this ordinance, shall be exempt from the front yard size limitation. Improved parking and driveway areas shall be maintained in a safe and sanitary condition and shall not contribute to soil erosion or tree damage. Improved parking and driveway area shall be installed so as to avoid creating standing water conditions, diverting runoff onto neighboring property or adversely impacting storm water quality.

(b) Application.

(1) This ordinance shall apply only in a No Parking on the Lawn Area.

- a. Designation. Any person or persons owning property within the proposed No Parking on the Lawn Area must submit a petition to the Community and Business Development Department.
- b. Petition form. The petition for designation of a No Parking on the Lawn Area may be placed on a form or in a format approved by the City Council.
- c. Petition requirements. A petition for designation of a No Parking on the Lawn Area must be favorably signed by at least 70% of the property owners/tenants located within the proposed area. The name, address, and telephone number of each signing property owner/tenant must be provided in the petition as of the date the petition was signed. The petition must describe adequately the boundaries of the proposed No Parking on the Lawn Area by using street names and permanent markers, where such exist, and must provide the name and the number of dwelling units for each multi-family property within the proposed No Parking on the Lawn Area.

- d. Petition approval. Upon submission of a valid petition for designation of a No Parking on the Lawn Area, the petition shall be considered by City Council. A public hearing shall be held prior to consideration by City Council. Notification of the public hearing shall be by first-class mail to property owners/tenants within the area. The Community and Business Development Department will create and mail the letters to the property owners/tenants in the area. Postage and letter costs shall be paid by the petitioner.
- (2) Denial or Revocation of Petition for Designation of a No Parking on the Lawn Area.
- a. The City Council may approve the petition as requested or deny the same, in whole or in part, by modifying or restricting the No Parking on the Lawn Area due to: (1) public comment; or (2) the revocation of a prior approved Parking on the Lawn Area petition submitted by the petitioner; or (3) the existence of unverified or disputed signatures on the petition, or the existence of false or disputed information in the petition.
- b. The City Council, upon the written request and after a public hearing, may revoke a No Parking on the Lawn Area petition that was previously approved if: (1) the petitioner or more than 50% of the residents within the No Parking on the Lawn Area submit a petition to revoke the previously approved petition; or (2) the signatures on a petition previously approved by City Council are determined to be forged or manufactured; or (3) other material information, as determined by City Council, on the previously approved petition is determined to be false; or (4) the petitioner made a material misrepresentation, as determined by City Council, that City Council relied upon in granting the petition.
- (3) No Parking on the Lawn Areas shall only apply in RS, RSQ, and RM zoning districts.
- (c) For purposes of this section, "improved" means surfaced with asphalt, concrete, brick or other suitable pavers. Gravel or crushed stone may be used if gravel is at least two inches deep throughout the vehicular use areas and the vehicular use area has a visible and definable edge made of landscape timbers, metal edging, vegetation such as low shrubs or decorative grasses or similar technique to distinguish the vehicular use area from the front or corner side yard.
- (d) The departments authorized to enforce the provisions of this section shall be designated by the City Manager or his designee.
- (e) For purposes of the section, proof that the vehicle is owned by the person cited for a violation at the time of the alleged violation, shall constitute prima facie evidence that the vehicle was parked or left standing at the place charged by the owner; but, the owner shall have the right

to introduce evidence to a person designated by the City Manager showing that the vehicle was parked in violation of this section by another person without his consent.

(f) Exceptions.

- (1) The provisions of this section shall not apply to emergency and public service vehicles whose operators are performing services for which they are responsible, nor do these prohibitions apply to vehicles belonging to persons under contract with the city to perform a public service. These exceptions, however, shall apply only when an emergency situation requires that such vehicles park in the prohibited areas.
- (2) The provisions of this section shall not apply to moving vans and moving vehicles whose operators have been engaged to perform and are performing moving services including but not limited to loading and unloading the vans or vehicles.

 (g) Parking in the front yard on an unimproved surface may be allowed for a special event or circumstance but will require a permit issued by the Community and Business Development Department for such event or circumstance. Permitted events will be limited to two per calendar year, per residence.

Section 2: Sec. 42-175 is hereby amended by adding the following subsection:

Sec. 42-175. Civil penalties of violations of parking ordinance.

-  (11) Violations of section 42-173 (parking of certain vehicles prohibited on front lawns) - \$25.00 each vehicle.

Section 3: This ordinance shall become effective upon adoption.



City of Burlington, Vermont

Code Enforcement / 645A Pine Street / PO Box 849 / Burlington, VT 05402-0849 Phone: 802-863-0442 / Fax: 802-652-4221

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Parking on lawns, yards, walkways, greenbelts and right-of-ways is prohibited by City Ordinance Sec. 20-62, 20-156 and other regulations.*

(*Parking allowed on yards during declared parking ban.)

Why enforcement of the lawn parking ban is important: Preserving outside green space like lawns, sidewalk "green belts" and tree and planting areas is important because they beautify our neighborhoods, muffle noise, clean the air, give oxygen, slow down storm water and make a healthy environment for all of us. Erosion of green space has been shown to increase run-off of toxic products. This "non-point source pollution" has been cited by the EPA as a major contributor to pollution of lakes and waterways. Preservation of grassy areas helps to keep Lake Champlain clean and healthy. Please do your part for the Lake!



Please help preserve Burlington's green and open spaces!

Vehicles In Violation are Subject to Towing and Fines Apply.

Please phone our office at (802)863-0442 if you have questions or need assistance - we are here to help. We appreciate your cooperation.

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Narragansett, Rhode Island, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 74 - TRAFFIC AND VEHICLES >> ARTICLE II. STOPPING, STANDING AND PARKING >>

ARTICLE II. STOPPING, STANDING AND PARKING ¹²¹

Sec. 74-26. Authority of town manager to prohibit parking.

Sec. 74-27. Manner of parking.

Sec. 74-28. Parking during winter months.

Sec. 74-29. Parking near intersections.

Sec. 74-30. Parking on crosswalks and fire lanes.

Sec. 74-31. Parking in loading zones.

Sec. 74-32. Parking near driveways.

Sec. 74-33. Parking on sidewalk.

Sec. 74-34. Parking spaces for the handicapped.

Sec. 74-35. Specific streets parking regulations.

Sec. 74-36. Towing of illegally parked vehicles.

Sec. 74-37. Stop signs.

Secs. 74-38—74-55. Reserved.

Sec. 74-26. Authority of town manager to prohibit parking.

The town manager shall have the authority to declare a total or partial ban on the parking of any vehicle on the public highways of the town when in his opinion the public safety of residents of the town is or will be jeopardized.

(Code 1986, § 19-21)

Sec. 74-27. Manner of parking.

The right wheels of all parked vehicles, as determined by sitting in the driver's seat, shall be within 12 inches of the curb or, in the absence of curbing, within 12 inches of the edge of the paved surface. On unpaved roads, vehicles shall park so as not to interfere with free flow of traffic in both directions at the same time. This right wheel provision does not apply to public highways when the direction of traffic is restricted in one direction.

(Code 1986, § 19-22)

Sec. 74-28. Parking during winter months.

- (a) There shall be no parking on either side of any public street or highway within the town from November 15 to April 1 of each year when a traveler's advisory, winter storm warning, or winter storm watch has been issued by the National Weather Service. This restriction shall remain in effect for a period of 24 hours after the lifting of any such traveler's advisory, winter storm warning, or winter storm watch by the National Weather Service.
- (b) Any vehicle parked in violation of this section shall be towed away, and the owner of such vehicle shall be liable for the cost of towing, storage and other incidental expenses in connection with such towing and shall be fined in accordance with section 74-4.

(Code 1986, § 19-23)

Sec. 74-29. Parking near intersections.

There shall be no parking either side on a public highway within 25 feet of an intersection with another public highway.

(Code 1986, § 19-24)

Sec. 74-30. Parking on crosswalks and fire lanes.

There shall be no parking on pedestrian crosswalks or school crosswalks or fire lanes indicated by white painted guide lines.

(Code 1986, § 19-25)

Cross reference— Fire prevention and protection, ch. 26.

Sec. 74-31. Parking in loading zones.

There shall be no parking against any curb marked by white paint designated by signs as a loading zone.

(Code 1986, § 19-26)

Sec. 74-32. Parking near driveways.

There shall be no parking on any public highway so as to directly or indirectly interfere with the complete use of any private driveway running from such highway.

(Code 1986, § 19-27)

Sec. 74-33. Parking on sidewalk.

There shall be no parking on any sidewalk in the town.

(Code 1986, § 19-28)

Cross reference— *Streets, sidewalks and other public places, ch. 66.*

Sec. 74-34. Parking spaces for the handicapped.

No person, other than an ambulatory handicapped person, shall park a vehicle in a parking space designated for the handicapped. All handicapped parking areas shall be designated by signs and are tow-away zones.

(Code 1986, § 19-29)

Sec. 74-35. Specific streets parking regulations.

- (a) Parking restrictions and regulations on specific streets adopted by the town council shall not be printed in this Code, but shall be placed on file in the town clerk's office. The town clerk shall maintain a list of all parking restrictions and regulations approved by the town council.
- (b) Suitable and conspicuous parking signs are to be installed by the department of public works on the specific streets where parking is regulated by town council action. All amendments to the list of parking restrictions and regulations on specific streets shall be made by resolution of the town council; provided, however, that no such resolution shall be adopted at the meeting at which it is introduced but shall, rather, be referred to a subsequent regular or special meeting at least seven days thereafter for a vote.

(Code 1986, § 19-30)

Cross reference— *Streets, sidewalks and other public places, ch. 66.*

Sec. 74-36. Towing of illegally parked vehicles.

- (a) The chief of police, or his representative, shall have the authority to cause an illegally parked vehicle to be towed away by a licensed towing service to the premises operated by such service if in his opinion the public safety or residents of the town is or will be jeopardized. The applicable fine and all costs of towing and storage must be paid by the owner or operator of such vehicle before such vehicle is released.
- (b) The owner of any motor vehicle which is towed away from a public highway, or who abandons any motor vehicle on any public highway, or private property other than his own in the town, shall be liable for all costs and expenses incurred for such towing. The owner of such abandoned motor vehicle shall receive written notice of the towing expenses, and failure to pay such towing expenses within ten days of written notice shall be punished by a fine, upon conviction, not in excess of \$500.00, or imprisonment for not more than 30 days, and/or 20 hours community service.

(Code 1986, § 19-31)

Sec. 74-37. Stop signs.

- (a) Any person operating a motor vehicle upon approaching an intersection marked by a stop sign shall bring such motor vehicle to a full stop at such intersection before entering the intersection.
- (b) Suitable and conspicuous stop signs shall, under the supervision of the director of public works, be placed at all such intersections on town highways as shall be designated from time to time by the town. The specific intersections of the town which are designated as stop intersections are not printed in this Code, but shall be on file in the town clerk's office. The town clerk shall maintain a list of all designated stop intersections, and an official stop sign map which shall designate the location of all stop signs approved by the town council. All amendments to the list of designated stop intersections and the official stop sign map shall be by resolution of the town council.
- (c) All requests for changes to the official stop sign map and the list of authorized stop signs maintained in the town clerk's office shall, prior to being placed on the town council agenda for review by the town council, be reviewed by the town manager and any department head that the town manager believes to be necessary in order to make a recommendation to the town council. The town manager shall make a report and recommendation to the town council on all requests for changes to the official stop sign map and the list of authorized stop signs.

(Code 1986, § 19-32)

Secs. 74-38—74-55. Reserved.

FOOTNOTE(S):

-- (2) --

State Law reference— *Stopping, standing and parking, G.L. 1956, § 31-21-1 et seq.; violation of parking regulations, G.L. 1956, § 12-14-12; payment of fines, G.L. 1956, § 45-6.1-1 et seq.; violation of parking regulations, G.L. 1956, § 12-14-12; payment of fines, G.L. 1956, § 45-6.1-1 et seq.; removal of vehicles, G.L. 1956, § 31-22-13 et seq.*
[\(Back\)](#)



Restricted Front/Side Yard Parking

City of Austin Application Packet

*This review process supports Imagine Austin, our plan for a vibrant, livable, connected Austin.
Para información en español llame al (512) 978-4000.*

PURPOSE:

A The intent of the ordinance is to prohibit a person from parking a motor vehicle in the front or side yard of a residential property except in a driveway or a paved parking space depicted on an approved site plan (which is usually shown on a subdivision plat).

ORDINANCE REFERENCES:

Specific ordinance requirements can be found in: **Section 12-5-29** of the City Code.

HOW THE PARKING ORDINANCE WORKS:

1. The parking regulations are applicable to areas on the Restricted Parking Area Map approved by City Council. All changes to the map occur by action of the Council.
2. **Neighborhood Associations or Neighborhood Plan Contact Teams** requesting inclusion on the map may send a request to Planning and Development Review Department (PDRD) on the application included in this packet. The open period to submit applications will be during the month of February in the calendar year in which you are applying. For areas with an adopted neighborhood plan, the application must be submitted by the neighborhood plan contact team chair or by an officer of the neighborhood association if there is no official contact team. For areas without an adopted neighborhood plan, the application must be submitted by an officer of the neighborhood association.

Opting Out - If a neighborhood association (or contact team) no longer wants to be included on the Restricted Parking Area Map, they are required to wait a minimum of **3 years** after their application was approved by Council to

submit a request to have their neighborhood area removed from the map. A new Restricted Parking Area Map Application must be submitted to request this change. The neighborhood association president or contact team chair must send in a new request to PDRD by the last day of February in the calendar year in which you are applying for council consideration. (Example: If a Restricted Area Map application was approved by Council in 2007, a neighborhood association or contact team could submit an application in 2010 to have their neighborhood area withdrawn from the Restricted Parking Area Map.)

DEADLINE:

Applications must be received by the last day of February in the calendar year in which you are applying. Applications may be hand delivered to the Planning and Development Review Office at 505 Barton Springs Road, 5th Floor or returned via the U.S. Postal Service to Planning and Development Review Department, Attn: Maureen Meredith, P.O. Box 1088, Austin, TX 78767. Office hours are 7:45 a.m. – 4:45 p.m., Monday – Friday. If mailed, applications must be postmarked by the last day of February in the calendar year in which you are applying.

SUBMITTAL REQUIREMENTS:

Refer to application and submittal checklist.
An incomplete application *will not be considered for inclusion in this round of applications*. If an incomplete application is submitted before the end of February, staff will attempt to contact the neighborhood representative listed on the application. However, materials not included in the initial application submittal will not be accepted after the last day of February in the calendar year in which you are applying, unless postmarked by that date if sent via U.S. Mail.

QUESTIONS:

Any questions regarding the Restricted Front/Side Yard Parking Application should be directed to Planning and Development Review Department staff [Maureen Meredith](#) at (512) 974-2695 or by email at maureen.meredith@austintexas.gov.



N.J. town bans residents from parking on their lawns

(http://www.nj.com)

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 Dec 15, 2011 at 6:12 AM, updated December 15, 2011 at 6:28 AM



PALMYRA
<http://www.nj.com/palmyra> — Residents in Palmyra will no longer be able to park cars on their lawns, according to a report on PhillyBurbs.com

A map view of Palmyra, where residents will no longer be able to park cars on their lawns.

http://www.phillyburbs.com/news/local/burlington_county_times_news/palmyra-bans-parking-on-grass/article_8065b278-a141-5cfe-9bd1-1e53107e665f.html

The council passed the ordinance after receiving numerous complaints from residents about neighbors leaving vehicles on the grass. Mayor Karen Scheffler told the Burlington County Times the ban was implemented for "aesthetic reasons."

Violators are subject to a fine of up to \$1,000 when enforcement begins June 1.

More Burlington County news (<http://www.nj.com/burlington>)

http://www.facebook.com/sharer.php?u=http%3A%2F%2Fwww.nj.com%2Fnews%2Findex.ssf%2F2011%2F12%2Fnj_town_bans_residents_from_pa.html
http://twitter.com/share?url=http%3A%2F%2Fwww.nj.com%2Fnews%2Findex.ssf%2F2011%2F12%2Fnj_town_bans_residents_from_pa.html
 (mailto:)

Related Stories

Get Healthy: Health & Fitness Info for N.J.

- http://www.nj.com/health/index.ssf/2014/10/ebola_outbreak_in_the_us_by_the_numbers.html
Ebola outbreak in the U.S., by the numbers
http://www.nj.com/health/index.ssf/2014/10/ebola_outbreak_in_the_us_by_the_numbers.html
- http://www.nj.com/health/index.ssf/2014/10/ebola_cases_should_be_treated_elsewhere_nj_nurses_group_says.html
 Ebola cases shouldn't be treated in N.J., nurses group says
- http://www.nj.com/politics/index.ssf/2014/10/christie_in_monthly_radio_address_criticizes_obama_ebola_response_urges_listeners.html
 Christie stams Obama's Ebola response
- http://www.nj.com/health/index.ssf/2014/10/why_did_america_stop_inspecting_immigrants_for_signs_of_sickness.html
 When — and why — did America stop health inspections of immigrants?

Video of the Day

Bergen Catholic students destroy bleacher railing, plummet four feet
http://videos.nj.com/10/bergen_catholic_students

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Parking on Front Lawn

* The Parking on the Front Lawn ordinance prohibits parking in front and side yards lots, except on improved driveways or parking pads.

What does the ordinance prohibit?

Parking of vehicles in front yards and side yards of a corner lot, except on an improved driveway or parking pad.

Where does the ordinance apply?

The ordinance applies to single-family detaches, duplex, triplex and quadraplex dwelling units.

Are there exceptions to the ordinance?

Exceptions to the ordinance will apply when no parking is allowed on adjacent streets and the principal dwelling is less than 20 feet from the abutting street or the lot width is less than 25 feet. Additionally, special family events or social gatherings occurring no more than once a week will be exempted from the ordinance.



What is the purpose of the ordinance?

The ordinance supports the City's model vision of a clean and nuisance-free environment for all Charlotte neighborhoods.

What is the background of the ordinance?

During the November 2001 Neighborhood Summit and the 2002 Neighborhood Summit, residents shared concerns about the long-term impact of vehicles parked on front yards in their communities. These concerns were included in the City's vision for the development of model neighborhood standards. The desire for an ordinance was included as a goal of model neighborhood status within the Model Neighborhood Standards at a Glaring publication adopted by City Council in December 2002.

What is the effective date of the ordinance?

The ordinance became effective April 1, 2004.

What is the penalty for violating the ordinance?

The ordinance carries a \$25 fine with possible vehicle towing upon a 4th occurrence.

will be imposed beginning May 1, 2004.

Who do I call to report a violation?

Violations should be reported to the Charlotte-Mecklenburg Customer Service and Information Center at 311. DO NOT report violations to 911.

What is the expected response time once a violation is reported?

The response time is up to three (3) working days.

MICHIGAN CITY COMMON COUNCIL , *Indiana*

ORDINANCE NO. 4177

CREATING SECTION 94-207 AND SECTION 50-485
IN THE MICHIGAN CITY MUNICIPAL CODE PROHIBITING PARKING OF
MOTOR VEHICLES IN LAWNS AND GREENWAY

★ WHEREAS, parking of motor vehicles throughout the City has been problematic, namely vehicle owners have parked in the lawn areas and greenway areas throughout the City;

WHEREAS, on January 4, 2011 the City enacted its' Joint Zoning Ordinance, and Sec. 18.01(h) of this Ordinance delineates where vehicles can park;

WHEREAS, Sec. 26.01 of the Joint Zoning Ordinance established that only the Zoning Administrator and his/her staff are authorized to enforce the zoning provisions;

WHEREAS, currently, the City does have a Zoning Administrator and one (1) staff member who can assist in the enforcement of the parking restrictions imposed by the Joint Zoning Ordinance; and

WHEREAS, the Common Council believes that reasonable health and public safety regulations addressing parking and the expansion of City enforcement officials who can enforce parking to include the Michigan City Police Department are needed to protect and improve the quality of life, character, and safety of the residential neighborhoods throughout the City.

WHEREAS, the Council supports the police using their discretionary powers to work with our residents to implement this change in enforcement by educating our residents and by issuing warnings in situations deemed appropriate by the enforcement officer, but by the same token, the Council believes it is essential that the police has the power for full enforcement for repeat violators or imminent safety issues.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana, that Section 94-207 is hereby established in Chapter 97 and that Section 50-485 is hereby established in Chapter 50 of the Michigan City Municipal Code to read as follows:

Sec. 94-207. Driving/Parking Prohibited in Lawn and Greenway.

(a) Definitions.

- (1) *Front yard* means the area defined in Sec. 31.25 of Michigan City's Zoning Ordinance.
- (2) *Greenway* means the area, excluding the sidewalk, if any, between the property line and the curb or in the absence of a curb, between the property line and the nearest edge of the street paving, which is usually used for planting lawn, low ground cover and/or street trees.
- (3) *Motor Vehicle* means every vehicle which is self-propelled including but not limited to an automobile, truck, recreational vehicle, antique motor vehicle, motorcycle, private bus, school bus, low speed vehicle, or other vehicle specifically defined in I.C. 9-13-2, et seq. In addition, the definition of *motor vehicle* includes a trailer specifically defined in I.C. 9-13-2, et seq.
- (4) *Rear yard* means the area defined in Sec. 31.25 of Michigan City's Zoning Ordinance.

- (c) Parking Prohibited in Lawn Areas. It shall be unlawful to drive and/or park a motor vehicle in a front yard, in a side yard, or in a rear yard which abuts a street of a lot zoned for a residential use or a dwelling, except that driving and/or parking shall be permitted on a hard-surfaced driveway or approved parking space. In addition, it shall be unlawful to drive and/or park a motor vehicle in a greenway area.
- (c) Curb Cuts. No person shall operate or park any motor vehicle on any portion of a lot in any residential district whereby the motor vehicle is driven over the curb instead of through a curb cut.
- (d) Enforcement; Violation; and Towing Vehicle. This Section shall be enforced by the Michigan City Police Department and/or the Michigan City Planning and Inspection Department. The owner of any motor vehicle which is parked or driven in violation of this section shall be subject to the penalties set forth in Section 50-485, as well as applicable zoning provisions of Michigan City, Indiana.

Furthermore, if in the opinion of the Michigan City Police Department and/or the Michigan City Planning and Inspection Department a motor vehicle parked in violation of this Section is substantially interfering with the ingress or egress of any foot or vehicular traffic by preventing free movement of traffic and/or pedestrians and the owner fails to cure the violation within twenty four (24) hours of the issuance of a citation for violation of this Section, the vehicle may be towed and impounded. The owner of any vehicle which has been towed pursuant to this Section shall be responsible for all storage and towing charges. The City, its agents, servants or employees, shall not be responsible or liable in any manner for the damage incurred in the towing, storage, possession or disposition of such vehicle.

Sec. 50-485. Fine for Driving/Parking Violation in Lawn or Greenway.

 The fine required by Sec. 94-207 shall be \$50.00.

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Richard Murphy, Member
Michigan City Common Council
/s/ Pat Boy, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 5th day of June, 2012 by a vote of 9 to 0.

/s/ Marc Espar, President
Michigan City Common Council

Approved by me, this 7th day of June, 2012.

/s/ Ron Meer, Mayor
City of Michigan City

Code of Ordinances
City of Portland, TX
Section 21.80. Parking on Unimproved Surfaces

(a) Definitions. As used in this section:

- “Building line” means a line parallel or approximately parallel to the street line and beyond which, buildings or fences may not be erected.
- “Corner lot” means a residential property located at the intersection or confluence of two or more streets such that public street rights-of-way are directly adjacent to at least two contiguous sides of the lot.
- “Driveway” means the primary improved or unimproved parking surface which provides egress and ingress from a garage, carport or off-street parking area to an adjacent street or alley.
- “Front yard” means the area from the front face of a residential structure to the front property line or street right-of-way line or, when a structure does not exist, the area from the front building line to the front property line or street right-of-way.
- “Improved parking surface” means an area used for the parking or storage of vehicles that is overlaid or otherwise paved with concrete, asphalt, paving stones or other hard surfaced durable material approved by the building official.
- “Rear yard” means the area from the rear face of a residential structure to the rear property line.
- “Side yard” means the area from the side of a residential structure to the side property line.
- “Vehicle” means every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway and shall include any automobile, bus, truck, tractor, motor house, farm machinery, motorcycles, scooters, mopeds, all-terrain vehicles, boats, aircraft, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, camper shells, wheeled towing frames, semi-tractor trailers, truck beds mounted on chassis and mobile homes. This definition does not include non-motorized bicycles, small engine lawn mowers and devices of similar scale.

(b) Regulations.

(1) Parking on unimproved surfaces restricted.

A person commits an offense if, upon a residential single-family, duplex or townhouse lot or tract:

- ★* a. The person causes, permits or allows the parking or storage of any vehicle in the front yard upon any surface other than an improved parking surface.
- b. The person offense causes, permits or allows the parking or storage of any vehicle upon the side yard or rear yard of a corner lot upon any surface other than an improved parking surface, unless otherwise concealed from view from all public street rights-of-way by:
 - 1. A solid, opaque, screening fence or wall at least six feet in height;
 - 2. Vegetation consisting of a solid hedgerow of evergreen shrubs, or trees and shrubs, providing full screening from the ground to a minimum height of six feet;
 - 3. Any combination of the above that effectively conceals the vehicle from view and accomplishes the required screening height; or
 - 4. Any other form of compatible and appropriate screening approved by the building official.
- ★* (2) No driveway or improved parking surface shall cover more than 67 percent of a residential front yard.
- (3) It is an affirmative defense to prosecution for parking or storing vehicles in an unimproved driveway if an existing residence has no improved parking surface on the day of passage of this ordinance. However, at such time that such existing residence is completely rebuilt, or improvements to the same real property constitute 50 percent or more of the property's total assessed value, compliance with this section shall be required.
- (4) It is an affirmative defense to prosecution for parking or storing vehicles on an unimproved surface or in an unconcealed or unscreened manner if such vehicles are parked in the rear yard and the rear yard is not a corner lot or directly adjacent to a public street right-of-way.

(c) Maintenance.

All improved parking surfaces shall be maintained in good and safe condition and be free of holes, cracks or other failures that may affect the use, safety, appearance or drainage of the surface or of an adjoining property.

★ (d) Penalty.

Violation of the terms of this ordinance shall be deemed a misdemeanor, and upon conviction thereof any person so violating same shall be fined a sum not exceeding \$500.

(Passed and approved May 15, 2001)

Yard Parking

Frequently Asked Questions

How do I know if my lot is affected?

The ordinance applies to all residential single family, duplex or townhouse lots or tracts in Portland.

What is an improved surface?

It is a driveway or parking surface constructed of concrete, asphalt, paving stones or other hard material. You might be able to use another material but only with the approval of the city building official.

Can I just put a paving stone under each tire and call it an improved surface?

"Improved parking surface" is defined as a "...area used for parking or storage..." rather than singular bricks or pavers. The city building official has interpreted this to mean the surface must be at least as large as the vehicle parked upon it.

I don't have an improved driveway at my house. Does the ordinance still apply to me?

If you don't have an improved driveway on your lot, you will not be required to create a new driveway. However, if your home is ever rebuilt or improved to a level of 50 percent or more of the property's assessed value, you will be required to add an improved surface driveway.

Can I still park my boat trailer on the side of my house?

The ordinance only applies to vehicles (cars, trucks, boats, trailers, etc.) parked in the front yard. The "front yard" means the area between the street and the front building line of your home. (The building line is generally the imaginary line that runs across the very front of your house parallel to the street.) If your trailer is parked behind the building line, it would probably not need an improved parking surface.



Can I still park my car in the grass in my front yard and wash it?

The ordinance prohibits parking on the grass in your front yard even temporarily.

I have a corner lot. How does this ordinance apply to me?

The side of your yard adjacent to the intersecting street is included in the area that is required to have improved surface parking. You may avoid an improved surface on the side yard if the vehicle or trailer is parked behind a fence or "solid hedgerow of evergreen shrubs, or trees and shrubs providing full screening from the ground to a height of six feet."

I have corner lot and no fence. Can I still keep my boat trailer in my back yard?

On corner lots, back yards are treated as front yards if there is no fence and the back yard is visible from the intersecting street. The only way to keep a vehicle in the back yard of such a residence is with vegetation as described above, installation of a fence, or some other "appropriate screening approved by the building official."

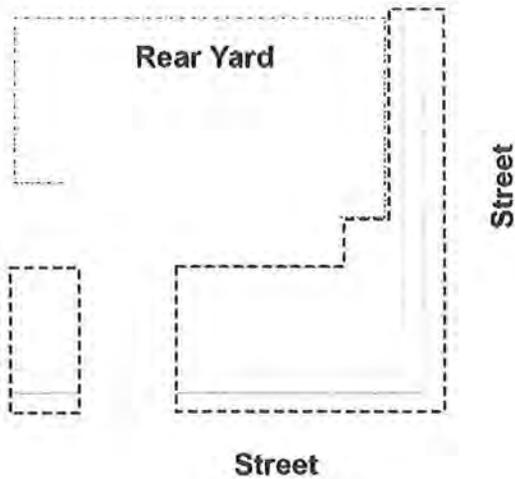
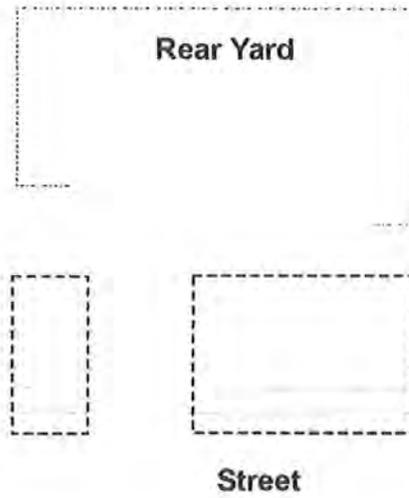
I have no other place to park my motor home other than my front yard. This ordinance creates a hardship for me.

The purpose of the ordinance is to improve neighborhoods for all residents and property owners. While it is true that it may be inconvenient for some residents initially, the ultimate goal is a cleaner and more valuable community for everyone. Officials will work diligently with homeowners to minimize hardships including the granting of reasonable time periods for achieving voluntary compliance.

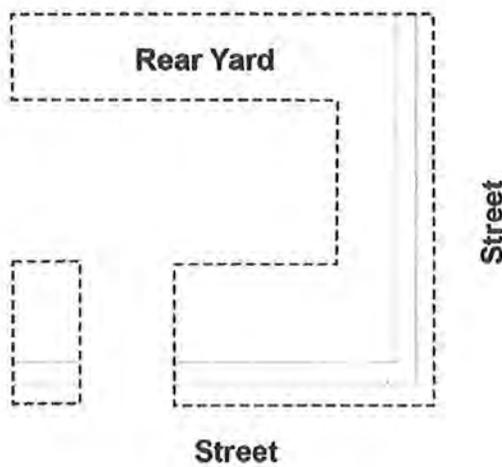
What is the penalty for violating this ordinance?

Like most other city ordinances, a violation is a Class C misdemeanor. Upon conviction, you could be fined up to \$500.

Normal Lot
Gray areas require improved surfaces for parking



Corner Lot With Fence
Both the front yard and the side yard adjacent to the adjoining street require improved surfaces for parking



Corner Lot - No Fence
The front yard, side yard adjacent to the adjoining street, and the rear yard all require improved surfaces for parking. The rear yard is included because vehicles parked there are visible from a public right-of-way.



The
City of Houston
Official Site for Houston, Texas

<http://www.houstontx.gov/>



(/) » Planning (<http://houstontx.gov/planning/>) » Prohibited Yard Parking Ordinance

PROHIBITED YARD PARKING ORDINANCE

- ›  Status of PYP Applications (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/PYP_Status_HP.xls)
- ›  Requirements of Driveway Installations (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/PYP_driveways_info.pdf)
- ›  Prohibited Yard Parking Ordinance (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/PYP_Ordinance.pdf)
- ›  Prohibited Yard Parking Application - HOA or Civic Club (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/PYP_Application_HOA_CivicClub.pdf)
- ›  Prohibited Yard Parking Application - Homeowner (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/PYP_Petition_Homeowner.pdf)
- ›  Application Flow Chart (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/PYP_Flowchart.pdf)
- ›  Prohibited Yard Parking Enforcement (http://www.houstontx.gov/planning/Neighborhood/docs_pdfs/pyp_hpd_enforcement.pdf)

The Prohibited Yard Parking Program is intended to protect neighborhood property values, prevent damage to the City of Houston's underground infrastructure, and to stop the degradation of the aesthetic appearance of single-family residential areas. Parking of vehicles on any unimproved surface in the front or side yard within single-family residential areas will be prohibited where a Prohibited Yard Parking Requirement Area has been established.

The Planning and Development Department accepts applications for the Prohibited Yard Parking Program on the first two business days of each month before 5:00 p.m.

Who May Apply?

Active homeowner's associations / civic clubs may apply for a Prohibited Yard Parking Requirement Area or a homeowner may gather 60% support from single-family residential property owners within the proposed Prohibited Yard Parking Requirement Area and file a petition with the City of Houston's Planning and

Development Department.

What Is Required For A Homeowner's Association Or Civic Club Application?

- › Complete application
- › Copy of the meeting minutes denoting the resolution from the Board of the homeowner's association or civic club authorizing the filing of the Prohibited Yard Parking application
- › Copy of the homeowner's association's or civic club's bylaws
- › Letter of support by an authorized homeowner's association or civic club that is signed by the president
- › Map of the proposed boundary of the Prohibited Yard Parking Requirement Area - must include a minimum of five contiguous blockfaces
- › Map of all property land uses within the proposed boundary
- › Copy of public notification wording

What Is Required For A Homeowner's Petition?

- › Complete application
- › Signed petition
- › Evidence of support from 60% of single-family property owners within the proposed Prohibited Yard Parking Requirement Area
- › Map of the proposed boundary of the Prohibited Yard Parking Requirement Area - must include a minimum of five contiguous blockfaces
- › Map of all property land uses within the proposed boundary
- › Copy of public notification wording

What Criteria Must The Proposed Prohibited Yard Parking Requirement Area Meet To Qualify For The Program?

★ › At least 60% of the proposed boundary area must be single family; single family is defined as:

- › the use of a lot with one building designed for and containing not more than two separate units with facilities for living, sleeping, cooking and eating therein; or
 - › a lot upon which is located a free-standing building containing one dwelling unit and a detached secondary dwelling unit of not more than 900 square feet; or
 - › a building that contains one dwelling unit on one lot that is connected by a party wall to another building containing one dwelling unit on an adjacent lot
- › The proposed boundary area must include a minimum of five (5) contiguous blockfaces

What Happens After The Application Is Submitted?

- › City staff will review applications for completeness; incomplete applications will be returned to the applicant
- › Within ten (10) days of an application being deemed complete:
 - › the Houston Planning and Development Department will mail a notification letter to all property owners within the proposed Prohibited Yard Parking Requirement Area
 - › the applicant must post signs in four locations within the proposed boundary
 - › the applicant must provide public notice to all property owners using a method approved by the Planning and Development Department; a copy of the public notification must be provided to the Planning and Development Department
- › The Planning Director will approve the application and forward it to City Council for final consideration if no written protest is received
- › The Planning Director must refer the application to the Prohibited Yard Parking Hearing Officer for consideration if a timely protest is filed with the Planning and Development Department
- › The Prohibited Yard Parking Hearing Officer will hold a public hearing with written notice sent to the applicant and protestors fifteen (15) days prior to the hearing date
- › If approved, the Prohibited Yard Parking Hearing Officer will forward the application to City Council for final action; if the Hearing Officer disapproves the application, it is denied

Can The Application Be Protested?

Property owners in the proposed boundary area may file a written protest with the City of Houston's Planning and Development Department within twenty (20) days of the notice of the letter.

How Long Is The Prohibited Yard Parking Requirement Area In Effect?

Once City Council approves the Prohibited Yard Parking Requirement Area, it is recorded and in effect for twenty (20) years.



What Is The Fine For Violating The Prohibited Yard Parking Requirement Area?

Any person who violates the Prohibited Yard Parking Requirement Area shall be guilty of a misdemeanor and shall be fined up to \$150.00 each day a violation occurs.

Contact Information

Physical Address:

**City of Houston
Planning & Development Department
ATTN: Nathan Kraus
611 Walker Street, Sixth Floor
Houston, TX 77002**

Mailing Address:

**City of Houston
Planning & Development Department
ATTN: Nathan Kraus
P.O. Box 1562
Houston, TX 77251**

For more information, please contact **Nathan Kraus**.

Phone: **(832) 393-6554**

E-mail: nathan.kraus@houstontx.gov (<mailto:nathan.kraus@houstontx.gov>)

Department Links

[P&D HOME \(/PLANNING/PD-HOME-PAGE\)](#)

[ANNEXATION \(/PLANNING/ANNEXATION\)](#)

[COMPLETE STREETS \(/PLANNING/COMPLETESTREETS\)](#)

[DEMOGRAPHICS \(/PLANNING/DEMOGRAPHIC-DATA\)](#)

[DEVELOPMENT REGULATIONS \(/PLANNING/DEVELOPMENT-REGULATIONS\)](#)

[FORMS \(/PLANNING/FORMS\)](#)

[GENERAL PLAN \(/PLANNING/GENERAL-PLAN\)](#)

[GEOGRAPHIC DATA \(HTTP://MYCITY.HOUSTONTX.GOV\)](http://mycity.houstontx.gov)

[HISTORICAL COMMISSION \(/PLANNING/COMMISSIONS/HAHC\)](#)

[HISTORIC PRESERVATION \(/PLANNING/HISTORIC-PRESERVATION\)](#)

[HOUSTON NUSA 2015 \(HTTP://WWW.HOUSTONTX.GOV/NUSA2015\)](http://www.houstontx.gov/nusa2015)

[MAJOR THOROUGHFARE PLAN \(/PLANNING/MOBILITY/MTFP\)](#)

[MINIMUM LOT SIZE/BUILDING LINES \(/PLANNING/MINIMUM-LOT-SIZE-MLS/MINIMUM-BUILDING-LINE-MBL-ORD-0\)](#)

[PLANNING COMMISSION \(/PLANNING/COMMISSIONS/PLANNING-COMMISSION\)](#)

[PLAT TRACKER \(HTTPS://EDRC.HOUSTONTX.GOV/EDRC/LOGIN.ASPX\)](https://edrc.houstontx.gov/edrc/login.aspx)

[PROHIBITED YARD PARKING \(/PLANNING/PROHIBITED-YARD-PARKING-ORDINANCE\)](#)

PUBLICATIONS (/PLANNING/PUBLICATIONS)

TOWER COMMISSION (/PLANNING/COMMISSIONS/TOWER-COMMISSION)

TRANSPORTATION PLANNING (/PLANNING/MOBILITY)

SITE MAP (/PLANNING/PD-SITE-MAP)

CONTACT PLANNING

Planning & Development (P&D) Dept.

611 Walker Street, 6th Floor

Houston, TX 77002

Phone: 832.393.6600

planningdepartment@houstontx.gov (mailto:planningdepartment@houstontx.gov)



The
City of Houston
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(<http://www.houstontx.gov/citizensnet>)

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Exhibit # 2

Town of Narragansett

Parks & Recreation Department



Narragansett Town Beach Policies 2015

Please read all information carefully.

For questions concerning beach policies please call 401-783-6430

For questions concerning the facilities please call 401-788-2568

athletic or recreational facility owned or leased by the town during scheduled youth events, as well as at the Courtyard at the Towers and prohibited at the town beach at all times. Smoking is prohibited at the town beach at all times. Per Town ordinance Chapter 46, Article I, Section 46-9 (b)

Recycling Policy

- Please respect the efforts of the beach staff and the environment; please deposit cans and plastic bottles in the recycling corrals in designated areas on the premises.

Parking for Persons with Disabilities Policy

- All persons with disabilities will be permitted to park in accessible spaces on a first come, first serve basis, regardless of their residency status. Such persons will be directed by staff to an available spot in any of our lots provided they have a seasonal/facility pass or have paid the required daily parking fee. This policy is mandated to comply with ADA requirements on a first come, first served basis

Seasonal Beach Parking and Admission Policies were approved by the Town Council on January 7, 2013

Seasonal Beach Parking Pass Policy

The Narragansett Town Beach shall remain open to the public subject to the Code of Ordinances and policies that may be enacted by the Town Council.

Pursuant to Chapter 82 of the Code of Ordinances, Article II entitled "Beaches", the following seasonal beach parking pass policy is hereby established:

1. Seasonal beach parking passes may be sold to residents, renters or taxpayers of the Town of Narragansett, in accordance with the polices herein and the fee schedule(s) as may be adopted from time to time by the Town Council.
2. Seasonal parking passes shall be issued on an individual basis, and are non-transferable. All seasonal parking passes will be affixed to the vehicle(s) by authorized Town of Narragansett staff only.
3. A replacement parking pass may be issued if the original pass is destroyed (windshield damaged), or the car is sold, traded or stolen. Each replacement fee is two (2) times the original parking pass price, and will not be pro-rated during the beach season. At the sole discretion of the Town staff, a temporary replacement parking pass may be issued for a one week period for any vehicle that originally had a pass issued under this policy.

Temporary Parking Pass – Issued for vehicles that are being repaired with a copy of repair slip indicating the registration number of said car and the length of time for repair

Stolen Vehicle – Police Report required

Replacement Parking Pass: \$5 with old pass, 2 x original cost without pass and or no police report.

4. Fraudulent or improper use of seasonal beach parking passes will result in the immediate revocation thereof, with no refund and a new parking pass will not be issued.

Criteria and Fee Structure

Taxpayers of the Town of Narragansett who own property and pay local real property taxes of at least \$800.00 to the Town shall pay the seasonal residential rate parking pass fee for each vehicle that they wish to obtain said pass for. The criteria for eligibility under this category are as follows:

1. Proof of property ownership shall be in the form of a Town of Narragansett property tax bill for the current quarter, or a final closing document (in the case of a new owner who has not yet received a Town of Narragansett tax bill)_____.
2. Proof of registration for each vehicle in question in the name of the property owner.
3. Address must match out-of-town taxpayer address or Narragansett address

Residents within the Town of Narragansett who do not qualify as taxpayers are eligible for a seasonal residential parking pass for each vehicle that they wish to obtain said pass for at the residential rate. The criteria for eligibility under this category are as follows:

1. Proof of residency shall be in the form of a current twelve (12) month lease and whose lease is on record and registered with the Town Building Official or a notarized letter from the landlord whose property is on record with the Town Building Official. Passes must be obtained by each person individually, with proof acceptable to the Town (i.e. copy of valid driver's license, state ID etc.). For a dependent family member the driver's license address must match the Narragansett address. *The Lessee must present two pieces of mail, addressed in their name with the Narragansett address. A utility bill must be one of the two pieces of mail such as National Grid or Cox Cable.*
2. Proof of registration for each vehicle in question in the name of the renter.

Non-resident taxpayers (Individuals or corporations, partnerships, limited liability corporations (LLC's), trusts, etc.) who own property in the Town of Narragansett and pay local real property taxes of at least \$800.00 to the Town shall pay the seasonal residential parking pass fee for each vehicle that they wish to obtain said pass for. The criteria for eligibility under this category are as follows:

Individuals - Proof of property ownership shall be in the form of a Town of Narragansett property tax bill for the current quarter, or a final closing document (in the case of a new owner who has not yet received a Town of Narragansett tax bill). Passes must be obtained by each person individually, with proof acceptable to the Town (i.e. copy of valid driver's license, state ID etc.). For a dependent family member driver's license address must match the Narragansett address or out-of-town taxpayer address.

Corporations, partnerships, limited liability corporations (LLC's), etc. -Proof of property ownership shall be in the form of a Town of Narragansett property tax bill for the current quarter, or a final closing document (in the case of a new owner who has not yet received a Town of Narragansett tax bill). Seasonal parking passes within this category are limited to one (1) per entity which means 1 car pass. It is the responsibility of the corporation, partnership, limited liability corporation (LLC's), etc. to designate the pass holder and the vehicle in writing (on appropriate letterhead) to the Town. Passes must be obtained by the designated person. Designee's name must appear on the company paperwork (cannot be an employee, manager, friend, etc.)

2. Seasonal beach passes shall be issued on an individual basis, and are non-transferable. Seasonal beach passes must be presented for any and all access to the Town Beach.

3. A replacement seasonal beach pass may be issued if the original is lost, stolen, or destroyed. Each replacement fee is two (2) times the original beach access pass price, and will not be prorated during the beach season.

4. Fraudulent or improper use of seasonal beach passes will result in the immediate revocation thereof, with no refund. Patron must purchase a daily admission pass if beach access is desired for the remainder of the season.

Criteria and Fee Structure

Taxpayers of the Town of Narragansett who own property and pay local real property taxes of at least \$800.00 to the Town shall pay the seasonal residential rate beach pass fee. The criteria for eligibility under this category are as follows:

1. Proof of property ownership shall be in the form of a Town of Narragansett property tax bill for the current quarter, or a final closing document (in the case of a new owner who has not yet received a Town of Narragansett tax bill). Passes must be obtained by each person individually with proof acceptable to the Town (i.e. copy of valid driver's license, state Id, etc.). For a dependent family member their address must match their parent's / guardian's address.

Corporations, partnerships, limited liability corporations (LLC's), etc. - Proof of property ownership shall be in the form of a Town of Narragansett property tax bill for the current quarter, or a final closing document (in the case of a new owner who has not yet received a Town of Narragansett tax bill). Seasonal beach passes at the residential rate within this category are limited to one (1) per entity. It is the responsibility of the corporation, partnership; limited liability corporation (LLC's), etc. to designate the pass holder who must be listed on the corporation, partnership, LLC etc. in writing (on appropriate letterhead) to the Town. Spouse's individual(s) or domestic partner(s) and family members associated with the designated entity may purchase seasonal beach passes at the non-residential seasonal beach pass rate. Passes must be obtained by each person individually, with proof acceptable to the Town (i.e. copy of valid driver's license, state Id, etc.)

Family Trusts for Estate Planning If a property is held in the name of a trust that has been created by spouses, individual (s) or domestic partner(s) for estate planning purposes and the trust pays at least \$800.00 in local property taxes, the following shall apply:

a. If one or both spouses, individual(s) or domestic partner(s) are the trustees, then both spouses, individual(s) or domestic partner(s) and dependent children shall be eligible for seasonal beach passes at the residential rate.

b. If one or both spouses, individual(s) or domestic partner(s) are trustees, then vehicles registered to either spouse, individual(s) or domestic partner(s) or their dependent children shall be eligible for a residential seasonal parking beach pass.

c. If neither of the spouses, individual(s) or domestic partner(s) is a trustee but are beneficiaries of the trust and reside at the property, then both spouses and their dependent children shall be eligible for seasonal beach passes at the residential rate as set forth in a and b above. In these cases, the Trustee shall not be eligible for a residential seasonal beach pass or residential seasonal parking pass unless he or she qualifies on their own as either a resident or taxpayer.

Exhibit #3



CITY OF PROVIDENCE

Angel Taveras, Mayor

Instructions for Resident Overnight Parking Permit Holders

- Permits must be displayed on the upper left hand corner of the rear windshield (driver's side). Failure to properly display your permit may result in a parking ticket.
- All parking regulations must be observed. For example, **you may not park** closer than 25 feet to a street corner, within 8 feet of a fire hydrant, left wheels to the curb or where parking is prohibited by signage – "No Parking Anytime".
- When the city issues a parking ban due to snow or another type of emergency, vehicles cannot be parked on the street and permit-holders must find alternate parking arrangements. Please pay attention to local news casts and announcements. In addition, the City will send an automated message to your email in advance.
- When the City does street sweeping in the neighborhood, vehicles cannot be parked on a particular street or group of streets during the specified time frame. Permit holders may park on another street within the district that does not have the restriction for the specified time period.
- Be courteous to your neighbors and to trash collectors. Please do not park in front of a trash receptacle.
- Resident parking permits are only valid for the district that is designated. A map of the area is included with your permit, indicating which streets allow overnight parking within your district. You may also view the map on the City's website.
- If the street you are parking on is color coded yellow on the district map, this means that parking is allowed on one side of the street. If no signage exists on the street to prohibit parking on either side, parking will be allowed on the side **opposite** the utility poles.
- Resident parking permit holders may obtain one (1) guest pass at an additional cost of \$25.00. The guest pass may be used up to five (5) times per month. The permit must be displayed in the guest's vehicle in order to avoid being ticketed.
- Permits are valid for one (1) year from their issue date. Vehicles that are parked on the street with expired permits are subject to being ticketed.



OVERNIGHT PARKING

OFFICIAL WEBSITE OF THE CITY OF PROVIDENCE, RHODE ISLAND

Search ProvidenceRI.com

About the Overnight Parking Program

The City of Providence recently expanded its overnight parking program so that now even more residents, including students from Providence-based colleges and universities, can apply for an overnight parking permit in Providence. Residents may register for a permit at Traffic Engineering or the Municipal Court.

Obtaining an overnight parking permit:

- Permits cost \$100 per year for cars registered in Providence. Permits cost \$200 per year for cars registered outside of Providence.
- Residents must bring valid, original car registration.
- There is a limit of two permits per household/unit and there is a 6500 lb weight restriction per vehicle to qualify. Buildings with six units or more are not eligible unless they can demonstrate a significant hardship.
- Any unpaid tickets issued on the vehicle registration must be paid in order to obtain a parking permit.
- Residents will be required to provide a valid email address that the City will use to provide parkers with information about parking bans during snowstorms and other parking bans.

Permits can be purchased at the following locations:

- Traffic Engineering (60 Ernest Street), Monday through Friday from 7 a.m. to 4:30 p.m. Summer hours 7 a.m. to 4:00 p.m. July 1 thru August 31. This location accepts the following payment methods: money orders, checks and credit cards.
- Municipal Court at the Public Safety Complex (325 Washington Street), Monday through Friday from 7:30 a.m. to 3 p.m. Summer hours 7:30 a.m. to 2:30 p.m. July 1 thru August 31. This location accepts the following payment methods: money orders, cash and credit cards.

A window sticker will be provided and must be applied to the upper left hand corner of the rear window. Once the permit sticker is applied, residents can park overnight on the street in areas designated by district parking maps.

As part of Providence's overnight parking program, the Providence Police Department has discontinued its 'do not tag' policy for vehicles parked on the street from 2-5AM. Residents are advised to purchase an overnight parking permit to ensure that visitors parked on the street in front of their homes are not ticketed overnight.

Residents with an overnight parking pass can either park on the street and let their guest park in their driveway, or purchase an annual guest pass enabling guests to park on the street. Guest passes cost \$25 and can be used up to 5 times per month and are available to resident permit holders only.



Resident Permit Parking REGULATIONS



Resident Permit Parking INSTRUCTIONS



Resident Permit Parking APPLICATION



Resident Permit Parking FAQ'S



Resident Permit Parking DISTRICT MAPS

Public Works

- [About Us](#)
- [Engineering Division](#)
- [Environmental Services](#)
- [Highway Division](#)
- [Traffic Engineering](#)
- [Traffic Restrictions](#)
- [Traffic Regulations](#)
- Overnight Parking**
- [Parking Bans](#)
- [Parking FAQs](#)

PROVIDENCE ROAD IMPROVEMENT PROJECT
See which roads are being paved

PROV CONNEX
How may we help you?

OPEN DATA

OPEN MEETINGS

JOBS NOW!

- Payments
- Download Forms
- Find Information on...
- Job Postings

- CITY DEPARTMENTS
- Select a Department

- Select Language

Exhibit #4

TITLE 31

Motor and Other vehicles

CHAPTER 31-21

Stopping, Standing, and Parking Restrictions

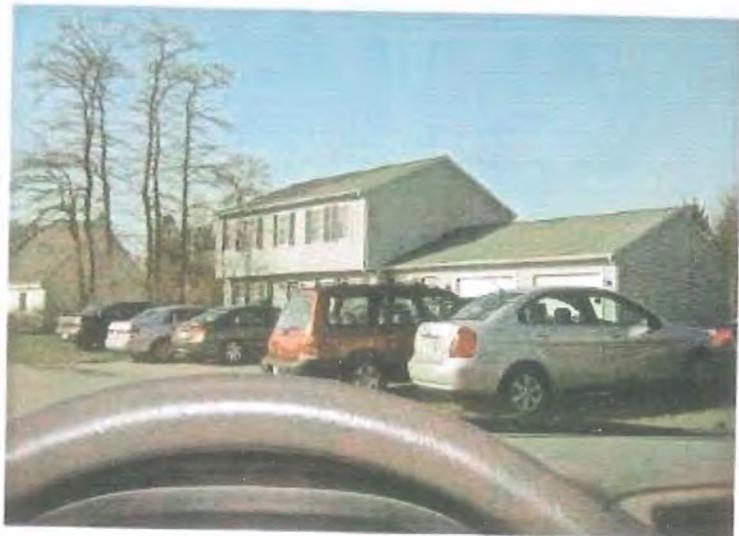
SECTION 31-21-10.1

§ 31-21-10.1 Removal of vehicles parked in excess of twenty-four hours. – No motor vehicle shall be parked upon any highway under the jurisdiction of the state traffic commission for a continuous period in excess of twenty-four (24) hours. Any law enforcement officer, state or municipal, may order the removal of the vehicle by towing. Any charges incurred for the towing shall be recoverable from the owner of the vehicle by the state or the municipality paying for the towing by civil action commenced in the district court for the district in which the illegal parking occurred. The civil action shall not be available, however, if the owner of the vehicle pays towing charges directly to the person who furnished the towing services.

History of Section.
(P.L. 1966, ch. 138, § 1.)



Exhibit #5





DAKESVILLE LN.

STATEMENT OF CONFLICT OF INTEREST
PURSUANT TO R.I. GENERAL LAWS 36-14-6

I Christopher Wilken, holding the
position of _____
(Job title or appointed/elected position and name
of board/commission/agency/department.)
hereby under oath depose and say:

1. A matter involving RE-APPOINTMENT TO ZONING BOARD
is presently before WARRAQUANSETT TOWN COUNCIL
(Name of board/commission/agency/dept.)
2. I have the following interest in the matter noted in
paragraph 1 above:
I HAD BUSINESS BEFORE THE
ZONING BOARD RECENTLY
3. In compliance with R.I. General Laws 36-14-6(1), I hereby
recuse from participating in the discussion of or taking
official action relating to said matter.

Signed under the penalties of perjury this 20th day of
July

2015

[Signature]
Signature

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: _____

Amend No. _____

Date Prepared: February 4, 2015
Council Meeting Date: February 16, 2016

TO: Pamela T. Nolan, Town Manager

FROM: Michael J. DeLuca, Community Development Director

SUBJECT: A Public Hearing for Abandonment of Harris Avenue

RECOMMENDATION:

That the Town Council CONTINUES a PUBLIC HEARING on a Petition for Abandonment from John R. Sahagian for the eastern half of Harris Avenue on Assessor Plat P to add to Assessor's Plat P, Lot 96 to March 21, 2016.

SUMMARY:

John Sahagian of South Pier Road has submitted a request to abandon the eastern portion of Harris Avenue to add to his property for improvement for the access to his property from South Pier Road for public safety reasons.

In accordance with RIGL §24-6-1 the town council is authorized to abandon a highway or driftway in the town after public notice is given to abutters as well as an advertisement for three successive weeks for a public hearing. A public hearing is held to consider the request for abandonment and if the town council declares the roadway abandoned and additional public notice is given as well as an advertisement declaring the abandonment for three successive weeks.

The Planning Board reviewed this request at their October 20, 2015 meeting and took testimony from Mr. Sahagian. They noted staff reluctance to support the abandonment due to environmental concerns and the possibility to use this area for vehicular access to Town land south of the Sahagian property in the future. During discussion, Mr. Sahagian suggested that he hire a wetland & soils expert to look at the other paper streets that connect to the Town land. The Planning Board continued their review to November in order to allow Mr. Sahagian to conduct site analysis of other rights-of-way nearby for the potential vehicular access to the Town Land.

A PUBLIC HEARING was held on January 4, 2016 and continued to February 16, 2016. The applicant has requested a continuation of the PUBLIC HEARING to the March 21, 2016 town council meeting.

ATTACHMENTS:

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 1

Amend No. _____

Date Prepared: February 1, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, PE, Acting Town Manager

FROM: Stephen L. Daignault Jr., Tree Warden

SUBJECT: America the Beautiful Grant Award

RECOMMENDATION:

That the Town Council accept the 2016-2017 America the Beautiful Grant in the amount of \$2,600 and authorize the Town Manager to sign the agreement subject to review and approval of the Town Solicitor.

SUMMARY:

For the eight year, the Narragansett Tree Board with the assistance of the Department of Public Works (DPW) has been awarded a grant under the America the Beautiful Grant program managed by the Department of Environmental Management, Division of Forest Environment and the Rhode Island Tree Council. Funds will be used to support the planting of 12 new street trees at Sprague Park behind the stone wall on Kingstown Rd. The requirement for a \$3,900 match will be met by utilizing volunteers and DPW staff and support services. While the actual grant award was less than the amount requested, it will allow the town to continue its street tree planting program.

ATTACHMENTS:

1. Copy of Cooperative agreement
2. Proposed grant project narrative
3. Copy of Award Letter



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF FOREST ENVIRONMENT
235 Promenade Street, Suite 394
Providence, RI 02908

Office: 401.222.2445
Fax: 401.222.2444

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
COOPERATIVE AGREEMENT BETWEEN
THE RHODE ISLAND DIVISION OF FOREST ENVIRONMENT
AND
THE TOWN OF NARRAGANSETT**

This Cooperative Agreement is entered into with the Department of Environmental Management, Division of Forest Environment, the Grantor, and the Town of Narragansett, the Grantee for the purpose of tree plantings in Sprague Park.

USDA Catalog of Federal Domestic Assistance (CFDA): 10.664

USDA Consolidated Sub grant Award: 15-DG-11420004-183

Duration of Agreement: February 1, 2016 to September 30, 2017

Terms and Conditions:

Funds have been made available under the Forestry Title of the 1990 Farm Bill, The America the Beautiful Act of 1990 will be used to support this project as required by Federal law and regulations. The program to include, but not limited to:

1. Tree purchase and plantings of 12 2.5" caliper trees planted in a public area.

Access to Records:

The Grantee shall furnish information as requested by the Grantor to support claims for payment of services provided pursuant to this Cooperative Agreement. Fiscal and program records of the Grantee shall be maintained in accessible form and shall be subject to monitoring, inspection, copying and/or audit by the Grantor and its representatives.

Conditions of Payment:

1. The total amount of grant funds available for this project shall not exceed two thousand six hundred dollars (\$2,600.00) and community/organization match will meet or exceed three thousand nine hundred dollars (\$3,900.00) for a total of six thousand five hundred dollars (\$6,500.00).
2. The Grantor shall approve the withdrawal of these funds by the Grantee according to the schedule and conditions below:

- a. A written progress report which describes overall progress in conducting the program, and any difficulties or problems met in carrying out the program as agreed to here, is due at the Division of Forest Environment office no later than September 30, 2016 and May 29, 2017.
- b. If during a federal and/or state audit backup provided is deemed to be not accepted as determined by federal regulations, the community or organization will be responsible for any funds that the Department of Environmental Management is required to return to the Federal Government.
- c. If any backup documentation is not deemed acceptable to DEM the payment process will be delayed until all requested information is supplied to the Grantor. If requested information is not supplied ninety days after the last date of the grant duration, the grant will be cancelled and all payments made to the Grantee will be repaid to the Department of Environmental Management, Division of Forest Environment.
- d. Grantee representative will attend grant fiscal workshop if necessary.
- e. No trees shall be funded or accounted toward grant match that reach a mature height of more than thirty-five feet if planted under utility lines.
- f. Trees plantings shall not include the following species: *Pyrus calleryana* or *Acer platanoides*.
- g. Planting will be performed to ANSI A300 tree care standards.
- h. All final planting locations will be reported to RIDEM.

Payment Schedule

Payment to be paid upon completion of the project when the final financial and project reports have been accepted by the Grantor showing that all moneys have been used to cover authorized expenses by the Grantee and that additional expenses have been incurred in carrying out this Cooperative Agreement and have met the conditions below:

- a. Reimbursable Expenses:
 1. Direct billing by vendors directly associated with this Cooperative Agreement.
- b. Community/Organizations:
 1. Volunteer compensation, salary and fringe benefits for personnel to carry out the requirements and responsibilities of this Cooperative Agreement.
 2. Equipment uses expenses to carry out the requirements and responsibilities of this Cooperative Agreement.



TOWN OF NARRAGANSETT
Department of Public Works
260 Westmoreland Street, Narragansett, RI 02882
401.782.0687 Fax 401.782.0694

November 10, 2015

AMERICA THE BEAUTIFUL – TREE RHODE ISLAND 2016-17 GRANTS PROGRAM

PROJECT NARRATIVE

History

The Town of Narragansett adopted a Tree Ordinance in 2007, established a Tree Board in 2008 and has received America the Beautiful Tree Grants in 2008-2015 totaling \$26,900 which was used to support a street tree inventory, annual tree planting, staff training and the development of a comprehensive Community Forestry Management Plan which is currently under final review by the Tree Board in preparation for submittal to the Town Council for approval. Narragansett has been recognized as a Tree City USA community for the last four years.

Sustainable Tree Management Program

The Public Works Department currently employs 1 Rhode Island Licensed Arborist, provides professional tree planting and maintenance training to the members of the Highway Division and has a forestry truck with a 60' aerial lift and 14" chipper for conducting tree pruning and removal work. Funding for tree planting and maintenance is provided within the Public Works Highway Division Operating Budget.

The Public Works Department arborist regularly responds to resident concerns about trees, conducts hazardous tree assessments, identifies required tree maintenance work and issues Tree Permits. Members of the Tree Board provide program support in coordinating volunteers, public education and guidance to the Public Works Department. The Public Works Interim Superintendent of Operations (Also the Arborist) works closely with the Tree Warden and the Tree Board providing professional support for their efforts as identified in the Community Forestry Management Plan Goals and Objectives.

2016 America the Beautiful Grant Project Summary

Grant funds will be utilized to:

- Support the planting of 14 new park trees in Sprague Park identified in the Tree Inventory as suitable for replacements of trees that have been deteriorating over the last few years and will be removed as part of the town's hazardous tree removal program. Tree planting will conform to the tree planting guidelines contained in the grant instructions, maintenance will be provided for the required five years and include watering, mulching, inspections and pruning.

Project Schedule

- Competitive bidding and procurement of trees – Spring 2016
- Tree Planting – Spring/Summer 2016
- Tree Maintenance/watering – continuing throughout 2016-2017 and beyond in accordance with the Community Forestry Management Plan



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF FOREST ENVIRONMENT
235 Promenade Street, Suite 394
Providence, RI 02908

Office: 401.222.2445
Fax: 401.222.2444

Stephen L. Daignault Jr., Tree Warden
25 Fifth Avenue
Narragansett, RI 02808

January 27, 2016

Mr. Daignault,

On behalf of the Department of Environmental Management, Division of Forest Environment, congratulations to the Town of Narragansett for being awarded an America the Beautiful grant for 2016-2017. This year's bid submissions were remarkably competitive. To accommodate the many highly esteemed bids, some grant awards had to be scaled back. *Your grant award was for \$2,600 with a minimum match of \$3,900 for a combined total of \$6,500.* Please do not allow changes in awarded grant amounts to deter your future application to the America the Beautiful grant. When you apply in the future please consider the following feedback:

The ATB Grant cannot be used to pay for intern salary. The grant money awarded to Narragansett must be used for tree planting only, and not on salary reimbursement for an intern.

Enclosed is a cooperative agreement as well as the necessary USDA Civil Rights Requirements. Please read them carefully. If you agree to the terms in the agreement, please sign it, make a copy for your records, and return the original.

This grant is subject to issuance of a valid state miscellaneous encumbrance and availability of Federal Funds.

If you have any questions, I can be reached at 401.222.2445 x2059.

Congrats again.

Sincerely,
Tee Jay Boudreau

RI DEM Division of Forest Environment
Coordinator, Urban and Community Forestry Program

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 2

Amend No. _____

Date Prepared: February 8, 2016
Council Meeting Date: March 7, 2016

TO: Anne Irons, CMC, Town Clerk

FROM: Jeffry Ceasrine, P.E., Town Engineer\Acting Town Manager

SUBJECT: Sewer Policy Committee Referral, Plat Y-4, Lot 4, 707 Point Judith Road

RECOMMENDATION:

That the Town Council refer a request from Paul Carr Jr. for a waiver of the Sewer Policy for Plat Y, Lot 4, 707 Point Judith Road to the Sewer Policy Committee for review.

SUMMARY:

The attached February 2, 2106 letter from Paul Carr, Jr. requests an appeal of a staff level denial on sewer availability for 707 Point Judith Road (Westlake's Garage).

The Sewer Policy Committee meets on an ad hoc basis to hear appeals from staff level decisions relating to the Town's Sewer Policy.

ATTACHMENTS:

1. February 2, 2016 applicant appeal letter.

'16 FEB 3 10:09

Paul J Carr Jr
Westlakes LLC
707 Point Judith Road
Narragansett, RI 02882
February 2, 2016

Honorable Town Council
25 Fifth Avenue
Narragansett, RI 02882

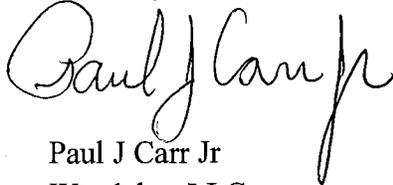
RE: Plat Y-4, Lot 4, Westlakes Garage

Dear Honorable Town Council:

Please be advised that this office received your correspondence on August 14, 2015 regarding the sewer availability for 707 Point Judith Road. I would like to request a hearing before the Sewer Policy Committee regarding the denial of my application to tie into the town sewer line for Plat Y-4, Lot 4.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Paul J Carr Jr". The signature is written in a cursive style with a large, looped initial "P".

Paul J Carr Jr
Westlakes LLC

CC: Jeffrey Ceasrine, Acting Town Manager & Town Engineer

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 3

Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: Middlebridge Marina Slips

RECOMMENDATION:

That the Town Council approves the 2016 Middlebridge Marina rental slip rates at \$700.00 per full slip and \$525.00 for a side slip which reflects no increases for the 2016 season.

SUMMARY:

The Parks and Recreation Department is seeking approval for the 2016 Middlebridge Marina fee schedule of \$700.00 per full slip and \$525.00 for a side slip. The Middlebridge Marina has thirty-seven slips, thirty-four are full slips and three are side slips. Presently there are nineteen Narragansett resident/taxpayers on a waiting list for the marina slips. At the January 21, 2016 Narragansett Land Conservancy Trust Meeting the board voted to approve no increases for marina slips for the 2016 operating season.

ATTACHMENTS:

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 4
Amend No. _____

Date Prepared: January 29, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: Artisan Fairs at Gazebo Park

RECOMMENDATION:

That the Town Council approves the request from the Narragansett Arts Guild for the use of Gazebo Park to operate and sell local original arts and crafts on Wednesday nights only from June 15th through August 31st, 2016 subject to local and state regulations.

SUMMARY:

This artisan fair event series will provide the Narragansett Arts Guild the ability to operate and sell local original arts and crafts under portable tents on Wednesday Nights ONLY from 5:00 pm to 9:00 pm at Gazebo Park. The fairs are designed to enhance the Narragansett experience for residents and visitors and will be held in conjunction with Food Truck Nights at the Town Beach.

The fairs will be limited to 15 vendors, each with a 10' x 10' tent, no parking will be allowed on the park premises and the site will be left clean and free of debris. The Narragansett Arts Guild will provide general liability insurance naming the Town of Narragansett as "additionally insured" for the entire Artisan Fair series. The agreement has been reviewed and approved by Dawson T. Hodgson. This is a revenue producing agreement with a seasonal fee of \$1000.00 with two \$500.00 payments for the twelve Wednesday nights.

ATTACHMENTS:

1. Narragansett Arts Guild Proposal
2. Agreement

Proposal

To: Town of Narragansett

From: Donald Cameron and Elizabeth Iovino, DBA the Narragansett Arts Guild (NAG)

RE: Summer Arts Show in Casino Park

We are presenting a proposal for your consideration, to hold a series of artisan shows in Casino Park near the gazebo for 12 consecutive Wednesday evenings from June 15th to August 31st.

Designed to enhance the Narragansett experience for both residents and visitors, these shows will be held in conjunction with the Food Truck nights held at Town Beach.

Local artisans will offer their original art and handcrafted wares under tents set up along Ocean Road, facing toward Town Beach. Each event will be held from 5-00 – 9:00pm (or dusk).

These shows will be limited to 15 vendors each with a (10x10) tent and will include guest artisan vendors approved by NAG plus a complimentary space available for a non-profit agency or the town.

Additional Information:

- NAG will purchase a general liability insurance policy naming the Town of Narragansett as an insured party.
- Signs promoting the event will be placed with appropriate approvals.
- The display area will be left clean and free of any debris or litter at the end of each event.
- Each vendor will have a current Permit to Make Sales at Retail.
- This is planned to be a low impact event. We will not require electricity, Porta-Johns, police assistance or any additional town services.

This is the second season for this event sponsored by the Narragansett Arts Guild and we are hopeful that this will continue to be a valuable resource for artists and residents of our community as well as pleasant experience for our summer visitors. As a group, we have significant experience with both the management of and participation in similar events.

A preliminary list of expected participants, as well as other event experiences is included with this proposal.

The Narragansett Arts Guild will pay \$1000 to the town or recipient designated by the town for the use of the park.

We want thank you, in advance, for your consideration of this proposal.

Narragansett Arts Guild
c/o Donald Cameron
12 Cypress Avenue
Narragansett, Rhode Island

Narragansett Arts Guild
c/o Elizabeth Iovino
20 Bonnet View Drive
Narragansett, Rhode Island

Narragansett Arts Guild Members:

- Photography from Sand Hill Cove (matted and/or framed images of South County)
- MIO Bags (oil cloth handbags and totes, custom made and designed)
- Steve's Buoy Designs (custom made lobster buoy bird houses)
- Silk Tree Farm (goats milk soap and candles)
- PGS Shell Designs (sea shell wind chimes and shadow boxes)
- Jack's Snacks, A Dog Bakery (homemade pet snacks)
- Kelley Kreation Pottery (ceramic pottery)
- AnneMade Designs (jewelry)
- Signs O Fire (pyrography signs, jewelry and portraits)
- Moonlight Jewelry (jewelry)
- Tanner Glass (hand blown and hand sculpted gifts made in Rhode Island)
- Love Letters by Emily
- Black Sheep Designs
- Jeff Glover Woodworking
- Rhode Island Rustic
- Mike Brice
- Thicket and Thin
- Rock Paper Scissors Children's Fund
- The Earthy Goddess
- Narragansett Rocks
- Rhode Island Reach
- Fenham Publishing
- Rhode Island Organ Donor Awareness
- Ocean Tides School

The NAG artisans have been displaying members of:

- Providence Open/Artisan Market
- Narragansett Art Festival
- Block Island Arts Guild
- Narragansett Seaside Show
- StyleWeek Providence
- Sea Star Marketplace
- Southern New England Women's Expo
- U.S. Fish & Wildlife at Kettle Pond
- South Kingstown Farmers Markets
- Charlestown Land Trust Farmers Market
- The Foundry Artists
- Harvest Johnny Cake Festival
- Galilee Fishing Tournament and Seafood Festival

Town of Narragansett
Narragansett Town Beach
39 Boston Neck Road, Narragansett, RI 02882

Terms and Conditions for
Artisan Shows at Gazebo Park

This agreement provides the terms and conditions for the Narragansett Arts Guild to operate and sell original arts and crafts under portable tents on **Wednesday Nights ONLY from 5:00 pm to 9:00 pm at Gazebo Park**. This agreement is limited to business conducted on the property limits of the Gazebo Park.

Vendor: **Narragansett Arts Guild**
 12 Cypress Avenue
 Narragansett, RI 02882

This agreement is restricted to the activities and dates/ times listed below. Any additions requested to the above list must be submitted to and approved in writing by the Director of Parks and Recreation.

This agreement is valid for one (1) season.

Those applying for an agreement must adhere to and submit to the following terms.

1. A yearly fee of \$1000.00 will be paid in the following manner: \$500.00 at the signing of the agreement and \$500.00 on July 1st. There will only be fifteen [15] vendors, each with a 10' x 10' tent and will include guest artisan vendor approved by the Narragansett Arts Guild. A complimentary space will be available for a non-profit agency or the town.
2. This is a low impact event, no services such as electricity, port-a-johns, police details or town assistance is required.
3. No on-site parking is available. Vendors will be allowed to drop off and pick-up tents and supplies each night at the park but must remove the vehicle and park off site.
4. The vendor shall be open for the sole purpose of vending goods that are approved by the town, only during hours specified within this agreement. The sale of items not specifically mentioned in this agreement are not permitted.
5. This agreement will be in place from **June 15, 2016 until August 31, 2016 on Wednesday Nights ONLY from 5:00 pm to 9:00 pm at Gazebo Park**. Set-up can begin at 3:30 pm and break down must be completed within one hour of closing.
6. The Narragansett Arts Guild shall provide at their own expense public liability insurance in amounts and in such form as may be satisfactory to the Town of Narragansett, which insurance shall name the Town of Narragansett as an additional insured.

7. Each Vendor must submit a list of employees that will be doing business associated with this agreement. This list must include the names and contact information for each employee conducting business on Gazebo Park. Any additions or subtractions to this list must be made known to the Director of Parks and Recreation or his/her designee.
8. A limited number of yard signs and a banner promoting the Narragansett Arts Guild and the Arts Show may be placed with the approval of the Director of Parks and Recreation. Any advertising associated with the vendors will be limited to signs attached to tents. No other signage or advertising will be permitted. This includes, but is not limited to, coupons, windshield flyers. No form of advertising shall be distributed in the beach lots or on Gazebo Park. Advertising signs are prohibited on the Route 108 Kingstown Road rotary.
9. The vendor shall be responsible to acquire any licenses or permits needed to conduct business on Town property that may be needed that is above and beyond the scope of this agreement.
10. The vendor shall provide all materials needed for conducting business in a safe manner. The Town is not responsible for damage or loss of property of either the vendor or his/her patron.
11. The Town of Narragansett reserves the right to suspend activity conducted under this agreement. Reasons may include but are not limited to severe weather, currents, special events or conduct of the operator.
12. Issues of concern regarding the terms of this agreement or the manner of business being conducted under this agreement shall be brought to the attention of the vendor and as such will be the responsibility of the vendor to remedy to the satisfaction of the Director of Parks and Recreation or his/her designee.
13. The Director of the Department of Parks and Recreation or his/her authorized representative may terminate the operation of the agreement when the terms or spirit of these terms and conditions have been broken. It is specifically understood and agreed by and between the vendor and Department of Parks and Recreation that this agreement may be cancelled and terminated by the Department, when services are not provided to the satisfaction of the Director of the Department of Parks and Recreation or his/her authorized representative, upon giving five days written notice to the vendor.
14. The vendor must comply with all local and state laws and regulations governing the sales of original arts and crafts and also must pay all state and federal taxes.
15. The vendor cannot reassign this agreement without the approval in writing by the Town Council.
16. Vendor agrees to indemnify and hold harmless the Town from and against any and all liability in any way arising out of or related to vendor's performance of its obligations hereunder. The indemnity shall be the broadest form available and shall include indemnity against any liability arising out of or caused by the negligence of vendor, its agents, subcontractors, and employees.

17. The Department of Parks and Recreation reserves the right to make any other rules and regulations pertaining to the vendor's operation in which are in the best interests of the town and the general public. The vendor agrees that the character of service shall be the best obtainable and shall at all times be sufficient to meet the reasonable demands of the public. The Department of Parks and Recreation shall have the right to object to the character of the service and to order the objectionable service or conditions discontinued or remedied. The same courtesy shall be extended to the visitors of the town park as to the patrons of the Artisan Show that all park visitors shall be permitted to avail themselves of the privileges offered and in no way shall the owner or his employees discriminate against race, color or creed.

18. The representative of the **Narragansett Arts Guild** who signs and submits this agreement will be the only responsible contact the Town of Narragansett, Department of Parks and Recreation will communicate with during the term of this agreement unless otherwise authorized in writing. It shall be the responsibility of the representative of the **Narragansett Arts Guild** to administer the terms and conditions of this agreement with approved sub-operators. All official communication with regard to the provisions or enforcement of this contract shall be between the representative of the **Narragansett Arts Guild** of record and the Director of Parks and Recreation or his/her authorized representative.

Witness:

Town of Narragansett

By: _____

Jeff Ceasrine, Acting Town Manager

Dated: _____, 2016

By: _____

Witness:

Vendor: **Donald Cameron**
Narragansett Arts Guild
12 Cypress Avenue
Narragansett, RI 02882

Dated: _____, 2016

END ARTS GUILD AGREEMENT

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 5

Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: Narragansett Lions Club Easter Egg Hunt

RECOMMENDATION:

That the Town Council approves the request from the Narragansett Lions Club for the use of Gazebo Park for their Annual Easter Egg Hunt to be held March 19, 2016 from 9:00 am to 10:30 am.

SUMMARY:

This is an annual Easter Egg Hunt sponsored by the Narragansett Lions Club for the children of the community on March 19th, 2016 with a rain date of March 20th. The event starts in the Towers at 9:00 am with pictures and then the Easter Egg Hunt on the lawn of the Gazebo until 10:30 am.

ATTACHMENTS:

- Application for Special Use



Narragansett Parks & Recreation

170 Clark Road
Narragansett, RI 02882
401-782-0658

Organization (If applicable): Narragansett Lions Club

Contact Person: Dan Carter Phone: 855-5588 Fax: 732 5438

Email: dcarterlaw@cox.net

Address: 193 Indian Tr Town: Saunder Zip: RI 02874

Time requested must include preparation and cleanup. Facility request is not approved until you receive signed confirmation from the Parks and Recreation Department.

Event: Easter Egg Hunt Number of Participants: 100

Dates: 3/19 (Rain 3/20) Start Time: 9am End Time: 10:30 am

Please give a brief description of your event (Please attach further documentation if needed):
Easter Egg Hunt for kids

Requested Facility(s)

<input type="checkbox"/> Big Sprague	<input type="checkbox"/> Tennis Building
<input type="checkbox"/> Clarke Road	<input type="checkbox"/> Christofaro Park
<input type="checkbox"/> Little Sprague	<input type="checkbox"/> George C
<input type="checkbox"/> Boon Street	<input type="checkbox"/> Town Beach
<input type="checkbox"/> Eastwood Look	<input checked="" type="checkbox"/> Other <u>Gazebo</u>
<input type="checkbox"/> Lights will be needed at the facility I am requesting	

Area(s) Requested

<input type="checkbox"/> Baseball Field	<input type="checkbox"/> Basketball Court
<input type="checkbox"/> Lower Soccer Field	<input type="checkbox"/> Tennis Court
<input type="checkbox"/> Upper Soccer Field	<input type="checkbox"/> Playground Area

Participation Waiver

In consideration of the use of a Narragansett Parks and Recreation Facility, I hereby waive, release and discharge any and all claims for damages for death, personal injury, or property damage which I may have, or which hereafter accrue to me as a result of my use of the reserved facility. This release is intended to discharge in advance the Town of Narragansett, and all of its officers, agents and employees from and against any and all liability arising out of or connected with the use of said facility. It is understood by my signature below that I have agreed that this waiver, release and assumption of risk is to be binding on my heirs, personal representatives, next of kin, spouse and assigns. The signature below indicates the requesting group or individual it is in agreement with all Narragansett Parks and Recreation facility use procedures and the participation waiver.

Note: Permit may be revoked at any given time by this department

In consideration of the issuance of this permit, the above agrees to pay for any and all damages that may be incurred in connection with use of same.

Fee Due: _____

Signature: [Signature] Date: 1/25/16

Director's Signature: [Signature] Date: 1/26/16

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 6

Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: RI Lions District 42 Sand Angel Contest

RECOMMENDATION:

That the Town Council approves the request from the RI Lions District 42 for the use of the Town Beach for a Sand Angel Contest to qualify for the Guinness Book of Records on Saturday May 7th, 2016 from 11:00 am to 4:00 pm.

SUMMARY:

RI Lions District 42 is attempting to establish a new Guinness Book of Records achievement for greatest number of sand angels created in one place on one day. The Lions District will need to create approximately 400 sand angels to accomplish their goal. They are hoping to attract 1500 people to aide in this effort to achieve this record. The Eco-Depot is being held this day in the North lot and will not have an impact on this event. Parking will be made available in the West Lot and the South Lot for volunteers. A certificate of Liability Insurance will be provided naming the Town of Narragansett as "additionally insured" for this event.

ATTACHMENTS:

- Application for Special Use



Narragansett Parks & Recreation

170 Clark Road
Narragansett, RI 02882
401-782-0658

Organization (If applicable): RHODE ISLAND LIONS DISTRICT 42

Contact Person: STEVEN FABRIZIO Phone: 401-465-7572 Fax: _____

Email: STEVENFABR@MSN.COM

Address: 1 LONGVIEW DR. Town: NARRAGANSETT RI Zip: 02882

Time requested must include preparation and cleanup. Facility request is not approved until you receive signed confirmation from the Parks and Recreation Department.

Event: SAND ANGEL CONTEST TO QUALIFY FOR GUINNESS BOOK OF RECORDS Number of Participants: 1500

Dates: MAY 7TH Start Time: 11 AM End Time: 4 PM

Please give a brief description of your event (Please attach further documentation if needed):

RI LIONS CHAPTER IS ATTEMPTING TO ESTABLISH A NEW GUINNESS BOOK OF RECORDS ACHIEVEMENT FOR GREATEST # OF SAND ANGELS CREATED IN ONE PLACE ON ONE DAY. WE WILL NEED TO CREATE APPROXIMATELY 400 SAND ANGELS TO ACCOMPLISH OUR GOAL. WE ARE HOPEFUL TO HAVE 1500 PEOPLE AIDING OUR EFFORT TO ACHIEVE THIS RECORD.

Requested Facility(s)	
<input type="checkbox"/> Big Sprague	<input type="checkbox"/> Tennis Building
<input type="checkbox"/> Clarke Road	<input type="checkbox"/> Christofaro Park
<input type="checkbox"/> Little Sprague	<input type="checkbox"/> George C
<input type="checkbox"/> Boon Street	<input checked="" type="checkbox"/> Town Beach
<input type="checkbox"/> Eastwood Look	<input type="checkbox"/> Other
<input type="checkbox"/> Lights will be needed at the facility I am requesting	

Area(s) Requested	
<input type="checkbox"/> Baseball Field	<input type="checkbox"/> Basketball Court
<input type="checkbox"/> Lower Soccer Field	<input type="checkbox"/> Tennis Court
<input type="checkbox"/> Upper Soccer Field	<input type="checkbox"/> Playground Area

Participation Waiver

In consideration of the use of a Narragansett Parks and Recreation Facility, I hereby waive, release and discharge any and all claims for damages for death, personal injury, or property damage which I may have, or which hereafter accrue to me as a result of my use of the reserved facility. This release is intended to discharge in advance the Town of Narragansett, and all of its officers, agents and employees from and against any and all liability arising out of or connected with the use of said facility. It is understood by my signature below that I have agreed that this waiver, release and assumption of risk is to be binding on my heirs, personal representatives, next of kin, spouse and assigns. The signature below indicates the requesting group or individual it is in agreement with all Narragansett Parks and Recreation facility use procedures and the participation waiver.

Note: Permit may be revoked at any given time by this department

In consideration of the issuance of this permit, the above agrees to pay for any and all damages that may be incurred in connection with use of same.

Fee Due: \$120.00 BEACH RAKING 3 hours

Signature: Steven Fabrizio Date: 1/15/16

Director's Signature: [Signature] Date: 1/26/16

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 7
Amend No. _____

Date Prepared: January 29, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: South County Oyster Festival

RECOMMENDATION:

That the Town Council approves the request from Perry Raso of the Matunuck Oyster Bar and Farm for the second annual fundraiser for non-profit organizations in our community. This year the event is being held for Dylan Murano and Childhood Apraxia and is scheduled for Sunday May 1, 2016 from 12:00 noon to 6:00 pm at Veteran's Park subject to state and local regulations.

SUMMARY:

This request from Perry Raso of the Matunuck Oyster Bar and Farm is for a well-organized family event at Veteran's Memorial Park on Sunday May 1, 2016 that will include food booths, beer and wine sales, arts and crafts and musical entertainment. The majority of the activity will be conducted under one 100' x 200' tent. This event will be open to the public and the number of vendors will be limited to twenty. The Narragansett Police Department and Fire Departments will be contacted and details hired as required for this event. Strict control of beer and wine sales will be enforced with fencing and police details. Entertainment will include an oyster shucking contest and live bluegrass music. Port-a-Johns will be available for use by the public for the event. Set up will take place on Saturday Morning April 30, 2016 and the Towers have been reserved in case of inclement weather. A certificate of Liability Insurance naming the Town of Narragansett as "Additionally Insured" will be provided prior to the event.

ATTACHMENTS:

1. Application for Special Use
2. Request letter
3. Caterer Class P License



Narragansett Parks & Recreation

170 Clark Road
Narragansett, RI 02882
401-782-0658

Organization (If applicable): Matchuck Oyster Bar

Contact Person: PERRY RASO Phone: 401-932-4946 Fax:

Email: perry.raso@gmail.com

Address: 629 Succotash Road Town: Wakefield Zip: 02879

Time requested must include preparation and cleanup. Facility request is not approved until you receive signed confirmation from the Parks and Recreation Department.

Event: South County Oyster Fest Number of Participants:

Dates: 5/1/16 Start Time: 12 pm End Time: 6 pm

Please give a brief description of your event (Please attach further documentation if needed):

Requested Facility(s)
Big Sprague
Clarke Road
Little Sprague
Boon Street
Eastwood Look
Lights will be needed at the facility I am requesting
Tennis Building
Christofaro Park
George C
Town Beach
Other
Veterans Park

Area(s) Requested
Baseball Field
Lower Soccer Field
Upper Soccer Field
Basketball Court
Tennis Court
Playground Area

Participation Waiver

In consideration of the use of a Narragansett Parks and Recreation Facility, I hereby waive, release and discharge any and all claims for damages for death, personal injury, or property damage which I may have, or which hereafter accrue to me as a result of my use of the reserved facility.

Note: Permit may be revoked at any given time by this department

In consideration of the issuance of this permit, the above agrees to pay for any and all damages that may be incurred in connection with use of same.

Fee Due: N/A

Signature: [Signature] Date: 1-28-16

Director's Signature: [Signature] Date: 1/28/16



State of Rhode Island and Providence Plantations
Department of Business Regulation
Liquor Section



Caterer Class P License

629 Succotash LLC

Matunick Oyster Bar

Rhode Island

has been granted this, a retailer's beverage license Class P, under §3-7-14.2 Title 3 of the Rhode Island General Laws, authorizing the holder hereof within the State of Rhode Island, to keep for sale and to sell at a premises, beverages for consumption on the premises of a catered event.

This license expires at midnight on 12/01/2016 and be good throughout the State of Rhode Island, and it shall be kept at the licensed premises and a copy of this license shall be in possession of the licensee at all catered events where such beverages are sold.

This license is subject to such conditions, rules and regulations as the Department has established or shall in the future establish, and to the terms and provisions of Title 3 of the General Laws of Rhode Island.

IN WITNESS WHEREOF, the Director has caused this license to be issued and authenticated by his or her signature.

LICENSE NUMBER: CP.0001517

DATE OF ISSUANCE: 11/10/2015

To: The Honorable Narragansett Town Council

From: Perry Raso, Matunuck Bar and Farm
629 Succotash Rd Wakefield RI 02879

Re: Annual Fundraiser

Where: The Narragansett Towers and Veterans Memorial Park

When: Sunday, May 1, 2016 12pm - 6pm

Why: To establish an annual fundraiser to raise money for people or organizations in our community: The 2016 fundraiser will be for Dylan Murano & Childhood Apraxia

How: Tickets will be sold prior to the event for \$25 and at the event for \$20. The ticket will get the purchaser into the event and include 1 drink (beer or wine) and a half dozen raw oysters. Wristbands will be purchased to identify guests that are 21 years old. Two bars will be set up both serving beer and wine only, all servers will be license certified to serve alcohol. If guests would like to purchase an additional drink they will be able to do so at one of the bars, careful attention will be paid to insure that no one is over served alcohol at this event.

Other food and drink can be purchased at the event such as lobster rolls, chowder, as well as specialty foods. Purveyors and other local businesses will be asked to participate by donating proceeds generated from sales, which will go directly to the cause.

Certain costs such as rentals and advertising may be offset with ticket and food sales. There will be potential to sell sponsorship to businesses and organizations for advertising exposure as well as potential to sell vendor booth space to local artisans. Entertainment will include an oyster shucking competition and live music. A limited number of tables and chairs will be available for our guests. Vendors will be responsible for bringing in all of their own equipment.

The majority of activity will be held under 100ft x 200ft tent on the grass of Veterans Memorial Park. A fence will be put up around the perimeter of the park so that there is one entrance. Compliance to fire code will be adhered and the Narragansett Fire Department will be consulted during layout and set up of the event. Two to four police details will be requested (non-donation) for the event to help ensure safety.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 8

Amend No. _____

Date Prepared: February 3, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Parks and Recreation Director
SUBJECT: Saint Thomas More Parish "Good Friday Walk"

RECOMMENDATION:

That the Town Council approves the request from Saint Thomas More Parish for their annual Good Friday Walk to be held on Friday March 25, 2016, subject to state and local regulations.

SUMMARY:

Saint Thomas More Parish plans to hold its annual Good Friday Walk "Stations in the Street" from 12:00 noon to 2:00 pm on Friday March 25, 2016. The walk will leave the Church via Rodman Street to Ocean Road to Kingstown Road to Rockland Street. The Narragansett Police Department has also reviewed the traffic plan and given their approval and will provide a detail for the walk.

ATTACHMENTS:

1. Special Use Request Form
2. Map

**TOWN OF NARRAGANSETT
DEPARTMENT OF PARKS AND RECREATION
170 Clarke Road, Narragansett, RI 02882
www.narragansettri.gov**

APPLICATION FOR SPECIAL USE

ROAD RACE/WALK-A-THON

TODAY'S DATE 2/1/16

Ninety [90] DAYS IN ADVANCE IS REQUIRED FOR ALL APPROVALS.

1. NAME OF APPLICANT Missie Antone
2. ORGANIZATION St Thomas More Parish
3. ADDRESS 53 Rockland Street
E-MAIL stmantone1@yahoo.com
4. TELEPHONE 401 () 783-2113
5. NATURE OF EVENT Good Friday Walk - Stations in the Street
6. DATE REQUESTED Friday, March 25, 2016
7. TIME: 12-2pm
8. SITES, AREA, BUILDING REQUESTED Rodman St to Ocean Rd to Kingstown Rd to Rockland St
9. COURSE LAYOUT _____
MAP OF COMPLETE COURSE ROUTE MUST BE ATTACHED.
10. WHO WILL PARTICIPATE IN THE RACE parishioners
11. NUMBER OF PARTICIPANTS 200-250 SPECTATORS _____
12. WILL THERE BE ANY VOLUNTEERS? yes IF YES, HOW MANY _____
13. WILL PARTICIPANTS OBTAIN ACCESS BY:
 - CAR (ESTIMATE NUMBER) 1
 - BUS (ESTIMATE NUMBER OF PASSENGERS) _____
14. DESCRIBE IN DETAIL ANY SPECIAL SERVICES REQUESTED 1 Narragansett police officer
Car with officer
15. WILL THERE BE ANY ADVERTISING USED? yes IF YES, WHAT TYPE _____
16. WOULD YOU LIKE THIS EVENT ADVERTISED ON OUR WEB SITE? yes
17. ANY VENDORS PROVIDING SERVICES? no IF YES, NO GOODS FOR SALE
UNLESS APPROVED IN WRITING AS PART OF THIS APPLICATION.
18. IS ADDITIONAL FIRST AID NEEDED? no

CONDITIONS OF APPLICATION ACCEPTED

RACE EVENT & DATE: St Thomas More Good Friday Walk April 25, 2016

Missie Antone

Missie Antone

DATE 2/1/16

Conditions of Application Accepted [APPLICANT]

[Signature] Accept Denied DATE 2/1/16
Parks Director

Pen Email Accept Denied DATE 2/2/16
Public Works Director

Pen Email Accept Denied DATE 2/1/16
Police Chief

PER Email Accept Denied DATE 2/1/16
Fire Chief

_____ Accept Denied DATE _____
Town Manager

_____ Accept Denied DATE _____
Town Council

Town of Narragansett
Department of Parks and Recreation
170 Clarke Road, Narragansett, RI 02882
www.narragansettri.gov

Phone # (401) 782-0658

Fax # (401) 788-2553

Email form to recreation@narragansettri.gov

Missis Aotono

Share

Map Maker

Changes in My Neighborhoods

Everything

To Review

Recently Published

No results.

App New

Exit

Browser

Select a Place
To edit points of interest such as businesses, landmarks, and more.

Select a Line
To edit roads, trails, rivers, railways, interactions and other line features.

Select Road Segments
To edit or merge road segments.

Directions
To edit interactions and turn restrictions.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 9

Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
SUBJECT: St. Thomas More Annual Parish Festival at Veteran's Park

RECOMMENDATION:

That the Town Council approves the request from St. Thomas More Parish for their 9th Annual Parish Festival at Veteran's Memorial Park on Saturday June 18, 2016 from 4:00 pm to 10:00 pm. Subject to state and local regulations.

SUMMARY:

The request for this annual event by St. Thomas More Parish to be held at Veteran's Memorial Park is for a well-organized family event including food booths, amusement ride, and family oriented entertainment under tents. In the past eight years this event has been well attended by many residents, visitors to Narragansett, as well as parishioners of St. Thomas More. This event has also been very successful and open to the public. The Towers Committee, Police Department and Fire Department have been contacted regarding the date and time of this event to avoid potential conflicts with other events scheduled for that day. Set up will take place on Friday June 17th, 2016 and removal will be complete by Monday June 20, 2016.

ATTACHMENTS:

1. St. Thomas More Parish request letter

SAINT THOMAS MORE PARISH
SAINT VERONICA CHAPEL

'16 JAN 22 13:00

www.stthomasmoreri.org

53 Rockland Street
Narragansett, Rhode Island 02882-3620
Telephone: (401) 789-7682

We are writing to request a town permit and permission to use Veterans Memorial park for our church festival on Saturday June 18, 2016. This is for the annual St Thomas More church festival that will take place on Saturday, June 18, 2016 from 4pm until 10pm.

This event is open to the public and all are welcome to attend. We will have tents professionally set up. One being a music tent, where we will have a band playing. We have a food tent, where we will cook and serve food and drinks. A children's tent will be there with kids game and crafts inside. The last tent will consist of bake good and gift baskets.

We will have an amusement ride set up at the end of the park across from the post office.

There is no entrance fee. We sell tickets at the park for the food, games, baked good, and gift baskets.

We will work with the Narragansett Fire Marshall and State Inspector as we have every year to ensure it is a safe event.

We hope you will join us.

Thank You,



Ann Murphy, Chair of event



Fr Marcel Taillon, Pastor of St. Thomas More

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 10

Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager

FROM: Steve Wright, Director Parks and Recreation

SUBJECT: Surfers Healing RI

RECOMMENDATION:

That the Town Council approves the request from the Surfers Healing RI to conduct a one day free surf camp for children with autism at the Town Beach on September 17, 2016 from 7:00 am to 4:00 pm subject to approval of state and local regulations.

SUMMARY:

Surfers Healing RI is a non-profit organization providing children with autism the opportunity to surf with professional surfers from across the country. Acts of Kindness is sponsoring this event for the RI Charity. This is the 7th year for this annual event at Narragansett Town Beach. Approximately 200 children will surf with family and friends supporting them from the shore for this great event. The mission of Surfers Healing is to share the therapeutic experience of surfing with autistic children and their families, and give them one beautiful day together at the beach. All families are required to sign liability waivers and the Surfers Healing RI will provide Liability Insurance naming the Town of Narragansett as additionally insured.

ATTACHMENTS:

1. Application for special use



Narragansett Parks & Recreation

170 Clark Road
Narragansett, RI 02882
401-782-0658

Organization (If applicable): Surfers Healing RI (Acts of Kindness is our sponsoring RI Charity)

Contact Person: Doreen Bullock Phone: 401-243-3874 / 401398-2006 Fax: _____

Email: dknbullock@gmail.com

Address: 21B Eagle Run Town: E.Greenwich Zip: 02818

Time requested must include preparation and cleanup. Facility request is not approved until you receive signed confirmation from the Parks and Recreation Department.

Event: Surfers Healing Free Surf Camp for children with autism Number of Participants: 200 children

Dates: 9-17-16 Start Time: 7:00a.m. End Time: 4:00p.m.

Please give a brief description of your event (Please attach further documentation if needed):

Surfers Healing is a free one day surf camp for children with autism.

We have had the pleasure of running our annual camp on the Narragansett Town Beach since 2009.

This year, approximately 200 children will surf. Friends & family will also be there supporting the children, so we expect about 700+ people to attend the day.

Requested Facility(s)

<input type="checkbox"/> Big Sprague	<input type="checkbox"/> Tennis Building
<input type="checkbox"/> Clarke Road	<input type="checkbox"/> Christofaro Park
<input type="checkbox"/> Little Sprague	<input type="checkbox"/> George C
<input type="checkbox"/> Boon Street	<input checked="" type="checkbox"/> Town Beach
<input type="checkbox"/> Eastwood Look	<input type="checkbox"/> Other
<input type="checkbox"/> Lights will be needed at the facility I am requesting	

Area(s) Requested

<input type="checkbox"/> Baseball Field	<input type="checkbox"/> Basketball Court
<input type="checkbox"/> Lower Soccer Field	<input type="checkbox"/> Tennis Court
<input type="checkbox"/> Upper Soccer Field	<input type="checkbox"/> Playground Area

Participation Waiver

In consideration of the use of a Narragansett Parks and Recreation Facility, I hereby waive, release and discharge any and all claims for damages for death, personal injury, or property damage which I may have, or which hereafter accrue to me as a result of my use of the reserved facility. This release is intended to discharge in advance the Town of Narragansett, and all of its officers, agents and employees from and against any and all liability arising out of or connected with the use of said facility. It is understood by my signature below that I have agreed that this waiver, release and assumption of risk is to be binding on my heirs, personal representatives, next of kin, spouse and assigns. The signature below indicates the requesting group or individual it is in agreement with all Narragansett Parks and Recreation facility use procedures and the participation waiver.

Note: Permit may be revoked at any given time by this department

In consideration of the issuance of this permit, the above agrees to pay for any and all damages that may be incurred in connection with use of same.

Fee Due: EST - \$225.00 (LIFE GUARDS)

Signature: Doreen Bullock Date: 1-15-16

Director's Signature: [Signature] Date: 1/19/16

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 11

Amend No. _____

Date Prepared: February 4, 2016
Council Meeting Date: February 16, 2016

TO: Honorable Town Council
FROM: Jeffry Ceasrine, Acting Town Manager
SUBJECT: Waiver of Interest on Late Tax Payments

RECOMMENDATION:

That the Town Council approve the waiver of interest for taxpayers in accordance with Ordinance 2010-936.

SUMMARY:

The Town Council adopted Ordinance No. 2010-936 on September 20, 2010, that allows the waiver of interest penalties for taxpayers in certain circumstances. Under the current ordinance, taxpayers who are residents of the town and can demonstrate that they have had five years of on time tax payments are eligible to request a one-time waiver. The waiver of interest cannot exceed \$500. The ordinance authorizes the Town Council to approve the waiver interest of taxpayers who request the waiver as far back as July 1, 2008.

The Town Council is being asked to abate the interest penalties for the following taxpayers:

Roy Spiridi & Marie Sullivan	9 John Street	\$40.15
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**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 12

Amend No. _____

Date Prepared: February 3, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Susan W. Gallagher, Purchasing Manager
SUBJECT: Liquid Propane Gas – State of RI Master Price Agreement

RECOMMENDATION:

That the Town Council approves the use of the State of Rhode Island Master Price Agreement (MPA) #166 for the purchase of Liquid Propane Gas at the price of the Selkirk Posting +0.35 per gallon, for the period of December 8, 2015 – September 30, 2018.

SUMMARY:

The Town uses propane for heat at several facilities, including the DPW Facility, the Scarborough Wastewater Treatment Facility, Fire Stations, and the Comfort Station. Prior to 2015, the Town purchased propane through the local “spot” market. In February of 2015, Town Council approved the use of the State of RI MPA through Amerigas for significant savings (\$3.74/gallon “spot” market price down to \$1.04/gallon MPA price). That MPA expired in November 2015. The new MPA has been awarded to Amerigas for the period of December 8, 2015 – September 30, 2018 at +0.35 per gallon over the Selkirk Posting (this price was \$.9401/gallon for the month of January).

The original bid award was issued by the State of Rhode Island, Office of Purchasing.

Funding is available in various departments’ budgets, in account “50407” for heating fuel.

ATTACHMENTS:

1. State of Rhode Island MPA #166.



Notice of Blanket Purchase Agreement

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ONE CAPITOL HILL
PROVIDENCE RI 02908

AMERIGAS PROPANE LP
PO BOX 965
VALLEY FORGE, PA 19482
United States

GAS, LIQUID PROPANE (MPA #166)

Award
Number
3446948

Effective Period:
08-DEC-15 - 30-SEP-18

S H I P P I N G	MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST,RI MPA United States	Date: 08-DEC-15 Buyer: T Bovis Shipping: Paid Terms: NET 30 Vendor #: 48622	I N V O I C E	MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST,RI MPA United States

Department		Type of Requisition	Bid Number	Requisition Number
Line	Item	Item Description	Unit	Unit Price

	<p>PO 3439218 IS CANCELED MPA-166</p> <p>VENDOR CHANGE:</p> <p>FROM: AMERIGAS PROPANE INC TO: AMERIGAS PROPANE LP</p> <p>PO 3446948 REPLACES PO 3439218 AND IS ISSUED TO AMERIGAS PROPANE LP FOR THE REMAINDER OF THE CONTRACT</p> <p>MPA #166 - GAS, LIQUID AND PROPANE</p> <p>CONTRACT PERIOD: 12/8/15 - 9/30/18</p> <p>PRICING FOR THE STATE OF THE RHODE ISLAND PROPANE GAS</p> <p>SELKIRK POSTING +0.350 PER GALLON</p> <p>THE VENDOR MUST ATTACH TO EACH INVOICE A COPY OF THE JOURNAL OF COMMERCE FROM THE LAST FRIDAY OF THE PREVIOUS MONTH, SHOWING THE SELKIRK POSTING PRICE. IF FOR ANY REASON THE BASE RATE PRICING CHANGES AND IT HAS BEEN APPROVED BY THE DIVISION OF PURCHASES, THEN THE NEW PRICING SUPPORT SHOULD BE INCLUDED WITHOUT EXCEPTION. NO INVOICE WILL BE PROCESSED FOR PAYMENT WITHOUT PROPER DOCUMENTATION ATTACHED.</p> <p>TANK RENTALS ARE AT NO CHARGE</p>		
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STATE PURCHASING AGENT

Nancy R. McIntyre

Nancy R. McIntyre

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.ri.gov. Delivery of goods or services as described herein shall be deemed acceptance of these requirements.



Notice of Blanket Purchase Agreement

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ONE CAPITOL HILL
PROVIDENCE RI 02908

AMERIGAS PROPANE LP
PO BOX 965
VALLEY FORGE, PA 19482
United States

GAS, LIQUID PROPANE (MPA #168)

Award
Number
3446948

Effective Period:
08-DEC-15 - 30-SEP-18

S H I P T O	MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST, RI MPA United States	Date: 08-DEC-15 Buyer: T Bovis Shipping: Paid Terms: NET 30 Vendor #: 48622	I N V O I C E	MASTER PRICE AGREEMENT SEE BELOW RELEASE AGAINST, RI MPA United States

Department		Type of Requisition	Bid Number	Requisition Number
Line	Item	Item Description	Unit	Unit Price

	<p>LABOR RATE PER MAN HOUR (NO SEPARATE TRAVEL) (\$100.00 PER HOUR)</p> <p>DISCOUNT FROM PARTS LIST IS 0%</p> <p>TO BE INCLUDED IN THE PRICING NOTIFICATION CONTACT DAWN STEVENSON GOVERNMENT ACCOUNT MANAGER NATIONAL ACCOUNTS AMERIGAS PHONE 610-768-3601 FAX 610-768-7694 EMAIL: DAWN.STEVENSON@AMERIGAS.COM</p>		
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STATE PURCHASING AGENT
Nancy R. McIntyre

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.ri.gov. Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 13
Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Purchase of MagiCard Printer Supplies

RECOMMENDATION:

That the Town Council approves the purchase of "MagiCard Printer Supplies" from the lowest vendor, ID Security Online, in the amount of \$3,016.50.

SUMMARY:

This Request for Quotation (RFQ) was for the purchase of sixty (60) MagiCard ribbons and seven (7) Cleaning Kits, used by Parks and Recreation and the Beach Division. The MagiCard ribbon cartridges are utilized in the seven MagiCard Rio Printers for the picture ID system at the beach. Purchasing these cartridges in bulk quantities reduces the Town's operating costs. The Beach Division prints 13,000 seasonal passes annually which replaced the seasonal beach buttons. One ribbon cartridge purchased at retail is \$111.00 versus \$48.00 through the competitive RFQ process.

RFQs were solicited and posted on the Town of Narragansett and State Purchasing Division websites. Thirteen vendors were solicited and sixteen responded. The attached spreadsheet lists the results from the solicitation.

Funding is available in the Beach Operating Account #0034 50331, Operating Supplies.

ATTACHMENTS:

1. January 19, 2016 solicitation spreadsheet for RFQ.

Town of Narragansett, RI
 MagiCard Printer Supplies - Q16011
 Parks and Recreation Department

Reply deadline: January 19, 2016

Vendor	Qty	Ribbons - Unit Cost	Ribbons - Extended Cost	Qty	Cleaning Kits Unit Cost	Cleaning Kits - Extended Cost	Total Cost From Vendor
ID Security Online	60	\$48.00	\$2,880.00	7	\$19.50	\$136.50	\$3,016.50
IRIS Ltd., Inc.	60	\$49.52	\$2,971.20	7	\$24.60	\$172.20	\$3,143.40
Scan Technology, Inc.	60	\$49.65	\$2,979.00	7	\$25.00	\$175.00	\$3,154.00
B&H Photo Video	60	\$50.00	\$3,000.00	7	\$25.00	\$175.00	\$3,175.00
Heigl Technologies	60	\$53.80	\$3,228.00	7	\$18.45	\$129.15	\$3,357.15
DTC Worldwide	60	\$53.80	\$3,228.00	7	\$20.60	\$144.20	\$3,372.20
Higgins Office Products, Inc.	60	\$54.00	\$3,240.00	7	\$21.00	\$147.00	\$3,387.00
ColorID	60	\$55.95	\$3,357.00	7	\$19.49	\$136.43	\$3,493.43
LSI	60	\$56.75	\$3,405.00	7	\$22.05	\$154.35	\$3,559.35
Hoobe Identification Solutions, Inc.	60	\$57.75	\$3,465.00	7	\$20.00	\$140.00	\$3,605.00
ID Supply	60	\$59.00	\$3,540.00	7	\$22.00	\$154.00	\$3,694.00
Plastic Card Systems, Inc.	60	\$60.00	\$3,600.00	7	\$25.00	\$175.00	\$3,775.00
IDWholesaler	60	\$65.44	\$3,926.40	7	\$20.00	\$140.00	\$4,066.40
R.C. Systems, Inc.	60	\$70.00	\$4,200.00	7	\$50.00	\$350.00	\$4,550.00
State Copy, Inc.	60	\$80.50	\$4,830.00	7	\$22.58	\$158.06	\$4,988.06
Coast to Coast Computer Products	60	\$85.10	\$5,106.00	7	\$21.29	\$149.03	\$5,255.03
SG, 1/20/16							

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 14
Amend No. _____

Date Prepared: February 4, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager
FROM: Michael DiCicco, Director of Public Works
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Shop Key Elite Plus

RECOMMENDATION:

That the Town Council approves the service contract for Shop Key Plus vehicle and equipment maintenance software from Mitchell 1, in the amount of \$3,228.00.

SUMMARY:

This is an annual subscription currently used by the Department of Public Works and the School Transportation Division (who has utilized it for ten years) for vehicle maintenance and work order systems. The subscription is currently in the School Department's name and being transferred to the DPW Fleet Maintenance.

Mitchell 1 is the manufacturer/license holder of this software. In accordance with the Town of Narragansett Code of Ordinances, Section 70-326 and Rhode Island General Laws, Chapter 55, Section 45-55-8, I, the Purchasing Manager, have determined this to be a sole source item.

Funding is available in the Fleet Maintenance Division Operating Account # 1735 50202, Contracted Services.

ATTACHMENTS:

1. Yearly Service Contract – Shop Key Elite Plus.

Make Checks Payable to MITCHELL 1

From the U.S.: MITCHELL 1 25029 Network Place, Chicago, IL 60673-1250
Federal ID No.: 33-0734307

From Canada: MITCHELL 1 P.O. Box 15358 Station A Toronto, ON M5W 1C1 Canada
GST No: 888262094RT0001



Correspondence to: MITCHELL 1 14145 Danielson Street, Poway, CA 92064 Ph# (888) 724-6742

SHOPKEY ORDER FORM with EULA

ORDER # 3978933

NEW ACCOUNT? Yes No Has Info Changed?

SHIP TO Rep Customer Other

SHIP TO #:	CRP ID:	ASSOC MEMBER #:	PDG or Lead #:	DATE: Feb 2, 2016
CO NAME:	Narragansett DPW		TM REP: Curt Nevin	T#: 2256
ATTENTION:	Stephen L. Daignault Jr.		IND REP: Craig Stay	#: 038589
ST ADDRESS:	260 Westmoreland Street		SK REP:	R#:
CITY, ST, ZIP:	Narragansett, RI 02882-3440		DEALER:	D#:
PH#:	401-782-0693	FAX#:	EMAIL: sdaignault@narragansettri.gov	

Bill to address is the same? If not, complete the following section.

BILL TO #:	984767	CO NAME:	Town of Narragansett	Lease Co?	<input type="checkbox"/> Yes <input type="checkbox"/> No
ATTENTION:	Kathy Taylor				
ST ADDRESS:	25 Fifth Avenue				
CITY, ST, ZIP:	Narragansett, RI 02882				

PRODUCT	QTY	NEW / REN	Code	Term	Price**
Select Product ShopKey Elite Plus	1	<input checked="" type="checkbox"/> <input type="checkbox"/>	GOV	12M	\$2,448.00
ShopKey Management SE	1	<input checked="" type="checkbox"/> <input type="checkbox"/>	INCLUDED	12M	
ShopKey Pro Rep/Est	1	<input checked="" type="checkbox"/> <input type="checkbox"/>	INCLUDED	12M	
Addl User ShopKey Management SE	5	<input checked="" type="checkbox"/> <input type="checkbox"/>	GOV	12M	\$840.00
Type Other		<input type="checkbox"/> <input type="checkbox"/>			

PAYMENT OPTIONS: Terms & Conditions (see End User License Agreement):
Customer is responsible for all applicable state or local taxes.

Subtotal	\$3,288.00
+ TAX* if applicable	
TOTAL	

*If tax exempt, you must attach exempt certificate.
**Pricing good for 30 days.

DIRECT DEBIT

I authorize Mitchell 1 to enroll me in the Direct Debit or credit card payment plan to enable the automatic payment of my Mitchell 1 monthly bill OR I agree to change my existing monthly automatic payment by the amount of this order. I authorize the financial institution name below to charge my account for payment of my Mitchell 1 bill.

Check one of the payment methods below:

Direct Debit (attach voided check) | Credit Card Card # _____ Exp: _____

Signature: _____ Date: _____

From: Curt Nevin
Phone: 1-800-944-3877
Ext 2024

Remit Payment to Mitchell 1.

FIRST MONTH OR FULL PAYMENT	<input type="checkbox"/> Check (Ck# _____ Amt _____) <input checked="" type="checkbox"/> P.O. # _____
	<input type="checkbox"/> Credit Card Card # _____ Exp: _____

SPECIAL INSTRUCTIONS:

THE UNDERSIGNED AGREE TO THE TERMS AND CONDITIONS SET FORTH ABOVE AND HAVE RECEIVED AND ACCEPTED THE TERMS OF THE END USER LICENSE AGREEMENT. IN WITNESS THEREOF, THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT ON THE RESPECTIVE DATE INDICATED ABOVE. CUSTOMER AGREES TO RECEIVE PROMOTIONAL E-MAILS FROM MITCHELL 1. IF CUSTOMER WOULD PREFER NOT TO RECEIVE PROMOTIONAL E-MAILS FROM MITCHELL 1, PLEASE VISIT OUR WEBSITE www.sktrain.org.net/unsubscribe TO UNSUBSCRIBE.

End User/Owner Signature	Print Name	Title
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Electronic Signatures. Each party agrees that the electronic signatures, whether digital or encrypted, of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means any voice recorded or electronic sound, symbol or process attached to or logically associated with a record and executed and adopted by a party with the intent to sign such record, including facsimile, telephone recording or e-mail electronic signatures.

SKEOF22015

Needed Signature

Return to: curt.nevin@mitchell1.com or Fax to: 858-746-8998

Title Sign Pg 4
Print Name Also

SNAP-ON DIAGNOSTICS' CUSTOMER LICENSE AGREEMENT

THIS SNAP-ON DIAGNOSTICS CUSTOMER LICENSE AGREEMENT (the "Agreement") is by and between MITCHELL REPAIR INFORMATION COMPANY LLC and/or Partners, 14145 Danielson Street, Poway, California 92064 ("Snap-on Diagnostics") and the purchaser identified on the Snap-on Diagnostics Order Form ("Customer") attached to this Agreement and incorporated herein.

1. **Term.** This Agreement will commence upon the date an Order Form (defined below) is accepted by Snap-on Diagnostics as stated in Section 2 below ("Effective Date") and unless terminated earlier in accordance with the Agreement, will remain in full force and effect for the period of time selected on the Order Form ("Initial Term") and will be renewed as provided herein in ("Renewal Term") and collectively with the Initial Term the "Term". The parties acknowledge that the Services and Subscription may have different Terms. The expiration or other termination of a Service(s), and not a Subscription shall not terminate the Agreement, and the Agreement shall remain in full force and effect, as it applies to the Subscription or Service(s) not terminated. The termination of a Subscription, and/or a Service(s), and not other Service(s) shall not terminate the Agreement, and the Agreement shall remain in full force and effect, as it applies to the Service(s) not terminated.

2. **Order Forms.** Each Snap-on Diagnostics Product or Service (defined below) shall be ordered pursuant to one or more Snap-on Diagnostics order forms that reference this Agreement and are signed by Customer and Snap-on Diagnostics ("Order Form"), which shall become part of this Agreement. Customer acknowledges and agrees that the Order Form and the registration, payment and other information submitted by Customer on the Order Form is complete and accurate. **Electronic Signatures.** Each party agrees that the electronic signatures, whether digital or encrypted, of the parties included in this Agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means any voice recorded or electronic sound, symbol or process attached to or logically associated with a record and executed and adopted by a party with the intent to sign such record, including facsimile, telephone recording or e-mail electronic signatures. Order Forms for: (a) Products provided electronically, or (2) Services and Products provided electronically, are accepted when Snap-on Diagnostics sends Customer an electronic message confirming the Order Form. All other Order Forms for: (a) Products not provided electronically, or (2) Services and Products not provided electronically, are accepted upon shipment of the Products, licensed FCA shipping point. Order Forms for Services only are accepted when an authorized Snap-on Diagnostics representative signs the Order Form. Any terms and conditions set forth on a purchase order or other written documentation from Customer shall be considered void and of no force and effect. In the event of any conflict between the terms and conditions of this Agreement and those contained on an Order Form, the terms and conditions of this Agreement shall prevail, provided that the Agreement may be supplemented or modified by the Order Form only if the Order Form specifically identifies the provision of this Agreement to be supplemented or modified.

3. **Services.** The only Services offered by Snap-on Diagnostics are listed on the Order Form and if selected by Customer are subject to the terms of this Agreement. The Service(s) unless terminated earlier in accordance with the Agreement, will renew automatically on a month to month basis. 30-day notice is required to cancel during the renewal period. Notwithstanding anything herein to the contrary, if the Order Form provides for a promotional term, the "Initial Term" and "Renewal Term" shall be the promotional term defined in the Order Form. The 30 day notice of cancellation stated above shall apply to any promotional term.

3.1 M1 Business Performance Services

3.1.1 **Overview.** If the Services may include Customer Retention Marketing Service Reminders ("CRM"), Target Market Promotions ("TMP"), Website Data Protection ("DP") and other services that may be offered from time to time as further specified on the Order Form (hereinafter individually or collectively referred to as "Service(s)") Section 3.1.1 through Section 3.1.6 apply respectively to the Service(s) selected.

3.1.2 **Customer Retention Marketing Service Reminders.** If Customer selects CRM as set forth on the Order Form, Snap-on Diagnostics agrees to provide the following services:

- (a) Extract customer and vehicle information from the automotive facilities management system for the use of Marketing Services (defined below).
- (b) Provide "Marketing Services" that include service reminder postcards via mail, e-mail service reminders, and thank you e-mails for new customers. Service reminders via mail and e-mail service reminders are limited to unique vehicle/customer records defined as eligible for solicitation based on the payment level chosen on the Order Form. E-mail service reminders will always be sent when an e-mail address is captured by Snap-on Diagnostics via the extraction process or may be obtained by Snap-on Diagnostics through third party e-mail providers.
- (c) Manage a database of customer and vehicle information for the Customer.
- (d) Send customer and vehicle data to print vendor of Mitchell 1's choice for Marketing Services.
- (e) Use data hygiene cleaning processes for data integrity and provide a secure environment for customer data storage.
- (f) Provide Customer technical and customer support for CRM services during the Term of the Agreement.
- (g) If Customer has opted for service recommendations on the Order Form, such recommendations will be added to service reminder postcards and e-mails. Service recommendations will be pulled from the Mitchell 1/ShopKey Manager program.
- (h) If Customer has opted for the Target Market Promotions ("TMP") on the Order Form, Snap-on Diagnostics agrees to provide promotional marketing services to the Customer at the listed price. Data for TMP will be provided either from: (i) the Customer's existing customer database and uploaded for use on mailing campaigns, or (ii) for an additional fee and as indicated on the Order Form, Customer may elect to "rent" a customer mailing list through Snap-on Diagnostics from a Third Party Provider (defined below). If Customer elects to rent a mailing list as provided in this Section 3.1.2 (h), such rented mailing list shall be used only for one (1) mailing event and Snap-on Diagnostics is not permitted and will not in any event provide a list of customers included in a rented mailing list. Standard promotional artwork templates are provided. At Customer's option, Snap-on Diagnostics will create custom templates for a one-time fee of \$150 for each unique template requested. The \$150 charge includes one (1) change or revision to the custom template.
- (i) Customer opting for eCRM e-mail service can choose from an extensive list of preexisting text coupon templates with the ability to include their own limited text. These preexisting text coupons can be updated at any time. Custom graphic coupons are available to customers subscribing to eCRM e-mail service at \$150 per request.

- (j) Customers opting for monthly Postcard service can choose coupons from a large list of coupon design templates and make a maximum of 4 revisions in a twelve (12) month period. Additional custom coupon changes can be completed at \$150 per request. There is no limit on switching coupons from the existing coupon template library. Customer opting for Postcard service can choose cover artwork from the existing Snap-on Diagnostics library and receive one (1) custom design per year, and a maximum of two (2) revisions to that custom design. Additional cover art change requests can be completed at \$150 per request.

(k) The Customer acknowledges that any content pushed to the customer's Facebook page by Mitchell 1 is at Facebook's sole discretion to present.

(l) Customers purchasing a Website from Mitchell 1 that also include the purchase of a domain name, acknowledges that the purchased domain name will remain Mitchell 1's property and may or may not be transferred to the customer upon contact cancellation.

(m) A Website and/or any CRM service provided by Mitchell 1 does not include a guarantee of prominent or "first page" search engine results positioning.

3.1.3 **OwnerAutoSite.com** The Customer acknowledges that Snap-on Diagnostics will be posting consumer service history data on behalf of Customer via a unique Internet login, and Customer accepts full responsibility for doing so.

3.1.4 **Snap-on Diagnostics DataProtection Services.** If Customer selects DataProtection Services (DataProtection), Snap-on Diagnostics agrees to provide the following: **DataProtection Services.**

- (a) Periodic web based electronic copying and storage of files, including, and limited to, Mitchell 1/ShopKey shop management product database files.
- (b) Snap-on Diagnostics customer service personnel to provide web based restoration of electronically stored files, including, and limited to, Mitchell 1/ShopKey shop management product database files.

3.1.5 **Other Rights and Restrictions.**

- (a) Snap-on Diagnostics reserves the right to use third parties to provide any of the Services under this Agreement ("Third Party Provider").
- (b) Snap-on Diagnostics reserves the right to modify or discontinue, temporarily or permanently, all or a part of the Service(s) to the extent such Service(s) are modified or discontinued for substantially all of its customers.
- (c) Snap-on Diagnostics reserves the right to suspend or terminate provision of any Services in a particular jurisdiction if Snap-on Diagnostics determines, in its reasonable discretion that the Services cannot be provided in accordance with applicable laws.
- (d) All software deemed outdated by Snap-on Diagnostics must be removed from Customer's computer and returned to Snap-on Diagnostics upon Snap-on Diagnostics's request with a certification from Customer that all software has been removed.
- (e) Snap-on Diagnostics reserves the right to enforce its legal rights against anyone who uses the Services without its consent or in violation of this Agreement.
- (f) Snap-on Diagnostics reserves the right to make changes in rules of operation, security measures, accessibility, procedures, types of terminal equipment, types of system equipment, operating system requirements, programming languages and any other matters relating to the Services and its use, without notice.
- (g) Customer, and not Snap-on Diagnostics, shall bear sole responsibility to obtain, maintain and operate, or cause to be obtained, maintained and operated at its own expense, any and all equipment and non-Snap-on Diagnostics software that may be used in conjunction with the Services.
- (h) Snap-on Diagnostics agrees not to disclose or use any personal data shared with Snap-on Diagnostics except to the extent necessary to carry out its obligations under this Agreement, which may include sharing such data with Third Party Providers. Snap-on Diagnostics reserves the perpetual right to aggregate and market data collected from a Customer for various purposes, including without limitation, benchmarking, research and data analysis, and Customer shall be responsible for providing Customer's customers with any necessary notice of said right.
- (i) To the extent any of the Services involve the use of software by Customer, Customer shall not: (i) sell, transfer, rent, lease, sublicense or dispose of the Services, or any part or copies thereof; (ii) modify, change, alter, translate, create derivative works from, reverse engineer, disassemble or decompile the Services in any way for any reason or otherwise attempt to discern the source code to the software; (iii) provide, disclose, divulge or make available to, or permit use of the Services by, any third party; or (iv) copy or reproduce all or any part of the Services except as expressly permitted in this Agreement.
- (j) In addition to any restrictions set forth in this Agreement, use of the Services is limited to the restrictions set forth in the Order Form. All rights not expressly granted to Customer in this Agreement or the Order Form are reserved by Snap-on Diagnostics.
- (k) Customer shall be responsible for giving Customer's customers notice that if an e-mail address is not provided, a third party e-mail provider will be used in an attempt to obtain said customer's e-mail address.
- (l) Snap-on Diagnostics's Third Party Providers are direct beneficiaries of this Agreement and shall have the right to enforce this Agreement against Customer with respect to any violation by Customer affecting the products of Third Party Providers licensed to Customer under this Agreement.

3.2 **Subscriptions.** The products offered for licensing are listed on the Order Form and the products selected by the Customer shall be referred to in this Agreement as the "Products". Products are available by subscription and subject to the terms of this Agreement.

3.2.1 The Products are licensed, and not sold, on a subscription-basis only. Customer may select on the Order Form the type of subscription to be purchased by Customer (each a "Subscription"). Each Subscription may be subject to different terms and conditions as described below. The Term of a Subscription will commence on the Effective Date, and unless terminated earlier in accordance with this Agreement, will continue for the term described in the applicable Subscription below (each a "Subscription Period"). Each renewal of a Subscription will be considered a new Subscription Period. During the applicable Subscription Period, Customer will receive any updates to the Product that Snap-on Diagnostics makes available generally to its customers as part of the applicable Subscription ("Updates").

end user/owner initial

Initials

3.2.2 The terms below will apply to the Subscription selected by Customer: (i) Rental. The Subscription Period for this Subscription is effective for an initial term of twelve (12) or twenty-four (24) months following the Commencement Date ("Initial Rental Subscription Period"). In addition to the applicable Subscription fees, Customer may be required to pay Snap-on Diagnostics a one-time activation fee to commence the Rental Subscription. The activation fee is non-refundable once the Order Form is submitted to Snap-on Diagnostics unless Snap-on Diagnostics declines to accept the Order Form. Snap-on Diagnostics will bill Customer monthly, with payments due within thirty (30) calendar days following the date of the Snap-on Diagnostics invoice. After the Initial Rental Subscription Period, the Subscription Period for this Subscription will renew automatically on a month to month basis. 30-day notice is required to cancel during the renewal period. A Subscription may not be cancelled during the Initial Rental Subscription Period. Snap-on Diagnostics reserves the right to change pricing upon notice to Customer prior to each Rental Renewal Period. At the end of the Initial Rental Subscription Period or any Rental Renewal Period, Customer must return to Snap-on Diagnostics the Product, any Updates, documentation and all copies thereof and discontinue use of the Product, any Updates and all documentation.

4. License.

- (a) Subject to the terms and conditions of this Agreement, Snap-on Diagnostics grants to Customer a personal, nonexclusive, nontransferable, limited license to access and use the executable version of the applicable Product during the applicable Subscription Period purchased by Customer solely for the purpose of: (i) providing vehicle mechanical services; (ii) estimating vehicle mechanical parts and labor cost estimates; and (iii) conducting vehicle shop management. Unless the Order Form specifies otherwise, the license shall be for one location; with location referring to a distinct building or site. If the Order Form authorizes more than one user, then the number of users shall be limited to the number set forth on the Order Form. When technically and reasonably feasible, Customer may make one copy of the Product solely for backup purposes.
- (b) Regardless of the Subscription Period, Customer may not (i) copy or reproduce the Product except as permitted in this Agreement; (ii) allow the Product or data from the Product to be made available to any person other than Customer; (iii) assign, sell, transfer or pass along the data, the Product or access to the Product; (iv) translate, reverse engineer, decompile, disassemble or otherwise access the source code; and (v) provide services for a fee or otherwise use the Product without prior written agreement from Snap-on Diagnostics. Snap-on Diagnostics and its third party licensors shall retain title at all times to the Product, and Customer shall have no rights therein except to use the Product as permitted by this Agreement.
- (c) The Products may be comprised of third party products licensed by a third party to Snap-on Diagnostics and will be subject to all of the terms and conditions of this Agreement. Customer's license to use such third party products will be limited to Customer's applicable Subscription for such third party products and may be used only in connection with the Snap-on Diagnostics Products.
- (d) Customer shall not remove, alter or destroy any form of copyright notice, proprietary markings or confidential legends placed upon or contained with the Product.

5. **Ownership Rights Reserved.** No title or ownership in and to the Services or Products or any part thereof, are transferred to Customer under this Agreement. Snap-on Diagnostics retains all right, title and interest and all copyright, trade secret rights and other intellectual property and proprietary rights in and to the Services, Products and all Updates, corrections, enhancements, modifications and derivative works thereof. Customer shall not alter, distort or remove any proprietary notices or legends from the Services or Products and shall include such notices on any authorized copies of the Services or Products.

6. **Publicity.** Neither party shall use the name or marks of the other party or refer to or identify the other party in advertising or publicity releases, promotional or marketing correspondence to others without first securing the written consent of such other party, except that Snap-on Diagnostics shall have the right to:

- (a) use Customer's name in oral sales presentations, client lists, press releases, brochures, marketing materials and financial reports indicating that Customer is a customer of Snap-on Diagnostics; and
- (b) disclose the terms of this Agreement, or any part thereof, to potential investors or acquirers of Snap-on Diagnostics or for purposes of complying with the disclosure requirements of federal and state securities laws.

7. Payments.

- (a) In consideration of the rights granted to Customer herein, Customer shall pay to Snap-on Diagnostics: (i) the initial fees as set forth in the Order Form; (ii) the then-current renewal fees applicable to a Service or Subscription for a Product ordered by Customer; and (iii) any sales, use, excise and other similar taxes, and shipping costs applicable to an Order (collectively, the "Customer Fees"). Unless otherwise specified in this Agreement, Snap-on Diagnostics reserves the right to change Customer Fees at anytime. Payments shall be due within thirty (30) days of the date of Snap-on Diagnostics's invoices. Late payments will earn interest charged to Customer at the lesser of: (i) the monthly rate of 1.5 percent; or (ii) the maximum interest amount allowed by local law. In the event a payment is more than ten (10) days late, Snap-on Diagnostics shall have the right to suspend use of the Products, cease providing Services, take possession of the system and all related materials in Customer's possession and cease delivery of any updates or upgrades until the account is made current. Customer shall be responsible for all costs, including costs including attorneys' fees, incurred by Snap-on Diagnostics due to Customer's delinquency.
- (b) As applicable, Customer hereby authorizes Snap-on Diagnostics to charge the Customer Fees to the payment card or checking account number provided by Customer. By submitting a payment card or checking account number as the form of payment, Customer represents and warrants that Customer's use of the particular card or checking account is authorized and that all information submitted is true and accurate (including, without limitation, payment card number and expiration date). In doing so, Customer also authorizes Snap-on Diagnostics to charge to this payment card or checking account tendered all amounts payable by Customer to Snap-on Diagnostics based on the Subscription plan selected (including all renewals thereof), including, but not limited to, all fees and any applicable taxes Snap-on Diagnostics is required to collect. Customer agrees to update its account registration and payment card or checking account information immediately with any change in the payment card information including, but not limited to, any

change in expiration date. If Snap-on Diagnostics is unable to process the payment card or checking account at any time, Customer's account may be immediately suspended or terminated and Customer will remain responsible for all amounts payable by Customer to Snap-on Diagnostics. The payment card or checking account issuer agreement governs use of your payment card or checking account and Customer must refer to that agreement with respect to Customer's rights and liabilities as an account holder. If Snap-on Diagnostics does not receive payment from its payment card or checking account issuer or its agent, Customer agrees to pay Snap-on Diagnostics all amounts due upon demand by Snap-on Diagnostics. Snap-on Diagnostics reserves the right to not renew Customer's account at any time for any reason.

8. **Maintenance of Equipment and Software.** Customer, and not Snap-on Diagnostics, shall bear sole responsibility to obtain, maintain and operate, or cause to be obtained, maintained and operated at Customer's own expense, all equipment and software that may be necessary for Customer to access and use the Services or Product. The minimum requirements may be updated from time to time by Snap-on Diagnostics. Customer is responsible solely for ensuring compatibility with the Services and Product and for any new hardware or software required by Customer to maintain compatibility with the Services or Product.

9. **Confidentiality.** Customer acknowledges and agrees that the Services and Product that is comprised of software, equipment and data, together with such other materials, data and information that Customer has access to or receives from Snap-on Diagnostics (all such information and materials collectively called "Proprietary Materials") are the unique, valuable, confidential and proprietary product of Snap-on Diagnostics and contain substantial trade secrets of Snap-on Diagnostics and are entrusted to Customer in confidence to use only as expressly authorized in this Agreement. Customer shall, and shall cause its employees and any other third party, including its independent contractors, representatives, affiliates and agents, who, with the express consent of Snap-on Diagnostics, has access to such Proprietary Materials to keep all Proprietary Materials confidential and shall not disclose or permit access to the Proprietary Materials to any person or entity other than its employees for the purpose of attaining the objects of this Agreement; and to not use the Proprietary Materials for any purpose other than as expressly permitted herein. Customer shall be required to apply the same standard of care that it uses with respect to its own valuable confidential information and Customer represents that it uses commercially reasonable efforts at all times to protect such information. Customer shall promptly notify Snap-on Diagnostics in writing of any unauthorized knowledge, possession or use of the Proprietary Materials of which it becomes aware. Customer agrees that such software, equipment and data and any portions of the Products not available to the general public may not be disclosed to others, copies, reproduced, disseminated, broadcast, displayed, reverse engineered, disassembled, compiled or used for any purpose other than as specifically permitted under this Agreement. Customer shall use its best efforts to protect the Product and to prevent dissemination or use of the Product or Services to or by unauthorized person. Customer shall not assign, pledge, sublicense or permit any other use of the Product or Services without obtaining the prior written consent of Snap-on Diagnostics, which consent may be withheld at the sole discretion of Snap-on Diagnostics. Customer's obligations under this Section 9 shall survive termination or expiration of this Agreement.

10. WARRANTY AND DISCLAIMER.

(a) THE SERVICES AND PRODUCTS ARE DELIVERED "AS IS" AND SNAP-ON DIAGNOSTICS MAKES NO REPRESENTATIONS OR WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, SYSTEM INTEGRATION, INFORMATION CONTENT, DATA ACCURACY, NON-INFRINGEMENT, INTERFERENCE WITH ENJOYMENT OR OTHERWISE. SNAP-ON DIAGNOSTICS ALSO DOES NOT WARRANT THAT THE OPERATION OF THE SERVICES, PRODUCTS OR ANY SOFTWARE RELATED THERETO WILL BE UNINTERRUPTED OR ERROR FREE.

(b) CUSTOMER ACKNOWLEDGES AND AGREES THAT:

1. SNAP-ON DIAGNOSTICS IS NOT THE MANUFACTURER OR DISTRIBUTOR OF ANY AUTOMOTIVE REPAIR PARTS REFERENCED IN THE PRODUCT;
2. NEITHER SNAP-ON DIAGNOSTICS NOR ITS THIRD PARTY LICENSORS MAKE ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE QUALITY OR AVAILABILITY OF SUCH PARTS OR THE ACCURACY OF THE PRICES OF SUCH PARTS;
3. THE DATA MADE AVAILABLE TO CUSTOMER ON OR THROUGH THE PRODUCT OR BY THE SERVICES IS PROVIDED ON AN "AS IS" BASIS WITHOUT WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NON-INFRINGEMENT, ACCURACY, COMPLETENESS, AND INFORMATIONAL CONTENT;
4. CUSTOMER USES SUCH DATA SOLELY AT CUSTOMER'S OWN RISK. CUSTOMER ACCEPTS FULL RESPONSIBILITY FOR ANY AND ALL DECISIONS MADE BY CUSTOMER IN RELIANCE UPON SUCH DATA;
5. CUSTOMER ACCEPTS FULL RESPONSIBILITY FOR ANY AND ALL DECISIONS MADE BY CUSTOMER IN RELIANCE UPON SUCH DATA;
6. IN ENTERING INTO THIS AGREEMENT AND/OR PURCHASING A SUBSCRIPTION, CUSTOMER IS NOT RELYING UPON ANY REPRESENTATIONS (ORAL, WRITTEN OR OTHERWISE) MADE BY SNAP-ON DIAGNOSTICS, ITS THIRD PARTY LICENSORS, AUTHORIZED RETAILERS OR ANY OTHER PERSON;
7. IF CUSTOMER UTILIZES ANY NON-SNAP-ON DIAGNOSTICS SUPPLIED INTERFACE PROGRAM TO INTERFACE WITH THE PRODUCT OR SERVICES, CUSTOMER SHALL LOOK SOLELY TO THE VENDOR OF SUCH INTERFACE PROGRAM WITH RESPECT TO ANY LOSSES OR DAMAGES CAUSED BY SUCH INTERFACE PROGRAM; AND
8. NEITHER SNAP-ON DIAGNOSTICS NOR ITS THIRD PARTY LICENSORS IS RESPONSIBLE FOR OBSOLESCENCE OF THE PRODUCT OR SERVICES, NOR SHALL HAVE RESPONSIBILITY FOR SUSPENDED, OUTDATED OR UNCORRECTED VERSIONS OF THE PRODUCT, SERVICES OR ANY PART THEREOF.

11. LIMITATION OF LIABILITY.

- (a) IN NO EVENT SHALL EITHER PARTY BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES WHATSOEVER (INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF BUSINESS PROFITS, LOSS OF USE, TRADING LOSSES, LOSS OF SAVINGS, BUSINESS INTERRUPTION, OPPORTUNITY, LOSS OF DATA, OR OTHER PECUNIARY LOSS) ARISING OUT OF OR RELATED TO THE SERVICES OR PRODUCTS, THE USE OF OR INABILITY TO USE THE SERVICES OR PRODUCTS, OR THE TERMS OF THIS AGREEMENT, EVEN IF A PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
- (b) NOT WITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, AND REGARDLESS OF THE CAUSE OR THE FORM OF ACTION (WHETHER BREACH OF CONTRACT OR WARRANTY, NEGLIGENCE OR OTHER TORT, STRICT LIABILITY, OR

end user/owner initial

Initials

OTHERWISE) A PARTY'S LIABILITY TO THE OTHER FOR DAMAGES SHALL BE LIMITED TO ACTUAL DIRECT DAMAGES AND SHALL NOT EXCEED THE FEES PAID BY CUSTOMER FOR THE AFFECTED SERVICES OR PRODUCT DURING THE MONTH IN WHICH THE CLAIM FIRST ACCRUED. THE LIMITATIONS ON LIABILITY SET FORTH IN THIS SECTION 12 SHALL NOT APPLY TO EITHER PARTY'S BREACH OF ITS CONFIDENTIALITY OBLIGATIONS UNDER THIS AGREEMENT OR TO CUSTOMER'S BREACH OF THE LICENSES AND RESTRICTIONS SET FORTH IN THIS AGREEMENT AND THE APPLICABLE ORDER FORM(S).

(c) CUSTOMER'S SOLE REMEDY UPON BREACH OF THIS AGREEMENT BY SNAP-ON DIAGNOSTICS THAT SNAP-ON DIAGNOSTICS IS UNABLE TO CURE AFTER A REASONABLE NOTICE PERIOD, SHALL BE TERMINATION OF THE AGREEMENT AND REFUND OF UNEARNED PORTIONS OF THE FEES STATED ON THE ORDER FORM(S).

12. **Equitable Relief.** Notwithstanding any other provision of this Agreement, Customer acknowledges that any breach of its obligations under this Agreement with respect to the Services or Products and any other proprietary rights and confidential information of Snap-on Diagnostics or its Third Party Providers will cause irreparable injury to Snap-on Diagnostics or its third party providers, as applicable, for which there are inadequate remedies at law and, therefore, Snap-on Diagnostics or its Third Party Providers shall be entitled to equitable relief in addition to all other remedies provided by this Agreement and the applicable Order Form(s) or available at law.

13. **Indemnification.** Customer agrees to defend, indemnify, and hold Snap-on Diagnostics harmless against all claims and damages, including without limitation, reasonable attorney's fees arising out of Customer's use of the Services or Products, including but not limited to, any Update, unless such claims or damages result from, or unless Customer's authorized use of the Services or Products has given rise to, claims or damages based on the infringement of any copyright or other proprietary right of any third party. Snap-on Diagnostics shall not be liable to you for interruption of CWS data through the Internet by third parties. Snap-on Diagnostics has no control over, is not responsible for and will not be liable to you for the actions of Internet systems and service providers or natural disasters that create delays or interruptions of services. Customer acknowledges and agrees that if Customer utilizes any non-Snap-on Diagnostics supplied interface program to interface with the system, Customer shall look solely to the vendor of such interface program with respect to any losses or damages caused by such interface program. Snap-on Diagnostics is not responsible for obsolescence of the system and data updates and shall have no responsibility for suspended, outdated or uncorrected versions of the system and data updates.

14. **Termination.**

(a) Snap-on Diagnostics shall have the right to terminate this Agreement in the event of any of the following: (1) if Customer defaults in the performance of any of Customer's obligations under this Agreement involving the payment of money and the same shall not be cured within ten (10) business days after written notice to Customer; (2) if Customer defaults in the performance of any of Customer's obligations under this Agreement or breaches any restriction imposed on it by this Agreement, and if such default or breach involves performance or restrictions other than the payment of money and Customer shall not commence during the same within ten (10) business days after written notice to Customer, and if such default is not thereafter cured within ninety (90) days; or (3) if a receiver is appointed or one or more creditors do take possession of all or substantially all of the assets of Customer, or if Customer shall make a general assignment for the benefit of creditors, or if Customer resolves to go into voluntary liquidation.

(b) Notwithstanding the foregoing, Customer acknowledges that certain third party products licensed by Snap-on Diagnostics to Customer under this Agreement may be terminated by Snap-on Diagnostics upon violation of this Agreement by Customer without any opportunity to cure and the following actions by Customer shall constitute a material breach of the Agreement and Snap-on Diagnostics may terminate the Agreement, in part or in whole, upon notice to Customer without the opportunity to cure: (1) any use or dissemination of the Product or Services that is not expressly permitted in this Agreement, (2) any unauthorized access to, or use of, the Product or Services by or through Customer, or (3) failure to make timely payment of any Customer Fee. Immediately upon the effective date of termination of this Agreement, Customer shall cease using the Product and Services.

(c) Upon termination of this Agreement by Customer for a material breach by Snap-on Diagnostics, Snap-on Diagnostics shall refund to Customer the unearned portion of the Customer Fees (i.e., prorated for the remainder of the Subscription Period for Products or Term for Services following the effective date of termination). Upon termination of this Agreement by Snap-on Diagnostics for a breach by Customer, Customer shall not be entitled to any refund of the Customer Fees.

(d) The terms and conditions of Sections 5, 7, 9, 11, 12, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 shall survive the termination of this Agreement for any reason.

15. **Effect of Termination.** In the event of the expiration or termination of this Agreement for any reason: (a) Customer shall refrain from any and all use of the Services and Products in any manner whatsoever, except as otherwise provided in this Agreement; (b) any CWS Web Site and Snap-on Diagnostics Network Number shall immediately be shut down; (c) Customer shall not be relieved of any of its obligations which have accrued on and prior to the date of expiration or termination of this Agreement; (d) Customer shall return the system, data updates, and all Snap-on Diagnostics documents and information pertaining thereto; (e) except as set forth in Section 14(c), Customer shall not be entitled to any refund of any payments or fees paid to Snap-on Diagnostics by Customer; and (f) Customer must immediately return to Snap-on Diagnostics any and all Proprietary Materials.

16. **Assignment.** Snap-on Diagnostics may freely assign its rights hereunder without securing Customer's permission to do so. Customer may not assign its rights or delegate its duties hereunder without first securing written permission from Snap-on Diagnostics, which permission may be withheld at the sole discretion of Snap-on Diagnostics. For purposes of this Section 17, Customer shall be deemed to have assigned this Agreement if there is, in the aggregate, a change of ownership of twenty-five percent (25%) or more of Customer or a merger or combination of Customer with another entity of business, whether Customer is the surviving entity or not. Any such attempted assignment shall be void and shall constitute a default entitling Snap-on Diagnostics to terminate this Agreement. Notwithstanding the foregoing, upon payment by Customer of a reasonable transfer fee, this Agreement may be assigned by Customer to a purchaser of all or substantially all of its business upon the prior written consent of Snap-on Diagnostics, such consent not to be unreasonably withheld.

17. **Choice of Law and Forum.** This Agreement has been entered into in San Diego, California under the laws of the State of California and Customer and Snap-on Diagnostics agree that it shall be interpreted, and all disputes arising hereunder shall be resolved, in accordance with California law. To the extent recourse to a court is allowed hereunder, both Customer and Snap-on Diagnostics agree that jurisdiction of any claim or suit hereunder shall be exclusively the courts

located within the County of San Diego, California. Both parties hereby submit to the personal jurisdiction of such courts and hereby disclaim the applicability of the Uniform Commercial Code, the Uniform Computer Information Transactions Act and the United Nations Convention of Contracts for the International Sale of Goods.

18. **Arbitration.**

(a) Any dispute, claim or controversy arising out of or relating to this Agreement or breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this Agreement to arbitrate, shall be determined by arbitration in San Diego, California, before a sole arbitrator, in accordance with the laws of the State of California for agreements made in and to be performed in that State. The arbitration shall be administered by JAMS pursuant to its Streamlined Arbitration Rules and Procedures. Judgment on the award may be entered in any court having jurisdiction.

(b) The arbitrator shall have no authority to amend or modify the terms of this Agreement or to award punitive or consequential, indirect, special or exemplary damages, and the award may be enforced by judgment.

(c) Before, during, or after arbitration each party shall have the right, without awaiting the outcome of the arbitration, to seek provisional remedies from an appropriate court including but not limited to temporary restraining orders or preliminary injunctions. Seeking any such remedies shall not be deemed a waiver of either party's right to compel arbitration.

19. **Limitation on Right to Pursue Claims.** ANY CLAIM SHALL BE MADE BY FILING A DEMAND FOR ARBITRATION WITHIN ONE (1) YEAR FOLLOWING THE OCCURRENCE FIRST GIVING RISE TO THE CLAIM.

20. **Attorney's Fees.** If any action or proceeding is brought in connection with this Agreement, the prevailing party shall be entitled to its attorney's fees and other costs and expenses incurred in such action or proceeding, including any appeals or petitions therefor.

21. **Irreparable Harm.** Customer acknowledges and expressly agrees that any breach by the provisions of the licenses in Section 4 of this Agreement or any of the provisions Section 3 or Section 9 would cause Snap-on Diagnostics irreparable harm for which damages would not be an adequate remedy. Therefore, Customer agrees that in the event of any breach of the licenses in Section 4 of this Agreement or any of the provisions Section 3 or Section 9, Snap-on Diagnostics will have the right to seek injunctive relief against continuing or further breach by Customer, without the necessity of proof of actual damages. This right to seek injunctive relief without necessity of proof of damage will be in addition to any other right that Snap-on Diagnostics may have under this Agreement, or otherwise in law or in equity.

22. **Notice.** Any notice or other communication required or permitted to be given to either party shall be in writing and shall be deemed to have been properly given and to be effective on the date of delivery, if delivered in person, or by facsimile (with electronic confirmation of receipt and mailing a copy) or five (5) days after mailing by registered or certified mail, postage paid, to the other party at the following address, or the address provided to the other party in writing from time to time: In the case of Mitchell 1: 14145 Danielson Street, Poway, CA 92064, Attention: CRM Department Tel: 958-724-6742 (toll free) Fax: 858-391-5262. In the case of Customer, the address specified in the Order Form.

23. **Waiver.** No delay or omission by either party hereto to exercise any right occurring upon any noncompliance or default by the other party with respect to any of the terms of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either of the parties of any of the covenants, conditions or agreements to be performed by the other shall not be construed to be a waiver of any succeeding breach thereof or of any covenant, condition or agreement herein contained.

24. **Severability.** If any provision of this Agreement or applicable Order Form(s) is found by a court of competent jurisdiction to be invalid or unenforceable, such invalidity or unenforceability shall not invalidate or render unenforceable any other part of this Agreement or applicable Order Form(s), but the Agreement or applicable Order Form(s) shall be construed as not containing the particular provision or provisions held to be invalid or unenforceable.

25. **Successors and Assigns.** This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and permitted assigns. This Section 25 shall not be construed to alter or modify the prohibitions upon assignments or transfers by Customer expressed elsewhere in this Agreement.

26. **Force Majeure.** Snap-on Diagnostics will not be liable for, or be considered to be in breach of or default under this Agreement, on account of any delay or failure to perform as required by this Agreement as a result of any cause or condition beyond its reasonable control. Snap-on Diagnostics may suspend or terminate provision of any Services or Product as a result of any such cause or condition.

27. **Counterparts; Facsimile Signatures.** This Agreement and the applicable Order Form(s) may be executed in one or more duplicate originals, all of which together shall be deemed one and the same instrument. This Agreement and the applicable Order Form(s) shall be binding on the parties through facsimile signatures, with originals to follow by regular mail or overnight courier.

28. **Entire Agreement.** This Agreement and the applicable Order Form(s) sets forth the entire, final and exclusive agreement between Customer and Snap-on Diagnostics as to the subject matter hereof and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, between the parties. This Agreement may be modified only pursuant to a writing executed by authorized representatives of Customer and Mitchell 1.

29. **Export Laws.** Customer shall not export, re-export, disclose, or distribute the Services or Product in violation of any applicable laws or regulations, including the export laws and regulations of the United States, and shall comply with all such laws and regulations.

30. **Complimentary Products.** If Customer has received complimentary products, Sections 1, 2, 3, 7 and 11(c) shall not apply to the complimentary products, except the definition of any term in an inapplicable Section shall remain in effect to the extent such term is used in an applicable Section. Customer shall not receive Services with complimentary products. This Agreement will commence upon Customer's receipt of the complimentary products. CUSTOMER'S SOLE REMEDY UPON BREACH OF THIS AGREEMENT BY SNAP-ON DIAGNOSTICS SHALL BE TERMINATION OF THIS AGREEMENT, AND DAMAGES NOT TO EXCEED \$1. This Agreement, as to the complimentary products, may be terminated by either party at any time upon written notice. Snap-on Diagnostics shall further have the right to terminate this Agreement, as to the complimentary products, by denying Customer access to the complimentary products at its sole discretion.

Needed Signature
- this page must be
sent back also

End User/Owner Signature _____

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 15
Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Steve Wright, Director Parks and Recreation
PREPARED BY: Susan Gallagher, Purchasing Manager
SUBJECT: Purchase of Receptacles and Flat Covers for the Beach

RECOMMENDATION:

That the Town Council approves the purchase of two (2) DuMor 32-gallon receptacles and six (6) steel flat covers for the Beach from O'Brien & Son's, Inc., in the amount of \$3,355.00.

SUMMARY:

The purchase of these two (2) 32-gallon receptacles will provide two additional decorative trash receptacles along the seawall for patrons in addition to the six existing presently in place. The steel covers will replace the poly covers in the older models that become dislodged in wind and storm events. Over the past three years the Parks Department has been replacing the amenities on the beach and along the seawall with material that withstands the saltwater/air elements, low maintenance and integrates with the new landscape of the beach such as, park benches, trash barrels, corrals, decks, building materials, etc. The receptacles and covers are manufactured by DuMor Site Furnishings.

The manufacturer's product line is distributed exclusively in Rhode Island by O'Brien & Sons, Incorporated. Please see the sole source distributor letter attached. In accordance with the Town of Narragansett Code of Ordinances, Section 70-326 and Rhode Island General Laws, Chapter 55, Section 45-55-8, I, the Purchasing Manager, have determined this to be a sole source item.

Funding is available in the Beach Enterprise Operating Account #0034 50610, Other Improvements.

ATTACHMENTS:

1. Quotation from Obrien & Sons' Inc., dated January 21, 2016
2. Sole source distributor letter from DuMor Site Furnishings.



M.E. O'Brien & Sons, Inc.
 93 West Street – P.O. Box 650 / Medfield, MA 02052
 Phone: 508-359-4200 / Fax: 508-359-2817
SDO CERTIFIED WBE

QUOTATION

Date: January 21, 2016 – Revision #2
Job: Narragansett Park & Recreation
Location: Narragansett, RI
Salesman: Meghan A. O'Brien Taylor, President /kh Meghan@obrienandsons.com
Attention: Steve Wright swright@narragansettri.gov

We are pleased to offer our quotation on the following for the above subject job:

<u>QTY</u>	<u>M#</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>TOTAL</u>
<u>Trash Receptacles</u>				
(2)	70-32 PLC	32-gallon receptacles with walnut plastic and black powdercoat; surface mount, to include powdercoated steel covers (1) with #CRV-30-FTO & (1) with #CVR-30-RC-0075	\$1,115.00	\$2,230.00
(3)	CRV-30-FTO	25 3/8" diameter steel flat cover, 10" opening, includes cable, powdercoated black	\$115.00	\$345.00
(3)	CVR-30-RC-0075	25 3/8" diameter steel flat cover, 4" hole with decal; blue with white lettering	\$180.00	\$540.00
Shipping Charges for all to ship together				\$240.00
Total furnished & delivered				\$3,355.00

****PLEASE READ - IMPORTANT NOTES - PLEASE READ****

- ◆ Contractor/Customer is responsible for quantity, color and product confirmation.
- ◆ M.E. O'Brien & Sons is NOT responsible for plan take-offs. All quantities, square footages, thicknesses, etc. are the responsibility of the purchaser. Please confirm and double check quantities quoted. It is the responsibility of the purchaser to approve/purchase items "per plan".
- ◆ Prices quoted are for 2016, are firm for 30 days and subject to review thereafter.
- ◆ Prices based on quantities listed. Any change to quantities may impact prices quoted.
- ◆ Prices are for materials only unless otherwise noted.
- ◆ Prices do NOT include off-loading, lift-gate (lift-gate is additional charge) or inside delivery.
- ◆ Prices do NOT include sales tax, resilient surfacing or installation, unless noted above.
- ◆ Standard manufacturer's design, colors, specifications, and construction apply.
- ◆ If ordered, upon receipt inspect entire delivery carefully, noting on delivery receipt ANY damage so a freight claim can be filed if damage is found after opening package(s).
- ◆ Retainage does not apply.
- ◆ Returns must be made within 30 calendar days of receipt of order. Customer is responsible for re-stocking fee plus shipping charges (to and from) for all returned items.
- ◆ Terms are: to be arranged - 1st order requires 50% deposit & execution of credit application.
- ◆ Allow 6 to 8 weeks for delivery of materials after receipt of order and architectural approval if required.

If we can be of further assistance, please feel free to contact us. Thank you!



January 26, 2016

To Whom It May Concern:

This will serve as official notice that M.E. O'Brien & Sons Incorporated, 93 West Street, Medfield, Massachusetts 02052, is the sole authorized representative for DuMor, Inc. for the six New England states. All proposals, purchase orders and payments for DuMor products are to be transacted through M.E. O'Brien & Sons Incorporated, at the address indicated above.

Respectfully,

A handwritten signature in black ink, appearing to be "S. Shapard", written over a circular scribble.

Stephen Shapard
Sales Manager

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 16
Amend No. _____

Date Prepared: January 25, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Scott M. Partington, Fire Chief
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Award of bid for Firefighter Work Uniforms

RECOMMENDATION:

That the Town Council awards the bid for "Firefighter Work Uniforms" to the lowest bidder, Mag & Son Clothing, at their quoted bid prices of \$39.00/short-sleeved shirt; \$42.00/long-sleeved shirt; and \$99.95/trouser for a one-year period.

SUMMARY:

The bid was for the purchase of NFPA-approved polo shirts (both long and short sleeved) and trousers. The Fire Department will initially order approximately 68 shirts and pants. In addition, the unit prices are held for a one-year period from the date of the award for any additional uniforms that may be needed. The unit prices are: \$39.00 for a short-sleeved shirt; \$42.00 for a long-sleeved shirt; and \$99.95 for NFPA 1975 compliant trousers.

Request for bids was advertised in the Narragansett Times, solicited and posted on the Town of Narragansett and State Purchasing Division websites. Six vendors were solicited and two responded. The attached spreadsheet lists the results from the solicitation.

Funding is available in the Fire Operating Account #1521 50330, Uniforms.

ATTACHMENTS:

1. December 10, 2015 solicitation spreadsheet for bid opening.

Town of Narragansett, RI
 Firefighter Work Uniforms, B16011
 Fire Department

Bid Opening: Thursday, December 10, 2015, 10:00 AM

Uniform Item	Qty	Vendor 1		Vendor 2	
		Mag & Son Clothing		Berry Uniform	
		Each Price	Ext. Price	Each Price	Ext. Price
1. Short-sleeved polo shirt, navy	50	\$39.00	\$1,950.00	\$66.00	\$3,300.00
2. Long-sleeved polo shirt, navy	18	\$42.00	\$756.00	\$79.00	\$1,422.00
3. Trousers, midnight navy	68	\$99.95	\$6,796.60	\$89.95	\$6,116.60
4. Embroidered officer collar emb	36		\$0.00		\$0.00
TOTAL			\$9,502.60		\$10,838.60
B16011/SG	*	= Arbitrary number just to use for total dollar comparison. This # may change.			
		Short-sleeved = Approx 75% of total shirts; Long-sleeved = Approx 25% of total shirt			

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

**CC: 17
Amend No. _____**

Date Prepared: February 2, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager
FROM: Michael J. DeLuca, Community Development Director
SUBJECT: Receive and place on file the 2015 Community Development & Planning Board Annual Report

RECOMMENDATION:

That the Town Council RECEIVES and PLACES ON FILE the 2015 Community Development & Planning Board Annual Report.

SUMMARY:

Under RIGL 45-22-8 and Section 2-128 of the Narragansett Code of Ordinances, the Planning Board must annually report their activities of the preceding year to the appointing authority (Town Council) along with recommendations of plans, programs and actions for future development. Because this department works closely with the Planning Board we incorporate the accomplishments of the Board as well as the department staff within this report. As requested by the Town Council, this year's report also includes an attendance assessment of all board members.

Attached is a copy of the "Department of Community Development & Planning Board 2015 Annual Report". This report was assembled by staff, presented and approved by the Planning Board at their January 20, 2016 meeting.

All reports referenced therein are available in the Office of Community Development.

ATTACHMENTS:

1. 2015 Community Development & Planning Board Annual Report

**Town of Narragansett
Department of Community Development
and
Planning Board**

2015 Annual Report

Overview

The following report provides a description of the key accomplishments of the Department of Community Development for the 2015 calendar year. By extension, it also addresses the actions of the Planning Board (as required under RIGL 45-22-8). The Department of Community Development also provides administrative support to the Zoning Board of Review, the Historic District Commission, the Conservation Commission/Tree Board, and the Harbor Management Commission.

Staff Responsibilities and Duties:

Organizationally, the Community Development staff has the following primary duties:

- Director – Provides administrative supervision of all staff activities; Drafts, reviews, and updates selected provisions of the town Comprehensive Plan; Drafts and reviews proposals for zoning text and map changes; Reviews and reports to Planning Board on subdivisions and land development projects; Assists the Historic District Commission to review and comment on historic building repairs; Attends all meetings of Town Council, Planning Board and Historic District Commission and several meetings of others boards noted above.
- Environmental Planning Specialist – Focuses the majority of work hours on two primary duties: conducts Environmental Planning Projects and oversees the use, expansion, and improvement of the Towns GIS mapping system. Serves as liaison to other departments (Fire, Assessor, Finance etc.) to aid in their use of GIS; Works with the general public in regards to FEMA Flood Insurance Rate Map determinations, policy, and building requirements; Assists with the management of the Town website and provides technical support to Town staff as needed. Oversees work of the Planning Technician to provide direct staffing support to the Planning and Zoning Boards by conducting and reporting on Site Reviews scheduled for public hearing; Aids the public in determining submittal requirements for Special Use Permits and Variances; Works closely with the Planning Technician and CD Administrative Assistant to arrange proper scheduling for each public hearing. The Environmental Planning Specialist has assisted with the Comprehensive Plan update by commenting on draft reports, assisting the consultant and participating in Comprehensive Plan workshops.
- Planning Technician - The position of Planning Technician provides entry-level paraprofessional work in the Department of Community Development. The Planning Technician divides his/her time between the conduct of routine administrative tasks and technical research, as well as analysis at an entry level of complexity. The

Planning Technician often works closely with the public on a regular basis to provide customer service to understand planning and zoning processes.

The Technician has provided support to the Director & the Environmental Planning Specialist by reviewing building plans and zoning applications to ensure compliance with regulations, assisting with completion of Staff Reviews and Site Reviews. Daily activities have involved drafting of decision letters, preparing public notices and agendas and creating visuals including maps, charts, tables and other graphics for use at Planning and Zoning Board meetings. Planning and Zoning Board package preparation, drafting of Planning & Zoning Board agendas and advertisements, and other office tasks as assigned are also under the purview of the Technician. The Technician has assisted with the Comprehensive Plan update by commenting on drafts, setting up and participating in Comprehensive Plan workshops.

- CD Administrative Assistant – Provides direct assistance to Director, Environmental Planner and Planning Technician for daily work requirements including appointment setting and follow-up; Routes all walk-ins and telephone calls to the appropriate staff member; responsible for completing weekly payroll; responsible for ordering of all needed office supplies and maintaining detailed records of all Purchase Orders; responsible for daily mail pick-up and distribution; responsible for preparing and recording all applications relating to the Community Gardens at Sunset Farm; responsible for management of budgetary needs as it relates to financial allotments for each fiscal year; Serves as primary manager of CDBG files and works closely with the Staff of East Greenwich Housing Consortium to manage payments to sub-recipients; Carries out all documentary tasks related to assembling annual CDBG request; Serves as Clerk of the Planning Board, Zoning Board and Historic District Commission; Provides administrative support relative to scheduling of meetings, receipt of applications, oversight for completeness, setting and posting of agendas, attendance at hearings and drafting of minutes.

2015 Key Highlights

- A. **Historic Preservation** – Director, Planning Technician and CD Administrative Assistant worked closely with the Historic District Commission members to pursue several initiatives. An ordinance amending the range of projects that may be approved administratively was approved by the Town Council in 2015. Also, Staff revised a draft property tax credit relief ordinance for owners of historic homes who invest in significant rehabilitation of their properties with guidance from the HDC. The draft ordinance was approved by HDC and forwarded to the Town Council in December, 2015 with the request that the Council schedule a working session or public hearing on its merits in 2016.

Related to this project, Staff discovered that the definition of “Commission” in the State enabling law will require revision to accommodate our proposed ordinance. Contact will be made with the local State Legislators to seek this minor amendment.

Additionally, the HDC and Planning Board have initiated work on identifying areas in which the existing historic districts may be considered for expansion. Staff has

provided a series of GIS maps to assist in identifying these areas of expansion. Members of the Historic District Commission spent time individually touring the areas proposed for expansion and provided further comments and recommendations in workshop meetings. The GIS maps were amended to reflect these suggestions and the maps are now near completion and will come forward early in 2016 for Town Council consideration.

- B. **Community Development Block Grant (CDBG)** – Director and CD Administrative Assistant coordinated the submittal of a \$150,000 CDBG application in October, 2015. The Town has not yet received official notice of a full or partial award for any of the requested programs.
- C. **GIS Improvements** – General improvements to GIS data are continually made and data is updated in an effort to provide more accurate and accessible information. Much progress has been made with the GIS update Project through the consultant, Applied Geographics, Inc. A Pilot project of the updating process was completed in the Spring, and Staff initiated work on the map revisions, which were transferred to the Tax Assessor’s office in October for completion. Work on the Tax Map/Parcel updates continues into 2016. Staff anticipates Town review to be complete by Spring 2016, with the web-based GIS expected to be online by summer.

In addition to the above, an intern was hired to assist the Director with projecting an in-depth scope of work for a potential Phase II of the project. Phase II includes a more detailed review of the various department needs. If sufficient resources are available a change order may be issued authorizing App-Geo staff to create one or more applications described in the Phase II scope of work.

- D. **Comprehensive Plan Amendments** – Staff finalized the second draft of a complete update of the Town Comprehensive Plan in 2015 with the consultant team from the Horsley Witten Group. Phase 1 of this process was completed in 2012; a document called the “Baseline Report”. Public workshops and special meetings were held in 2013 at which the Planning Board reviewed and commented on draft goals and policies for individual chapters. Drafting of the body of the new Plan was carried out from late 2013 through mid-2014. An updated Land Use map was also in drafted and amended as discussion ensued on individual chapters. In 2015, public workshops were held with the Town Council followed by Planning Board public hearings which concluded in the fall. Final deliberations by the Planning Board and Town Council public hearings are anticipated in early 2016.
- E. **Site Review/Staff Review Applications** – During the 2015 calendar year, the Department of Community Development received twenty six (26) Staff Review applications and fifty one (51) Site Review applications.
- F. **Adopt-A-Spot** – During the 2015 calendar year, the Department of Community Development has worked with the Conservation Commission in managing and expanding the Adopt-a-Spot program.
- G. **Omnibus Zoning Amendments** – The Community Development Department periodically reviews the Town’s Zoning Ordinance to consider minor changes in text that may relate to other regulatory provisions or need clarification in light of a real

world experience. Some areas in need of minor change are brought to the staff's attention by other departments. This year for the first time since 2007 staff researched and proposed text changes to our Zoning Code in 13 unrelated sections. These "omnibus" amendments are intended to correct minor flaws in language, add efficiency and/or correct local provisions that are affected by changes in state or federal regulations. Some merely correct typographical errors. At year's end these regulatory changes were pending a public hearing by Town Council.

- H. Bike Path Feasibility Study** – The Director has worked closely with RIDOT staff and their consultant, Fay, Spofford and Thorndike Inc.,(FST), to generate an advanced feasibility report assessing the relative merits, obstacles and costs of 6 alternative bike path alignments. This report was received in early 2015 and amended several months later following receipt of Town comments and critique. Town Council narrowed the preferred alignments to either #2 or #3A as a result of this report.
- I. Firefighter Exhibit at SC Museum** – The Director met with representatives of the South County Museum, the Narragansett Lions Club and the RI Dept. of Environmental Management to consider the necessary steps in attaining authorization to build a new building to house a Firefighter Museum Exhibit. It was determined that conversion of the majority of the SCM leasehold to remove the federal regulatory oversight was the most prudent course of action. The Director has ushered this process along to provide the necessary information to the State/federal regulators. Recently drafted an RFP for land appraisal of this site and a replacement site adjacent to Narragansett Elementary School. Expect further progress in 2016 to complete the conversion.
- J. Salt Barn** – The Director acted as Town liaison with RIDOT Maintenance Division and National Grid to determine the best possible landscaping improvement that will buffer the view of the large salt barn building recently constructed by RIDOT at the Ted Wright Rotary. Expect finalization of landscaping plan in early 2016 and plantings in spring.
- K. Harbor Management Report** – During the 2015 calendar year, the Planning Technician has continued to act as a liaison to the Harbor Management Commission and has assisted the Commission in updating the Town's Harbor Management Plan. The most significant text revisions have involved changes to no wake zones, updates to mooring field and anchorage areas, and various ordinance amendments. Staff has worked closely with the Coastal Resource Management Council (CRMC) and the Town Solicitor to ensure the revisions are consistent with State laws and CRMC policies and guidelines. In addition to text revisions, the Planning Technician has assisted the Commission in creating a series of new GIS maps that will be incorporated into the updated Plan. This work is near completion and will come forward early in 2016 for Town Council consideration.

Statistical Highlights

1) Board Meetings Attended by Staff

- a) Planning Board:
 - 21 Meetings - 12 Regular Monthly Meetings, 1 Special Meeting with HDC and 8 Comprehensive Plan Meetings
 - 2 Public Hearings – 1 continued; 51 Site Review Agenda Items
- b) Zoning Board:
 - 21 Meetings (10 Regular Monthly Meetings, 5 Special Meetings, 6 scheduled but postponed due to lack of quorum)
 - 64 Public Hearing Agenda Items
- c) Building Code Board of Appeals 3 Meetings
- d) Conservation Commission/Tree Board: 9 Meetings
- e) Land Trust: 2 Meetings
- f) Harbor Management Commission: 10 Meetings
- g) Historic District Commission: 12 Meetings

2) Planning Board Highlights

- a) Major Subdivisions: 1
- b) Minor Subdivision: 3
- c) Subdivision Public Hearings: 2
- d) Pre-Application Review: Text Amendment to Comprehensive Plan, Chapter 10 –Policies to Promote Affordable Housing– 151 Ocean Road, LLC
- e) Pre-Application Subdivision Reviews: 3
- f) Comprehensive Permit: 2
- g) Comprehensive Plan Meetings: 8
 - i) Four Work Sessions with Town Council. (Added to 3 previous sessions in 2014)
 - a. March 26, 2015 – Background, timeline and structure of the Plan. Discussion of significant changes made to the plan as described in consultant memorandum to Town dated Jan 7, 2015.
 - b. April 7, 2015 – continuation from march 26th. Discussion of Council member concerns and questions.
 - c. May 11, 2015 – Future Land Use Plan, Zoning inconsistencies.
 - d. June 8, 2015 – Summary by Planning Director, Comments. Schedule going forward.
 - ii) Public Hearings (2)
 - a. September 10, 2015 – First Public Hearing attended by 40-50 members of the public. Brief presentation of the Plan, its process and the primary goals and policies developed. Public testimony taken.
 - b. October 15, 2015 – Second Public Hearing attended by 35 – 40 members of the public. Targeted discussion of several elements and recent revisions. Public testimony taken.

- ii) Planning Board Deliberations
 - a. November 9, 2015 – Review of process of Plan development. Overview of primary outcomes from Town council Work Sessions and recent public hearings. Planning Board addressed text revisions to each chapter ; instructed staff on further refinements.
 - b. December 14, 2015 – Focussed review on mapping of special districts and potential mixed-use areas. Eliminated three of four areas originally considered for mixed-use designation. Directed staff on further refinements. Scheduled 2 final deliberation meetings in February 2016.

- h) Recommendations to Town Council: 13
 - i) CDBG applications - 1
 - ii) Village Inn – install new signage on hotel, conference center
 - iii) Pier Market Place – install new signage in Pier Village Urban Renewal
 - iv) Zoning Ordinance Text – Amend Chapter 5 entitled Historic Districts
 - v) Text Amendment to Zoning Ordinance, Section 7A- Affordable Housing
 - vi) Change of Zone for Montessori School – Boston Neck Road
 - vii) Landscaping Plan for Building D in Pier Village
 - viii) Roadway Abandonment request of DeSimone Properties, LLC
 - ix) Westmoreland Street Parking – request to rescind the prohibition of on-street parking by Mariner Square Condominium Association.
 - x) Omnibus Zoning Amendments
 - xi) Roadway Abandonment - Harris Avenue
- i) Site Reviews:
 - i) 43 Recommended for Approval
 - ii) 8 Recommended for Denial
- j) Presentations: 10
- k) Notable Agenda Items:
 - (a) Several Commercial Developments including
 - The Break Hotel
 - Southwind Corp. (Coast Guard House)
 - Bike Stop Café
 - Narragansett Community Athletic Complex
 - Pier Village Inn Signage
 - Pier Village Building D Landscaping
 - Vickers (Bakery/Coffee Shop on Boon Street)
 - Flood Ford
 - Residential Developments
 - AL Brady Subdivision
 - Hazard Avenue Subdivision
 - Rodman Street Cottages (Continued into 2016)

Professional Development/Staff Training

The following is a summary list of workshops, seminars, and conferences attended by Community Development staff:

- a. 2015 Rhode Island League of Cities & Towns Convention (JS, BL, MD)
- b. CDBG Workshop #1(MD)
- c. Land & Water Conservation Summit (BL)
- d. 2015 Southern New England Regional APA Conference – Hartford, CT (MD, JS)
- e. Invasive Plant Management Training (BL,JS– both passed exam and certified)
- f. 2015 APA Region 1 Conference – Saratoga Springs, NY. (MD)
- g. RIFMA Conference (JS)
- h. GIS in Emergency Management (JS)
- i. HURREVAC Workshop/Seminar (JS)
- j. FEMA/NFIP Benefits/Costs Analysis Training (JS)
- k. Open Meetings Workshop (BL, JS)
- l. Floodplain Hazard Webinar (JS)
- m. E273Managing Floodplain Development through the NFIP (JS)
- n. Certified Floodplain Manager Exam (JS – passed exam and certified)
- o. Resilient Communities Webinar (JS)
- p. Stormwater Policy Webinar (JS)
- q. CRMC Beach SAMP Workshop (MD – speaker)
- r. Sea Level Rise Mitigation Workshop (MD)

2016 Outlook

In addition to the projections of staff activity noted in the highlights above, this department anticipates initiating / continuing work on the following projects and programs:

1. Primary Objectives

- A. *Comprehensive Plan*: Adoption of a new Town Comprehensive Plan.
 - Continue to supervise activities of Consultant to attend Town Council Public Hearings, complete final edits of plan elements and delivery to Planning Board & Town Council for adoption.
- B. *Zoning Map Update*: Initiate action to bring Zoning Maps up to date with Comprehensive Plan.
 - Engage assistance of a consultant to map areas where zoning changes are necessary
 - Draft alternatives that will comply with Land Use Plan
 - Conduct Public Workshops to refine proposals
 - Oversee the process of advancing the revised proposal through the Planning Board and Town Council hearing process.

- C. *Zoning Ordinance Text Update:* Continue actions to update the Zoning Ordinance to correct errors, clarify components or include additional language to assist the Town in regulating development in town.
- Work with Staff, Planning Board and interested parties to make edits to the Ordinance.
 - Present changes to Town Council in 2 to 3 segments
 - i. Minor edits/corrections of text – no contextual meaning changes
 - ii. Minor edits/corrections of text – to comply with State Law
 - iii. Modifications /edits that will help to clarify the understanding of the Ordinance
- D. *Land Cover Update:* Oversee the services of App-Geo Staff to complete the current GIS Land Cover layer and Tax Assessors maps and oversee activity to bring both up to current. Phase II of the project will be initiated including departmental objectives regarding GIS.
- Supervise the work of the App-Geo Staff
 - Ensure delivery of final product.
- E. *Rules of Procedure:* Draft, present and adopt the Rules of Procedure for the Planning Board and the Zoning Board.
- F. *State of RI Projects:*
- *Bike Path:* Work closely with RIDOT staff to bring forward design for chosen bike route alignment.
 - *Safe Routes To School:* Oversee the Safe Routes To School infrastructure construction projects related to improving bicycle and pedestrian access to the Pier Middle School. Work closely with RIDOT engineers and Town staff (Engineering, DPW School Dept) to advance the targeted capital improvements.
 - *Salt Barn:* Work closely with RIDOT staff to ensure agreeable revisions to the site plan for the salt barn that will reduce or eliminate its visual impact on the Town of Narragansett.
- G. *Canonchet Farm:* Renew effort to complete master plan update for Canonchet Farm.
- Work with Southern RI Conservation District staff (or other consultant) to provide full text, tables and mapping of a complete master plan to Town Council that will carry out the chosen objectives set forth in the executive summary.
 - Assist South County Museum to complete the “6f conversion” to eliminate federal regulatory requirements and enable the construction of a Fireman’s Exhibit Hall.

(3)
(4)

Secondary Objectives

- H. *Temporary Signs:* Research, draft and submit amendments to the Zoning Ordinance to better regulate temporary signs employed by businesses in Town. Specifically, add regulatory restrictions of banners, window signs and special event signs.

- I. *Historic District Expansion:* Staff will work closely with the Historic District Commission to finalize and propose the expansion of several existing districts and create new historic districts in the Town.

- J. *Trails:* Work closely with the Conservation Commission to solicit adopters for the recently created trails in the center of Town. Also, continue work on permitting for the trail entrance on South Pier Road with RIDEM staff. Coordinate work on trail entrance construction once State permit is in hand.

- K. *Streamlined Site Review Process:* Continue work with planning Board subcommittee to research the possibility of creating a steamlined process for review and approval of dimensional variances and special use permits that request minimal waivers and/or authorization for minor site amendments to existing developments. Staff and subcommittee will research the wording and intent of both State and Town regulations to identify circumstances under which a streamlined process may be legally implemented.

2015 PLANNING BOARD MONTHLY STATISTICS

(Applications highlighted in red indicate the Motion was denied.)

(To include: Public Hearings, Site Reviews, Major/Minor Subdivision Public Hearings, Administrative Subdivisions, Pre-Application Reviews, Comprehensive Plan Meetings, Recommendations to Town Council, Site Reviews, Recommended for Approval, Recommended for Denial, & Commercial Staff Reviews).

- 1/21: 2R: CDBG/DR - Recommendation To Town Council for Flood-Proofing Project at Scarborough Wastewater Treatment Facilities – Approved 5/0 vote**
3R: Subdivision Review: Kentara Green- continued to 2/24/15
4R: Site Review: DiClemente – continued to 2/24/15
5R: Site Review: Anthony Salvatore, 1084 Boston Neck Rd. Approved 5/0 Vote
6R: Site Review: Deschamps, 12 Lane Five / Approved 5/0 vote
7R: Site Review: Weintraub, 45 Marine Drive / Approved 5/0 vote

ATTENDANCE: Full House

- 2/24: 2R: Kentara Green Subdivision Review** – continued to a date uncertain.
3R: Site Review: DiClemente – continued to a date uncertain
4R: Site Review: Southwind, Inc. (Coast Guard House) - continued until March
5R: Site Review: Chris & Diane Wilkens – Approved 3/0 vote
6R: Site Review: Puglia – Approved 3/0 vote, subject to Staff revising text in Condition #7
7R: Site Review: Connelly – Approved 3/0 vote
8R: Reinstatement of Lapsed Subdivision Approval/Avice Corners – Approved 3/0

ABSENT: SG & VI

- 3/17: 2R: Comprehensive Permit: A.L. Brady Subdivision, Phase 2 - Rodman Street - Approval 3/0 vote**
3R: Comprehensive Permit: Goldsmith Plat – Approved 3/0 vote
4R: Site Review: Southwind, Inc. – Coast Guard House – Approved 3/0 (TF recuses)
5R: Site Review: Navoian – continued to a date uncertain - Motion passes 4/0.
6R: Site Review: Crook Trust/Cuoco – Approved 4/0 vote
7R: Site Review: Richard Fyans – Denial 4/0 vote
8R: Site Review: Bike Stop Café – Approved 4/0 vote

ABSENT: Full House - JH, - (VI arrived at 6:20)

- 4/21: 2R: Recommendation to the Town Council: Village Inn – installation of new signage on the hotel – Approved 5/0 vote**
3R: Recommendation to the Town Council: Pier Market Place – continued
4R: Recommendation to Town Council: Zoning Ordinance Text, Chapter 5, Historic Districts – Approved 5/0 vote
5R: Site Review: NHS Community Athletic Complex: Approved 5/0 vote
6R: Site Review: Richard Boutilier – 94 Allagash Trail – Approved 5/0 vote
7R: Site Review: Lucille Waidalowski – 10 Tellier Road – Approved 5/0 vote
8R: Site Review: Lerner – 129 Sand Hill Cove Road – Motion for Approval Fails 2/3
9R: Site Review: McCann – 88 Cormorant – Approved 5/0 Vote

ATTENDANCE: Full House

- 5/19:** 4R: Recommendation to Town Council: Pier Market Place – First Motion passes 5/0; Motion regarding Archway passes 3/1 – Glazer recuses.
5R: Site Review: Bass Rock Farm – Foddering Farm Road, Approved 5/0 Vote
6R: Site Review: John Ginolfi – 44 Houston, Approved w/replaced driveway – 5/0
7R: Site Review: Lewis & Nancy Reitman – 60 Wanda Street, Approved 5/0 Vote
8R: Site Review: Russell Mink – 20 Knowlesway – Denial with a 5/0 vote
9R: Site Review: William Dolan – Sarasota Avenue, Approved 5/0 Vote

FULL HOUSE

- 6/16:** 2R: Text Amendment to the Comprehensive Plan, Chapter 10 – Policies to Promote Affordable Housing – 151 Ocean Road – Motion to continue to 7/21/15 – 5/0
3R: Recommendation to Town Council: Text Amendment to the Zoning Ordinance Section 7A – Affordable Housing – Motion to continue to 7/21/15 – 5/0
4R: Site Review – Lawrence & Susan Van Leaven, Approved 5/0 Vote
5R: Site Review: Jeffrey Briggs, Orlando Drive, Approved 5/0 Vote
6R: Site Review: Jeffrey Briggs, Lakeworth Avenue, Approved 5/0 Vote
7R: Site Review: Earl & Charlene Heffernan, Melbourne Drive, Approved 5/0 Vote
8R: Site Review: Peter Tsagaroulas, Kinney Avenue, Approved 5/0 Vote

ABSENT: John Hodnett

- 7/21:** 4R: Recommendation to Town Council: Change of Zone for Montessori School – Boston Neck Road – Positive Recommendation - 4/0 Vote (VI not yet present)
5R: Recommendation to Town Council: Landscaping Plan for Building D in Pier Village - Positive recommendation - 3/0 Vote – (SG recuses, VI not yet present).
6R: Subdivision Review: Hazard Avenue – Preliminary Plan
A Motion was made by Mr. Indeglia and duly seconded by Mr. Glazer to permit the addition of an Exhibit to substitute the text of Condition #2 in the previous motion made by Mr. Glazer, and to also make an amendment to what has already been approved to allow that the final approval of the Sub-division will be done administratively, subject to Staff being comfortable granting that administrative process. Motion passes 4/0 – (JH recuses)
7R: Site Review: Joyce Generali, 66 Bristol Road, Approved 5/0 Vote
8R: Site Review: Michael Vickers, 134 Boon Street, Approved 5/0 Vote
9R: Site Review: Post & Beam, Wanda Street – Denial with a 5/0 Vote

FULL HOUSE:

- 8/18:** 2R: Recommendation to Town Council: Roadway Abandonment request of DeSimone Properties, LLC – Westview, Cross Hill Drive & Norman Drive
Positive Recommendation 3/0 Vote (JH absent & VI not yet present)
3R: Recommendation to Town Council: Westmoreland Street Parking – continued
4R: Land Development Pre-Application Review: Rodman Street Cottages – no action
5R: Site Review: Newman, 103 Treasure Road, Denial with a 4/0 Vote
6R: Site Review: Ted McMahon, Circuit Drive, Approved w/Conditions - 4/0 Vote
7R: Site Review: Knowles Camp, Inc., 64 Burnside Avenue, Approved– 4/0 Vote
8R: Site Review: DMF Realty / Flood Ford, Approved w/conditions – 4/0 Vote
9R: Site Review: Ernest Pullano, 53 Stanton Avenue – Denial with a 3/1 Vote

ABSENT: John Hodnett

9/15: 3R: 2015 CDBG Applications- Positive recommendation to Town Council – 4/0 Vote
4R: Recommendation to Town Council: Westmoreland St. Parking – Negative recommendation to TC– Vote of 4/0
5R: Recommendation to Town Council - Omnibus Zoning Amendments – Continued
6R: Subdivision Reconsideration: Hazard Castle Subdivision – Motion Reaffirmed and amended with conditions and stipulations – Motion passes 4 to 0.
7R: Site Review: Claypool, 80 Lake Road, Denial with a 4/0 Vote
8R: Site Review: Aberle , 11 Barnacle Road – Continued
9R: Site Review: Carol & Don Battista, 15 Lane One, Approved 4/0 Vote
FULL HOUSE, except for John Hodnett, who resigned as of this meeting

10/20: 2R: Recommendation to Town Council: Omnibus Zoning Amendment – Positive recommendation with a 5/0 Approval Vote, with revisions
3R: Recommendation to Town Council: Harris Avenue Abandonment (continued)
4R: Site Review (continued): Lee Aberle, Approved w/Conditions 5/0 Vote.
5R: Site Review: Paul Buonanno, 36 Review View Road, Approved 5 /0 Vote.
6R: Site Review: Kenneth Manning, 70 Starr Drive, Approved 5/0 Vote.
7R: Site Review: Pamela Nalette, 15 Beach Row – Approved Motion failed 3 to 2.
8R: Site Review Nicholas Donadio – 36 Osceola, Approved 5/0.
FULL HOUSE

11/17: 2R: Final Subdivision Approval: Hazard Castle Estates – positive recommendation of approval to the Town Council with recommendations.
3R: Master Plan Informational: Rodman Street Cottages – continued to 12/15/15
4R: Bond Determination & Reduction: Shore Club, Algonquin Rd. – Granted 5/0 Vote
5R: Bond Release: Replat of Bonnet Shore – Aroostock Trail - Bond Release Granted w/conditions 5/0 Vote
6R: Site Review: ‘TAMTF’ Foundation, Hazard Avenue, Approved 5/0 Vote.
7R: Site Review: John Casey, 506 Ocean Road, Approved 5/0 Vote
8R: Site Review: John Paglia, continued
9R: Recommendation to Town Council: Harris Avenue Abandonment (continued): Approved 5/0 Vote.
FULL HOUSE

12/15: 2R: Master Plan Informational Hearing (continued): Rodman Street Cottages – continued to the January 20th meeting.
3R: Pre-Application Review: Zuchowski Subdivision – two Lot Minor Sub-division at 72 Kingstown Road – Lot merge Approved by a 3/0 Vote
4R: Site Review: Michael Tikoian – 151 South Pier Road – Denial with a 2/1 Vote
5R: Site Review: David Lanning – 35 Walt’s Way – Approved 3/0 Vote
6R: Site Review: Barbara Bush – 8 Earles Court – Approved 3/0 Vote

ABSENT: Vin Indeglia and Robin Plaziak

**2015 ABSENTEE REPORT FOR
REGULAR PLANNING BOARD MEETINGS ONLY**

- Terry Fleming – Full attendance
- Dr. Joseph O’Neill – Full Attendance
- Mr. Hodnett – four (4) absentees, resigned on September 15th, 2015
- Mr. Glazer – one (1) absentee
- Mr. Indeglia – one (1) absentee
- Mrs. Robin Plaziak – her first meeting was on October 20th. She was absent for the December 15th Planning Board Meeting.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 18
Amend No. _____

Date Prepared: February 8, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager
FROM: Anne M. Irons, CMC-Town Clerk
SUBJECT: Private Detective License – James David Smith

RECOMMENDATION:

That the Town Council approve the application for a Private Detective License from James David Smith, 101 West Bay Drive, Narragansett, RI, subject to state and local regulations.

SUMMARY:

As in accordance to RI State Law 5-5-8, a private detective license expires one year after its date of issuance and any license is renewal by the licensing authority for the next one year period upon proper application for renewal and payment of license fees.

ATTACHMENTS:

1. Application Packet

Year: 2016

Private Detective License Application

Date: 1/20/16

To the Honorable Town Council
Town of Narragansett, Rhode Island 02882

'16 FEB 8 8:55

I, JAMES DAVID SMITH, of the town of Narragansett, hereby make application for a private detective's license in accordance with section 5-5-1 of the General Laws of Rhode Island as amended, for the year 2016.

JAMES DAVID SMITH CATEGORY 5 CONSULTING, LLC
Name (applicant and business name, if different)

101 WEST BAY DRIVE
Address (street and mailing, if different)

NARRAGANSETT, RI 02882

[REDACTED] Telephone — Fax [REDACTED] Email

In order to be eligible for a private detective license in the town of Narragansett, an applicant must be a resident of Narragansett or have his/her principal place of business in the town of Narragansett.

I.D. Data

Birth Date: [REDACTED] Birth Place: WESTERLY, RI
Eye Color: BR Hair Color: BR
Height: 5' 10" Weight: 195

SUBJECT TO: Filing of \$5,000 Bond with Corporate Surety

APPROVING AUTHORITY: Police Chief (for character reference)

Names and dates of birth of all fulltime and part time employees used in past 12 months:

CRAIG GILBERT [REDACTED]

BRANDON A. CATALAN [REDACTED]

License may be recalled by the Town Council for failure to comply for the full period of the license.

License Fee \$150.00
I.D. Card no charge
Total Due \$150.00

I am a:

Citizen of the United States X Resident Alien of the United States _____

I have experience gained through at least five (5) years as:

Police Officer X State where RHODE ISLAND

Investigative Agency _____ State where _____

Degree in Criminal Justice X State where RHODE ISLAND

Employed as Investigator _____ State where _____

Equivalent Training or Experience _____

Have you been convicted in any jurisdiction of a felony? NO Have you had any previous private investigator license/registration revoked/denied by any licensing authority? NO Have you been declared by any court of competent jurisdiction incompetent by reason of mental defect/disease? NO Do you suffer from habitual drunkenness or from narcotics addiction/dependence? NO Are you of good moral character? YES Are principal owners and employees licensed to carry firearms in Rhode Island or any other state? NO Where? _____ Has the business or any principal party or employee been sued in civil court in the past five (5) years, or arrested for criminal charges? NO

Applicant must present to the Chief of Police for review all uniforms, badges, shields or other devices for approval as articulated in RIGL 5-5-13 within thirty (30) days of being granted license. Intentional false answers to this application will give cause for withdrawal of license. New application must be made every year.

I, [Signature], hereby swear and/or affirm that all answers contained on this application are true to the best of my knowledge.

State of Rhode Island
County of Washington

In Narragansett, subscribed and sworn/affirmed before me on this 8th day of February, 2016.

(seal)

[Signature]
Notary Public

MELISSA DURKIN-COUTURE
NOTARY PUBLIC
MY COMMISSION EXPIRES 7-1-18



State of Rhode Island and Providence Plantations

DEPARTMENT OF ATTORNEY GENERAL

150 South Main Street Providence, RI 02903

(401) 274-4400 - TDD (401) 453-0410

Peter F. Kilmartin, Attorney General

B.C.I

BUREAU OF CRIMINAL IDENTIFICATION

Date: 01/28/2016 09:03 AM

TO WHOM IT MAY CONCERN:

A check of the Criminal History Records of the State of Rhode Island on file with the Bureau of Criminal Identification of the Rhode Island Department of the Attorney General on the above date shows that:

NAME: JAMES SMITH

D.O.B. [REDACTED]

● DOES **NOT** HAVE AN ADULT CRIMINAL RECORD AT THE BUREAU OF CRIMINAL IDENTIFICATION IN **RHODE ISLAND**.

RECORDS SUPPORTED BY FINGERPRINT ONLY

THIS FORM IS NOT VALID WITHOUT THE SEAL OF THE ATTORNEY GENERAL

Attorney General
Peter F. Kilmartin

R.I. State Bureau of
Criminal Identification

January 28, 2016

Conducted By: JR
No Record In Rhode Island

NO ADULT CRIMINAL RECORD IN RHODE ISLAND
THIS REPORT DOES NOT REFLECT FEDERAL CONVICTIONS OR
CONVICTIONS IN OTHER STATES, IF ANY



**TOWN OF NARRAGANSETT
POLICE DEPARTMENT**

40 Caswell Street • Narragansett, RI 02882
Tel. (401) 789-1091 • TDD (401) 782-0661 • Fax (401) 783-6201

To the Honorable Town Council,

I have known David Smith both personally and professionally since he became the Chief of Police of the Town of Narragansett in 2002. I can confirm that he is a man of great integrity.

It should be noted that prior to working in Narragansett he had been the Chief of Police of the Town of Westerly. Also, since his departure from Narragansett in 2007 he has excelled in leadership positions both in the public safety sector and in the academic world.

Considering his character and extensive experience in the field of criminal justice as both a practitioner and as an educator I give him my highest recommendation for your approval of his private detective license.

Respectfully,

Acting Chief Sean Corrigan
Narragansett Police Department

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 19

Amend No. _____

Date Prepared: January 28, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager

FROM: Steve Wright, Director Parks and Recreation

SUBJECT: Ocean State Rhode Race

RECOMMENDATION:

That the Town Council approves the request from Rhode Races & Events Inc. to conduct a new Ocean State Rhode Race Half Marathon and 5K Road Race to be held on Sunday October 30, 2016 from 7:30 am to 1:30 pm subject to approval of state and local regulations.

SUMMARY:

This is a new Half Marathon and 5K Road Race organized by Rhode Races & Events, Inc. of 19 Weaver Street, Newport, RI and scheduled for Sunday October 30, 2016 from 7:30 am to 13:00 pm. The race starts and finishes at Narragansett Town Beach. This is the same race as the marathon held on Columbus Day weekend held by Eident Sports Marketing in 2015. The Bonnet Shores Fire District Council approved this race during their meeting on January 20, 2016. The Narragansett Police and Fire Departments have also reviewed the traffic plan and given their approval and will be hired for this race. A certificate of Liability Insurance naming the Town of Narragansett as additionally insured will be provided by Rhode Races & Events, Inc. prior to the race.

ATTACHMENTS:

1. Application for Special Use
2. Map

**TOWN OF NARRAGANSETT
DEPARTMENT OF PARKS AND RECREATION
170 Clarke Road, Narragansett, RI 02882
www.narragansettri.gov**

APPLICATION FOR SPECIAL USE

ROAD RACE/WALK-A-THON

TODAY'S DATE December 1, 2015

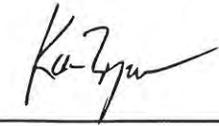
Ninety [90] DAYS IN ADVANCE IS REQUIRED FOR ALL APPROVALS.

1. NAME OF APPLICANT Karen Zyons
2. ORGANIZATION Rhode Races & Events, Inc.
3. ADDRESS 19 Weaver Avenue, #4, Newport, RI 02840
E-MAIL karen@rhoderaces.us
4. TELEPHONE () 401-427-7764
5. NATURE OF EVENT Road Race
6. DATE REQUESTED TBD with input from Parks & Rec. ~~SUNDAY OCT 30, 2016~~
7. TIME: 7:30 am
8. SITES, AREA, BUILDING REQUESTED North Beach & West Lots
9. COURSE LAYOUT See attached map
MAP OF COMPLETE COURSE ROUTE MUST BE ATTACHED.
10. WHO WILL PARTICIPATE IN THE RACE Runners
11. NUMBER OF PARTICIPANTS 1,500 SPECTATORS 300
12. WILL THERE BE ANY VOLUNTEERS? Yes IF YES, HOW MANY 150
13. WILL PARTICIPANTS OBTAIN ACCESS BY:
 - CAR (ESTIMATE NUMBER) 750
 - BUS (ESTIMATE NUMBER OF PASSENGERS) _____
14. DESCRIBE IN DETAIL ANY SPECIAL SERVICES REQUESTED _____
We would like access to the lots as well as access to electricity.
15. WILL THERE BE ANY ADVERTISING USED? Yes IF YES, WHAT TYPE Social Mec
16. WOULD YOU LIKE THIS EVENT ADVERTISED ON OUR WEB SITE? Yes, please
17. ANY VENDORS PROVIDING SERVICES? TBD IF YES, NO GOODS FOR SALE
UNLESS APPROVED IN WRITING AS PART OF THIS APPLICATION.
18. IS ADDITIONAL FIRST AID NEEDED? No, we will arrange for this on our own.

- LIABILITY INSURANCE CERTIFICATES CO-NAMING THE TOWN OF NARRAGANSETT WILL BE REQUIRED IN THE AMOUNT OF \$1,000,000.
- VOLUNTEERS AND OR APPLICANTS REPRESENTATIVES WILL NOT BE ALLOWED TO DIRECT TRAFFIC WITHIN TOWN ROADS UNLESS SPECIFICALLY APPROVED BY THE NARRAGANSETT POLICE DEPARTMENT.
- ALL TRASH AND LITTER MUST BE PICKED UP BEFORE LEAVING THE AREA. TRASH RECEPTACLES ARE NOT PROVIDED.
- APPLICATIONS NOT SIGNED WILL BE RETURNED.
- NO ALCOHOLIC BEVERAGES ALLOWED.
- APPLICANT IS RESPONSIBLE FOR ALL DAMAGE WHICH MAY HAVE BEEN CAUSED BY THIS EVENT.
- APPLICANT IS RESPONSIBLE FOR ANY HOURLY COSTS FOR TOWN EMPLOYEES REQUIRED FOR THE RACE; POLICE DETAILS, FIRE, EMS, PUBLIC WORKS EMPLOYEES, PARK EMPLOYEES, ETC.
- ALL APPLICATIONS MUST BE SCHEDULED FOR REVIEW AND APPROVAL BY THE NARRAGANSETT TOWN COUNCIL. THE COUNCIL MEETS THE 1ST AND 3RD MONDAY OF EVERY MONTH.
- IF STATE ROADS ARE INCLUDED WITHIN THE RACE COURSE, THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION APPROVAL IS REQUIRED.
- ATTACHEMENTS REQUIRED:
 1. RACE COURSE MAP
 2. INSURANCE CERTIFICATE NAMING THE TOWN OF NARRAGANSETT AS ADDITIONAL INSURED

CONDITIONS OF APPLICATION ACCEPTED

RACE EVENT & DATE: Ocean State Rhode Race-Date: _____

 DATE December 1, 2015

Conditions of Application Accepted [APPLICANT]

 Accept Denied DATE 12/14/15
Parks Director

PER EMAIL Accept Denied DATE 12/11/15
Public Works Director

PER EMAIL Accept Denied DATE 12/11/15
Police Chief AND CONCERNS

PER EMAIL Accept Denied DATE 12/11/15
Fire Chief AND CONCERNS

_____ Accept Denied DATE _____
Town Manager

_____ Accept Denied DATE _____
Town Council

Town of Narragansett

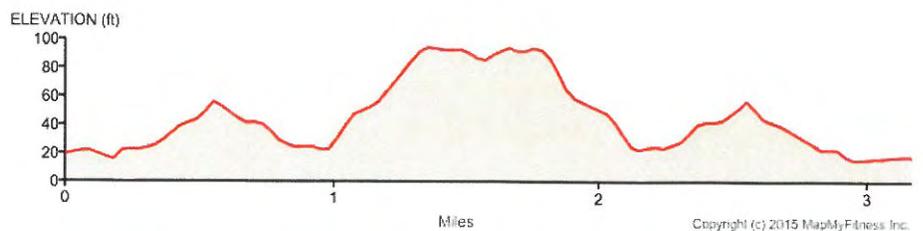
Department of Parks and Recreation
170 Clarke Road, Narragansett, RI 02882
www.narragansettri.gov

Phone # (401) 782-0658

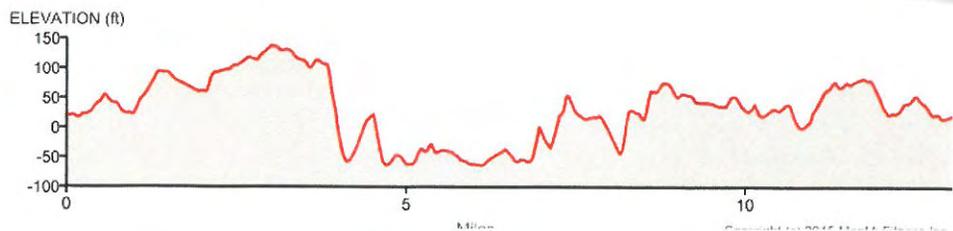
Fax # (401) 788-2553

Email form to recreation@narragansettri.gov

OCEAN STATE RHODE RACE 5K COURSE



OCEAN STATE RHODE RACE HALF MARATHON



**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 20

Amend No. _____

Date Prepared: February 2, 2016
Council Meeting Date: February 16, 2016

TO: Jeff Ceasrine, Acting Town Manager
FROM: Scott Partington, Fire Chief
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Purchase of Miscellaneous Equipment for the Ladder Truck

RECOMMENDATION:

That the Town Council approves the purchase of Miscellaneous Equipment for the Ladder Truck from Shipman's Fire Equipment Co., Inc, in the amount of \$64,551.21, utilizing the State of Connecticut contract.

SUMMARY:

The Fire Department is looking to purchase miscellaneous items to equip the new ladder truck. The quote provided by Shipman's Fire Equipment for all the equipment is \$64,551.21. Please see the attached quotation for a listing of the various equipment.

The Town will be purchasing these items under the State of Connecticut contract #11PSX0117 (Emergency Response and Law Enforcement Equipment). This competitive bid and award was executed under the Connecticut General Laws.

This purchase is to be paid through the town's Grant Match Fund as part of the reimbursable grant from the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security 2014 AFG grant award No. EMW-2014-FV-00871.

ATTACHMENTS:

1. Quotation from Shipman's Fire Equipment Co., Inc., dated 11/6/15
2. State of Connecticut Emergency Response Bid#11PSX0117.

Quote



SHIPMAN'S
FIRE EQUIPMENT CO., INC.
 172 CROSS ROAD, WATERFORD, CT 06385
 (860) 442-0678 • 1-800-775-7382
 FAX (860) 444-7395

WWW.SHIPMANS.COM

Quote No Quote Date Page

11539 11/6/2015 1

Purchase Order No

LADDER EQUIPMENT QUOTE#1

Bill To

Narragansett Fire Department
 Town of Narragansett
 25 Fifth Avenue
 Narragansett, RI 02882
 US

Ship to

Narragansett Fire
 40 Caswell Street
 US

Customer No	Payment terms	Slpsn	Slpsn
N14139	Net 30	109	Corey Centracchio
Loc	PPD/COL	Ship via	Ship Date
CT		OUR TRUCK	11/6/2015
			Phone: 401-862-2626
			email: ccentracchio@shipmans.com

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
All Items quoted below are in accordance with CT State Contract # !!11PSX 0117 Contract or Emergency services					
1.00	EA	700-050 Tempest Direct Drive Blower, 21", Honda 6.5hp DD-21-H-6.5	2,150.00		2,150.00
1.00	EA	531-2 GEMTOR LADDER/ESCAPE POMPIER BELT, MEDIUM	225.00		225.00
1.00	EA	531-3 GEMTOR LADDER/ESCAPE POMPIER BELT, LARGE	225.00		225.00
1.00	EA	TV400-051 Tempest 576-HD 16" Vent Saw w/KIS-40 Depth Gauge 5.7hp .404 Chain Pitch	2,050.00		2,050.00
2.00	EA	PRO-112212 SCOTT PROTEGE 4-GAS MONITOR KIT	525.00		1,050.00
1.00	EA	K-12FD Fire Hooks K-12 FD Rescue With 14" Chrome Guard	1,675.00		1,675.00
2.00	EA	FA-6 Fire Hooks Flathead Axe 6-Lb. Fiberglass Handle	45.00		90.00
2.00	EA	FAP-6 Fire Hooks Pickhead Axe 6lb. Fiberglass handle	55.00		110.00
1.00	EA	PB-30 FIRE HOOKS Pro-Bar 30"	210.00		210.00
2.00	EA	AP2140204200301 SCOTT 4.5 AP75,CBRN/SH/QD/PTKR DEBSS	4,800.00		9,600.00
4.00	EA	804721-01 SCOTT 4500 PSIG, 30 MIN., CARBON CYLINDER & VALVE ASSY.	850.00		3,400.00
2.00	EA	201215-02 Scott AV-3000 HT 2013 NFPA	275.00		550.00

Quote



SHIPMAN'S
FIRE EQUIPMENT CO., INC.
 172 CROSS ROAD, WATERFORD, CT 06385
 (860) 442-0678 • 1-800-775-7332
 FAX (860) 444-7395

WWW.SHIPMANS.COM

Quote No **Quote Date** **Page**
 11539 11/6/2015 2
Purchase Order No
 LADDER EQUIPMENT QUOTE#1

Bill To:
 Narragansett Fire Department
 Town of Narragansett
 25 Fifth Avenue
 Narragansett, RI 02882
 US

Ship to:
 Narragansett Fire
 40 Caswell Street
 US

Customer No	Payment terms	Sispsn	Sispsn
N14139	Net 30	109	Corey Centracchio
Loc	PPD/COL	Ship via	Ship Date
CT		OUR TRUCK	11/6/2015
			Phone: 401-862-2626
			email: ccentracchio@shipmans.com

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
		Mask Assy, Size Medium			
1.00	EA	700-108 Tempest EBS-16 (1/3hp) Smoke Ejector	850.00		850.00
3.00	EA	SEH-HB ZICO 4025 QUIC-GRIP SMOKE EJECTOR HOLDER- HANGING	36.20		108.60
		BRACKET SET			
3.00	EA	SEH-3 ZICO 4025 QUIC-GRIP SMOKE EJECTOR HOLDER- EJECTOR	270.00		810.00
		HANGING BRACKET			
1.00	EA	RH-6' Fire Hooks 6' New York Roof Hook	105.00		105.00
1.00	EA	APH-6' Fire Hooks 6' All Purpose Hook	100.00		100.00
1.00	EA	SHF-8 Fire Hooks Sledge Hammer 8# Fiberglass	45.00		45.00
1.00	EA	NCBC-36" FIRE HOOKS NON-CONDUCTIVE BOLT CUTTERS 36"	145.00		145.00
1,000.00	EA	281103 CMC, 11mm Orange/White Static Pro Lifeline	1.12		1,120.00
2.00	EA	A240 Amerex 2.5 Gallon Fire Extinguisher 2A: Rating	115.00		230.00
1.00	EA	A423 Amerex 20lb ABC with Wall Bracket 20A:120B:C UL Rating	155.00		155.00
1.00	EA	K07 KOCHEK Hydrant Wrench Single Spanner	35.00		35.00
1.00	EA	2720-22	498.75		498.75

Quote



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 172 CROSS ROAD, WATERFORD, CT 06385
 (860) 442-0678 • 1-800-775-7332
 FAX (860) 444-7395

WWW.SHIPMANS.COM

Quote No 11539 **Quote Date** 11/6/2015 **Page** 3
Purchase Order No
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N14139	Net 30	109	Corey Centracchio
Loc	PPD/COL	Ship via	Ship Date
CT		OUR TRUCK	11/6/2015
			Phone: 401-862-2626
			email: ccentracchio@shipmans.com

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
		MILW M18 FUEL SAWZALL SAW KIT 2 BATTERIES MULTI VOLT CHARGER			
1.00	EA	200954-02 Scott 4.5 Rit-Pak III With Mask, Regulator & Carry Case.	2,650.00		2,650.00
1.00	EA	804723-01 SCOTT 4500 PSIG, 60 MIN., CARBON CYLINDER & VALVE ASSY.	1,195.00		1,195.00
1.00	EA	22-797000 Paratech Twistlock Vehicle Stabilizer	3,150.00		3,150.00
1.00	EA	726100 CMC TRAVERSE TITAN STAINLESS STEEL STRETCHER, TAPERED	850.00		850.00
1.00	EA	726210 CMC, Flotation Coliar Litter	395.00		395.00
1.00	EA	8003024 Scott X-Series Camera W/Std. Hot & Cold Spot Tracker 2X/4X Zoom & Two Batteries. Ships with Lanyard, Desktop & Truck Charger. Price Includes Standard Two Year Warranty Fahrenheit.	11,400.00		11,400.00
1.00	EA	TIP2BBKY103B1 SCOTT EAGLE ATTCK YELLOW,GREY SCALE,W/CHARGER	6,800.00		6,800.00
1.00	EA	HYDRA-RAM II Fire Hooks Hydra-Ram II Forcible Entry 6" Opening	1,950.00		1,950.00
1.00	EA	ELSS-XLAC-PL Akron, Scenestar Scene Light With Stand	995.00		995.00
1.00	EA	164G-1P/500Q Circle D, Portable Light Halagen Wide Flood NEMA 5-15P MALE PLUG STRAIGHT BLADE	550.09		550.09
1.00	EA	22-890351G2-150 Paratech, Air Lifting Bag	1,390.00		1,390.00

Quote



**SHIPMAN'S
FIRE EQUIPMENT CO., INC.**
172 CROSS ROAD, WATERFORD, CT 06385
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Quote No 11539 **Quote Date** 11/6/2015 **Page** 4
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Ship to

Narragansett Fire
40 Caswell Street
US

Customer No N14139	Payment terms Net 30	Slpsn 109	Slpsn Corey Centracchio
Loc CT	PPD/COL OUR TRUCK	Ship Date 11/6/2015	Phone: 401-862-2626 email: ccentracchio@shipmans.com

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
		Basic Control Kit			
1.00	EA	22-888160G2 Paratech, KPI-22 20.2 Ton MAXIFORCE G2	860.00		860.00
1.00	EA	22-888170G2 Paratech, KPI-32 38 Ton MAXIFORCE G2	975.00		975.00
1.00	EA	22-888130G2 Paratech Maxiforce Air Lift Bags KPI-5 10" x 10" x 5/8"	609.00		609.00
2.00	EA	22-890736 Paratech "Y" w/ 2 paratech couplings & maxiforce nipple	88.00		176.00
1.00	EA	4720P123B CIRCLE D CORD SET, 50' #12/3 SOOW, 15A 125 V TWIST-LOCK	253.77		253.77
		NEMA L5-15 PLUGS & BOOTS			
1.00	EA	UM12 TFT PRO/Pak Portable Foam System, 1" NH Coupling	745.00		745.00
3.00	EA	FJ-MX-HM TFT MX-FOAM JET - MIDRANGE Air Aspirating Foam Attachment	290.00		870.00
10.00	EA	2130-7340-4 NATIONAL Universal Gold 1%/3% AR-AFFF Foam 5-Gallon Pail	185.00		1,850.00
1.00	EA	A3830 TFT Chimney Snuffer Kit w/bag Hose, Valve, Adptr. & RQRench	655.00		655.00
1.00	EA	PA1 TFT, Transformer Piercing Nozzle	695.00		695.00

Quote



SHIPMAN'S
FIRE EQUIPMENT CO., INC.
172 CROSS ROAD, WATERFORD, CT 06385
(860) 442-0678 • 1-800-775-7332
FAX (860) 444-7395

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Quote No Quote Date Page

11539 11/6/2015 5

Purchase Order No

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Narragansett Fire Department
Town of Narragansett
25 Fifth Avenue
Narragansett, RI 02882
US

Ship to

Narragansett Fire
40 Caswell Street
US

Customer No

N14139

Payment terms

Net 30

Sispsn

109

Sispsn

Corey Centracchio

Loc **PPD/COL**

CT

Ship via

OUR TRUCK

Ship Date

11/6/2015

Phone: 401-862-2626

email: ccentracchio@shipmans.com

Qty Ordered

UOM Item No

Unit price **Disc**

Extended price

TERMS AND CONDITIONS:

TERMS: NET 30 DAYS.

QUOTE VALID FOR 30 DAYS.

WE RESERVE THE RIGHT TO CORRECT CLERICAL ERRORS AT ANY TIME.

THE QUOTE TOTAL MAY NOT REFLECT MISCELLANEOUS CHARGES, FREIGHT OR SALES TAX

Quote Total

64,551.21



SHIPMAN'S FIRE EQUIPMENT CO., INC.
172 Cross Road, P.O. Box 267
Waterford, CT 06385-0267
Tel: 800-776-7332, Fax: 860-444-7395
"Providing Service & Trustworthy Solutions, Since 1957"



May 7, 2014

Chief Scott M. Partridge
Narragansett Fire Department
40 Caswell St
Narragansett, RI 02883

Re: State of Connecticut Emergency Response Bid # 11PSX0117

Dear Chief Partridge,

Please be advised that Shipman's Fire Equipment Co., Inc. of Waterford, CT has been issued a contract award by the State of Connecticut's Department of Administrative Services, Procurement Division for Contract No. 11PSX0117 - Emergency Response & Law Enforcement Equipment effective April 10, 2012.

Shipman's is pleased to extend and honor the terms, prices, and conditions of this contract to the Town of Narragansett Fire Department for the purchase of products found in Exhibit B, a copy of which is enclosed. Access to the DAS web site can be found at the following link

www.biznet.ct.gov/SCP_Documents/Results/10901/011_0117.pdf

Connecticut municipalities have widely used previous contracts with great success, as have and a number of Rhode Island cities.

Please do not hesitate to contact Corey Centracchio, our Rhode Island Sales Representative, or I should you have questions or require additional information.

Sincerely,

Michael Kirchoff
President

Cc: Corey Centracchio

Janet DeGreco Olson
 Contract Specialist

EXHIBIT B
 PRICE SCHEDULE

ITEM #	DESCRIPTION	% DISCOUNT
A	Emergency/ Fire Response Equipment	
1	Akron Brass (Nozzles, fittings, monitors)	Shipman's Fire Equipment 30%
2	Akron Brass (Parts)	Shipman's Fire Equipment 5%
3	Akron Brass (Weldon Lighting)	Shipman's Fire Equipment 5%
4	All American Hose (Snap-Tite, Ponn & National Brands)	Shipman's Fire Equipment 25%
5	Angus Hose (Kidde)	Shipman's Fire Equipment 25%
6	Aluminum Ladder Co. (Alco-Lite)	Shipman's Fire Equipment 5%
7	Bauer Compressors	Shipman's Fire Equipment 3%
8	Cairns Protective Clothing (Globe Mfg.)	Shipman's Fire Equipment 25%
9	CET Portable Pumps	Shipman's Fire Equipment 7%
10	Command Light Towers (Super Vac Mfg.)	Shipman's Fire Equipment 5%
11	Duo-Safety Ladders	Shipman's Fire Equipment 5%
12	Eikhart Brass (Nozzle, Fittings)	Shipman's Fire Equipment 30%
13	EVAC Systems (Equip., rope & gear bag)	Shipman's Fire Equipment 5%
14	Fire Hooks Unlimited	Shipman's Fire Equipment 10%
15	FireCom Communications System	Shipman's Fire Equipment 3%
16	Fol-Da-Tank (portable folding water tanks)	Shipman's Fire Equipment 10%
17	Friction Force Training Door (Red Barn) (Fire and Police Tactical Models)	Shipman's Fire Equipment 3%

ITEM #	DESCRIPTION	% DISCOUNT
A	Emergency/ Fire Response Equipment	
18	FRC Fire Research Corp. (Lighting, Instruments, Gear Dryers)	Shipman's Fire Equipment 10%
19	Gemtor (Safety Belts)	Shipman's Fire Equipment 10%
20	Globe Firefighter Suits (Globe Mfg.)	Shipman's Fire Equipment 25%
21	Globe FootGear (Globe Mfg.)	Shipman's Fire Equipment 15% Accessories @ 5% off list
22	Globe LifeLine EMS/Rescue (Globe Mfg.)	Shipman's Fire Equipment 5%
23	Globe Tech Rescue & Convertible (Globe Mfg.)	Shipman's Fire Equipment 5%
24	Groves Ready Rack	Shipman's Fire Equipment 5%
25	Hale-Class 1 Gauges & Misc.	Shipman's Fire Equipment 10%
26	Hale-Class 1 Portable Pumps	Shipman's Fire Equipment 10%
27	Hale-Class 1 Electrical & Electronic Components)	Shipman's Fire Equipment 10%
28	Hannay Reels	Shipman's Fire Equipment 5%
29	Kochek	Shipman's Fire Equipment 30%
30	Lakeland Reflective Apperal	Shipman's Fire Equipment 25%
31	LifeLiner Hoods (Stanfields)	Shipman's Fire Equipment 25%
32	Marsars Water Rescue System	Shipman's Fire Equipment 2%
33	National Foam (Kidde)	Shipman's Fire Equipment 10%

ITEM #	DESCRIPTION	% DISCOUNT
A	Emergency/ Fire Response Equipment	
34	Niedner Hose	Shipman's Fire Equipment 20%
35	PAC Performance Advantage	Shipman's Fire Equipment 2%
36	Paratech	Shipman's Fire Equipment 3%
37	R&B Fabrications	Shipman's Fire Equipment 12%
38	Red Head Brass	Shipman's Fire Equipment 10%
39	Scott Safety air Packs SCBA Air Supplied	Shipman's Fire Equipment 20%
40	Scott Safety Compressor	Shipman's Fire Equipment 3%
41	Scott Safety Instruments	Shipman's Fire Equipment 10%
42	Scott Safety Thermal Imaging Cameras	Shipman's Fire Equipment 10%
43	Super-Vac (Fans & Saws)	Shipman's Fire Equipment 15%
44	Task Force Tips (TFT)	Shipman's Fire Equipment 25%
45	Tempest Technology (Fans & Saws)	Shipman's Fire Equipment 15%
46	Throgood Boots (Weinbrenner)	Shipman's Fire Equipment 20%
47	Zico (Ziamatic Corp.)	Shipman's Fire Equipment 12%

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 21
Amend No. _____

Date Prepared: February 2, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager
FROM: Michael DiCicco, Director of Public Works
PREPARED BY: Susan W. Gallagher, Purchasing Manager
SUBJECT: Towers Boiler Replacement

RECOMMENDATION:

That the Town Council waives its' current policy and authorizes the use of the General Plumbing Services Contract with Stedman & Kazounis Plumbing and Heating, Inc. for the purchase and installation of one new boiler at the Towers, in the amount not to exceed \$67,552.00.

SUMMARY:

The existing boiler has reached the end of its useful life, and is no longer feasible to repair due to the frequency of breakdowns and age in service. DPW would advise to have this current boiler replaced with a new modular boiler system, to be placed in the attic space. With numerous activities going on at the Towers on a daily basis, use of the General Plumbing Services Contract will provide the most cost effective, timely, and efficient method of project delivery.

In accordance with the Town Council's policy, the General Plumbing Services Contract may be used with Council approval for work up to \$50,000 in value. As the proposed project cost exceeds \$50,000, the Town Council will need to waive that policy. Staff from the DPW will coordinate and supervise all of the work. The actual cost for the project may vary from the estimate to reflect material quantities used along with actual hours of labor required.

Town Council awarded the bid for General Plumbing Services to Stedman & Kazounis Plumbing and Heating, Inc. on March 16, 2015.

Funding is available in the Towers Account #0504 50704, Other Capital Improvement.

ATTACHMENTS:

1. Quotation from Steadman & Kazounis Plumbing and Heating, Inc.
2. Boiler Replacement Summary from the Towers Committee.



January 7, 2016

Narragansett, Town of
Accounting Dept.
25 Fifth Avenue
Narragansett, RI 02882

Re: Tower's

Boiler Package

This is an estimated cost only to supply and install a new high efficiency natural gas boiler package in attic of the Tower's. All carpentry, roof flashing and electrical to be done by others.

General scope of work:

- 1 - Supply and install two or three Viessmann natural gas high efficiency boiler packages
- 2 - Vent boilers through roof (flashing by other's)
- 3 - Install black iron gas piping from ground level to new boilers
- 4 - Pipe new supply and return lines from attic to existing boiler room piping and connect
- 5 - Test

Estimated cost only:

\$67,552.00

Permit not included

We propose hereby to furnish materials & labor-complete in accordance with specifications above for the above sum(s) half payment due upon acceptance of proposal and balance due upon 100 % completion. This proposal is good for 30 days from above proposal date.

All materials are guaranteed as specified. All work to be completed in a workman-like manner according to standard practices. Any alterations from specifications above involving extra costs will be executed only upon written orders, and will become an extra charge. Stedman & Kazounis is fully insured for liability and workers compensation. Owner to carry fire, theft and other necessary insurance. All balances over thirty days will be subjected to 1 ½% finance charge per month.

Pursuant to RI GL 5-65-18 all written contracts entered into between a contractor and a property owner must contain a statement that the contractor, subcontractors, or material persons may file a lien in accordance with the Rhode Island Mechanics Lien Act, chapter 28 of title 34. This is notice

that Stedman & Kazounis and/or any other persons who provide labor and materials for the improvement under contract with the undersigned may file a mechanic's lien upon the land of the project site in the event of nonpayment to them. It is your responsibility to assure yourself that those other 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. Stedman & Kazounis' contractor registration number is 4993, RI Master Plumbers licenses 1628, 2082 and RI Master Pipefitter licenses 6357, 6021.

Acceptance of proposal; the above specifications, prices and conditions are satisfactory and are hereby accepted. You are authorized to do work as specified. Payment will be made as outlined above. Please sign and return one copy with payment to Stedman & Kazounis. New jobs can not begin with out a signed proposal from you. Thank you.

Customer signature: _____ Date _____

Authorized signature: _____ Date _____

TOWERS BOILER REPLACEMENT PROJECT SUMMARY

Need

The existing boiler has reached the end of its useful life when measured in terms of dependability, frequency of repairs due to break downs, and cost of repairs. Please refer to repair technician notes. It is critical that the boiler function dependably and with a minimum of unscheduled repairs required. Frequent failures impact scheduled events and the Chamber of Commerce offices on the ground floor of the east tower. In addition to the impact on scheduled events, lack of heat on cold winter days could have negative consequences for other building components including the fire sprinkler system, domestic hot and cold water piping, plumbing fixtures, and all of the hot water supplied heating components.

Opportunity

The existing boiler room was not designed to contain the fire sprinkler system service connection and dry-valve assembly which, for lack of a better location, was installed there. Consequently, when the engineers were looking to provide heat to the entire building, there was not enough room to expand the original "modular" boiler system and the current boiler was installed instead. It has not been without problems over the years and simply replacing it with a similar boiler is not the best solution.

Installing a new "modular" boiler system in the underutilized attic space of the west tower appears to address some of the problems with the existing configuration. Utilizing the attic space will decompress the existing boiler room allowing for unobstructed access to the fire sprinkler valve system, allow a state of the art modular boiler system to be installed, provide for easier venting of the new boilers through the roof and removal of the dropped ceiling over the back doors necessitated by the existing boiler's venting system. As there is an existing pipe chase from the existing boiler room all the way up to the attic of the proposed location, the existing controls, circulators and supply lines will be utilized.

Procurement

The Town's DPW Department with the assistance of Engineering Staff will act as general contractor utilizing subcontractors already under contract with the Town for material and labor rates. Stedman & Kazounis Plumbing & Heating will supply and install the new boilers, Abcore Restoration will be responsible for performing all of the opening and closing of pipe chases along with roof penetrations required for venting, while electrical tie ins would be completed by E. W. Audet. The Town Council will need to authorize the work of Stedman & Kazounis under existing Town Council policy regarding use of these contractors for projects in excess of \$50,000 and may be required to approve one or both of the other contractor's if their estimated costs exceed \$4,000.

Estimated Cost

Stedman & Kazounis have provided an estimate for supplying and installing the boilers of \$67,552 while DPW has estimated the other two contractor's work at about \$10,000. Adding a 10% contingency brings the total estimated project cost up to \$85,307.

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 22

Amend No. _____

Date Prepared: February 2, 2016
Council Meeting Date: February 16, 2016

TO: Anne Irons, CMC, Town Clerk

FROM: Jeffry Ceasrine, P.E., Town Engineer

SUBJECT: Proposed Ordinance Amendment – Chapter 78 “Utilities”, Article III (Sewers), Section 78-333 “Construction by private parties; cost recovery”

RECOMMENDATION:

That the Town Council adopt an ordinance in amendment of Chapter 78 “Utilities”, Article III (Sewers), Section 78-333 “Construction by private parties; cost recovery”.

SUMMARY:

In 2001, the Town Council adopted an Ordinance (Chapter 804) that allowed for the developers of public sanitary sewer extensions to recover a pro-rata share of the installation cost from the abutting\benefitting property owners along the extension for a period of five (5) years. It has been suggested by Council Member Patrick Murray that the time period allowed for an individual to recover his\her costs from the installation of a sewer line be extended to ten (10) years. The staff offers no objection to this – this part of the process is financially-neutral for the Town. The private developer pays to extend the sewer line, and is responsible for collecting the pro-rata share of the costs from the eligible abutters. We track the cost recovery program through the issuance of connection permits, but have no responsibility or role in the assessment or collection of monies.

A draft ordinance noting the proposed changes is attached, along with a “clean” version for the first reading.

First reading introduced, read, passed and accepted on February 1, 2016.

ATTACHMENT:

1. Proposed language changes (mark-up version)
2. Second+ Reading

Proposed language changes noted in *bold italics*

SECTION 1. Section 78-333 “Construction by private parties; cost recovery” of Article III (Sewers), Chapter 78 of the Code of Ordinances of the Town of Narragansett entitled “Utilities” is hereby amended to read as follows:

- (a) All property owners who receive permission from the town to tie into a sewer line which has been constructed by a private party shall reimburse the private parties who have paid for the sewer line extension a pro rata share of the cost of construction of the sewer line and sewer laterals. The intent of this section is to require that all people and users of the system who connect to the system within ***five ten*** years from the date of approval of the private party’s request to construct the sewer line shall share equally in the cost of the installation of the sewer line and sewer laterals. For the purposes of this section, the term “sewer lateral” shall be defined as that portion of the building sewer between the main sewer and the property line.

- (d) Upon acceptance of the sewer lines by the town, it shall be unlawful for any person, for a period of ***five ten*** years from the date of the approval of the private party’s request, to construct a sewer line or to tie into the sewer line, and the engineering department shall not issue sewer connection permits for such tie-ins, unless and until the person seeking to tie in to the line shall have paid his proportionate share of the cost of the installation to the person or persons who have constructed the sewer line and sewer laterals and provided written proof thereof to the engineering department.

TOWN OF NARRAGANSETT

CHAPTER _____

AN ORDINANCE IN AMENDMENT OF CHAPTER 78, ARTICLE III (SEWERS) OF THE CODE OF ORDINANCES OF THE TOWN OF NARRAGANSETT, RHODE ISLAND, ENTITLED "UTILITES".

The Town Council of the Town of Narragansett hereby ordains as follows:

SECTION 1. Section 78-333 "Construction by private parties; cost recovery" of Article III (Sewers), Chapter 78 of the Code of Ordinances of the Town of Narragansett entitled "Utilities" is hereby amended to read as follows:

- (a) All property owners who receive permission from the town to tie into a sewer line which has been constructed by a private party shall reimburse the private parties who have paid for the sewer line extension a pro rata share of the cost of construction of the sewer line and sewer laterals. The intent of this section is to require that all people and users of the system who connect to the system within ten years from the date of approval of the private party's request to construct the sewer line shall share equally in the cost of the installation of the sewer line and sewer laterals. For the purposes of this section, the term "sewer lateral" shall be defined as that portion of the building sewer between the main sewer and the property line.

- (d) Upon acceptance of the sewer lines by the town, it shall be unlawful for any person, for a period of ten years from the date of the approval of the private party's request, to construct a sewer line or to tie into the sewer line, and the engineering department shall not issue sewer connection permits for such tie-ins, unless and until the person seeking to tie in to the line shall have paid his proportionate share of the cost of the installation to the person or persons who have constructed the sewer line and sewer laterals and provided written proof thereof to the engineering department.

SECTION 2. This Ordinance shall take effect upon its passage and all other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

First reading read and passed in Town Council Meeting legally assembled the 1st day of February, 2016, A.D.

Second reading read and passed in Town Council Meeting legally assembled the ___ day of _____, 2016, A.D.

ATTEST:

Anne M. Irons, CMC, Town Clerk

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 23

Amend No. _____

Date Prepared: February 5, 2016
Council Meeting Date: February 16, 2016

TO: Anne Irons, CMC, Town Clerk

FROM: Jeffry Ceasrine, P.E., Town Engineer \ Acting Town Manager

SUBJECT: Work Session - Trolley Proposal

RECOMMENDATION:

That the Town Council schedule a work session to review the Beach Trolley Proposal from South County Trolley & Transportation, LLC.

SUMMARY:

At the February 1, 2016 Town Council meeting, the Council and staff were presented with a "Beach Trolley Proposal" from South County Trolley & Transportation, LLC. The staff review of this proposal has resulted in a number of issues that will require guidance and/or policy decisions on the part of the Town Council, hence the need to schedule a work session.

The suggested date and time for this work session is Monday March 7, 2016 at 6:30 PM (prior to the regular Council meeting at 7:30 PM)

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 24
Amend No. _____

Date Prepared: February 3, 2016
Council Meeting Date: February 16, 2016

TO: Jeffrey Ceasrine, Acting Town Manager

FROM: Anne M. Irons, CMC -Town Clerk

SUBJECT: Historic District Commission

RECOMMENDATION:

That the Town Council President reappoint two individuals to the Historic District Commission for three year terms to expire on January 1, 2019.

SUMMARY:

The Historic District Commission has three member seats and one alternate member seat available for appointment/reappointment. Lawrence Allen Vranka has declined reappointment. Moira H. Hintsas has requested reappointment as a member rather than an alternate member. Sandra J. Panzeri has requested reappointment to her member seat. There is also a vacant seat as we have been informed that David Allen Presbrey has resigned. There are currently no applications on file. The following indicates the original board appointment date and expiration date of the current members.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Vacant (Vranka)	---	1/1/2016
Vacant (Presbrey)	---	1/1/2017
Sandra J. Panzeri	5/19/2014	1/1/2016
Moira H. Hintsas, Alternate	5/4/2015	1/1/2016

According to RIGL 45-24.1, eq. seq. and the town's zoning ordinance, Section 5.4 **Historic District Commission** the members shall be appointed by the Town Council President.

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. Council Rules for Commission, Committee and Board Appointments



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.
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 AdHoc 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.

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

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

**CC: 25
Amend No. _____**

Date Prepared: February 5, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager

FROM: Anne M. Irons, CMC -Town Clerk

SUBJECT: Board of Canvassers Appointments

RECOMMENDATION:

That the Town Council reappoints an individual to the Board of Canvassers for a six year term which will expire March 1, 2022, appoints an individual to fill an unexpired term, which will expire March 2020 and appoints two individuals as alternates for a one year term, which will expire March 1, 2017.

SUMMARY:

The Board of Canvassers has an appointment of an unexpired term until March 2020 available due to the resignation of the Chair, Richard Leonard. There is also a term that will expire on March 1, 2016 and that board member has requested reappointment. According to the State Law alternate board members are allowed to be appointed which 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 the alternate member must be of the same political party as the member. The Board of Canvassers is a board with only three members and at times it is difficult to have a quorum to hold a meeting to conduct time sensitive election deadlines that need to be submitted to the Secretary of State's Office and the Board of Elections.

The following indicates the original board appointment date and expiration date of the current member.

<u>Name</u>	<u>Appointed</u>	<u>Expiration Date</u>
Richard T. Leonard	03/01/2014	03/01/2020
Gerry Reynolds		03/01/2016

According to RIGL§17-8-1, the President of the Town Council shall nominate the members of the canvassing authority from lists of party voters submitted by the respective chairpersons of the city or town political committee, which lists shall contain the names of five (5) times the number of persons to be appointed. If the Legislative

Body refuses to approve the nomination of any person to the canvassing authority, the president shall submit to the legislative body another person named on one of the lists, and so on until a person is appointed. If the Chairpersons of the political party entitled to the appointment fails or refuses to submit a list, the president shall nominate any party voter of the political party entitled to the appointment.

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. RIGL§17-8-1
2. Town Council Rules for Commission, Committee and Board Appointments

TITLE 17

Elections

CHAPTER 17-8

Local Canvassing Authorities

SECTION 17-8-1

§ 17-8-1 Appointment of bipartisan authority. The legislative body of each city and town shall appoint a bipartisan canvassing authority of three (3) qualified electors of the city or town, not more than two (2) 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. The mayor or the president of the town council shall nominate the members of the canvassing authority from lists of party voters submitted by the respective chairpersons of the city or town political committee, which lists shall contain the names of five (5) times the number of persons to be appointed. If the legislative body refuses to approve the nomination of any person to the canvassing authority, the mayor or the president shall submit to the legislative body another person named on one of the lists, and so on until a person is appointed. If the chairperson of the city or town committee of a political party entitled to an appointment fails or refuses to submit a list, the mayor or the president shall nominate any party voter of the political party entitled to the appointment.

History of Section.

(P.L. 1956, ch. 3754, § 1; G.L. 1956, § 17-8-2; G.L. 1956, § 17-8-1; P.L. 1958, ch. 18, § 1; P.L. 1988, ch. 151, § 1.)



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TOWN OF NARRAGANSETT

RULES FOR COMMISSION, COMMITTEE AND BOARD APPOINTMENTS

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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.
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.

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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 AdHoc 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.

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

**TOWN OF NARRAGANSETT
COUNCIL COMMUNICATION**

CC: 26

Amend No. _____

Date Prepared: February 5, 2016
Council Meeting Date: February 16, 2016

TO: Jeffry Ceasrine, Acting Town Manager

FROM: Anne M. Irons, CMC – Town Clerk

SUBJECT: Town Council FY 16-17 Budget Meeting Schedule

RECOMMENDATION:

That the Town Council approves the meeting schedule for the budget process for fiscal year 2016-17.

SUMMARY:

The budget work sessions with council and department heads are scheduled for the week April 5 through April 15, 2016 at 6:00 p.m. The School Committee work session with the council is scheduled for April 11, 2016 at 6:30 p.m. The public hearings on the budget will be scheduled for March 28th, April 4th and April 18th. The final adoption of the budget is scheduled for the May 16th town council meeting.

ATTACHMENTS:

1. Budget schedule

TOWN OF NARRAGANSETT, RHODE ISLAND
NOTICE OF BUDGET ADOPTION PROCESS
BUDGET SCHEDULE
FY 2016-17 BUDGET

November 18	Capital & Major Maintenance requests sent to all Town Departments (<i>completed</i>)
December 7	Operating Budget Request Packages sent to all Departments (<i>completed</i>)
December 7	6:30 Joint Meeting Town Council & School Committee on the budget (<i>completed</i>)
December 11	Due date for Departments to submit Cap & Major Maintenance Requests (<i>completed</i>)
December 18	Complete compilation of Cap & Major Maintenance requests (<i>completed</i>)
January 4	Operating budget requests returned to the Finance Director (<i>completed</i>)
January 11	Finance Director submits department budget requests to Town Manager (<i>completed</i>)
Jan. 12-22	Meetings with Department Heads & Town Manager to review budgets (<i>completed</i>)
February 1	Town Manager submits Cap & Major Maintenance Plan to Town Council (<i>completed</i>)
February 19	Superintendent of Schools sends budget to the School Committee
February 24	School Committee holds 1 st workshop on the school budget
March 2	School Committee holds 2 nd workshop on school budget
March 7	Capital Reserve Committee Meeting
March 9	School Committee holds 3 rd workshop on school budget
March 16	School Committee adopts school budget for 2016 – 2017
March 23	Town Manager submits proposed 2016-17 Budget to the Town Council
March 28	7:30 PM Public Hearing on the School Budget/Town
April 4	8:00 PM Public Hearing on the Town Budget
April 5-15	6:00 PM Council work sessions with Department heads on budgets
April 11	6:30 PM Council Work Session with the School Committee
April 18	8:00 PM 2nd Public Hearing on the Town Budget
May 2	Council has 1 st reading of the budget ordinance
May 16	2 nd reading and adoption of the budget ordinance
By June 30, 2016	Tax Bills for 2016-17 Mailed