

# Barn

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ed presentation at the forum, but Parks and Council President David Long said such a presentation would be acceptable only if scheduled ahead of time and authorized by the council as an agenda item. Parks and Long said those who register for open forum are allowed only to speak on any item of their choosing, but are not allowed to use technical or visual materials at that time.

Woodside and Windsor said they would register to give the presentation at the next meeting, Monday, Aug. 22. They chose not to release copies of their presentation in advance of the next meeting.

North end resident David King, who had registered to give a forum statement, asked to yield his time to Woodside. Long ruled that he was entitled to speak on his concerns, but that he could not assign his time to increase the time of another speaker.

Under existing open forum rules, any person who registers to speak is allowed five minutes. Those who ask to speak without advance registration are allowed three minutes each to state their position. The councilors have allowed rather free-flowing, somewhat unstructured forums in the past, sometimes becoming involved in the discussions or asking questions.

## Open Meetings Act

Parks provided written copies of the state advisory, which did acknowledge that the advisory is subject possibly to other factors or interpretations or rulings and that the state Open Meetings Act specifically "is silent on the issue of the public comment of an open meeting" and the advisory was based on "the fundamental purpose, policy and practices (without) circumvention of the spirit and requirements" of the Open Meetings Act.

Another north end resident, Raymond Iannetta, challenged the council and solicitor: "Why is this occurring? . . . We are being stonewalled on information." He also said that Norma Willis, the leader of the north end group, was threatened with arrest for trespassing when she tried to join state and town staff on an inspection at the landfill earlier this month.

Willis had been accompanied by a technical consultant to the North End Concerned Citizens. Iannetta said Willis offered to be arrested so the public would see the way officials deal with citizens such as herself, a 75-year-old grandmother.

Willis was not at the meeting Monday.

Parks said after the council meeting that Willis was not threatened with arrest. He said he was there and that he told her and her advisor that they could accompany the two officials, one from the state and the other from the town, with the understanding that they could observe only, and not make statements.

Willis later said she had been invited to attend the inspection by the state Department of Environmental Management.

On Tuesday, Willis made public her three-page letter to Police Chief and Interim Town Administrator Thomas Tighe in which she detailed the landfill incident and maintained that she and her consultant had been threatened with arrest by Parks.

She called Parks' position "bully tactics." She insisted the north end residents are looking for a way to work co-operatively with the town.

Parks said DEM's lawyer told him that the situation was a town matter, and that it was up to the town to set the rules for the inspection.

## Water safety

The north end residents technical and legal consultants made a lengthy presentation in June to the

DEM, the regulatory agency that has authority over the landfill closure and proposed highway barn there. The town and its consultants GZA GeoEnvironmental of Providence have claimed many of the statements made by or on behalf of the north end residents were erroneous or out of context.

The north end residents have argued that the GZA tests at the landfill have resulted in some findings of "exceedances" of some materials. According to their consultants, some of the materials can impact the safety of the island's ground water that is the sole source of all drinking water for houses using private wells and as well as those on the municipal water system. GZA reports state such findings are sporadic, minimal and nominal and the reports stress that the ground water meets standards as safe for drinking.

Town officials and many residents claim the north end residents are distorting GZA reports in an effort to reinforce their goals of keeping a new highway barn from being built at the former landfill. The north end group is arguing that disturbing the landfill to construct the barn will increase possibilities of water contamination.

Iannetta contended that the state Department of Health representative at the DEM meeting in June said the former landfill situation in Jamestown was a matter of "not if, but when" there would be contamination. "Bathing in the water can be more of a problem than drinking it," Iannetta said.

Iannetta also asked the town other questions, but Parks ruled that any response "would violate the open meetings law" because it was not an agenda item. The agenda included the former landfill as the topic of the north end group and the governor's involvement in the matter. Willis, a veteran political leader on the state and local level, has appealed to Gov. Donald Carcieri for assistance with the fight. Councilman William Kelly had asked for a council agenda discussion of that aspect, but he withdrew it during the meeting without explanation or comment.

"The government's primary duty is to protect the health, safety, and welfare of its citizens," Iannetta said. "I couldn't agree with you more," Long replied. Parks said Long's comment was out of order in terms of state open meeting law.

"How do I ask? Outside of a

# Rebates for retrofitting toilets back in effect

More than half of the 680 customers of the town water department have not completed required water-saving retrofits of their toilets. They will be served with notices in coming weeks that give them 60 days to do it or face water shut off.

Sitting as the Board of Water and Sewer Commissioners Monday, the town Council voted to continue to offer \$50 rebates to the first 225 and a \$40 for the 226th homeowner who complete the task within 60 days. Those who do not complete the work in time will be designated as violators, subject to shut off and possible fine, although the amount of the fine was not specified.

Customers were required to complete the retrofits earlier this year. The rebate program for retrofits has been in process since 1999 and was scheduled to end some months ago, but it was continued because funds remained in the rebate account.

According to department records, 291 property owners have completed the work, getting rebates totaling \$18,710. Rebates the first year went to 11 homeowners at \$117 each; in the second year, to 27 water customers at \$125 each; in the third year, to 17 at \$100 each; and since then to 247 at \$50 each.

Of the remaining 389 customers, a dozen or two have completed the work and are due rebates, but the inspections have not been completed or recorded yet. The remaining more than 300 who must comply will be competing for the limited rebate money. Once the rebate money is gone, the others still must comply or face shutoff, without the benefit of a rebate.

Town Solicitor Lauristan Parks assured the commissioners that the town has the authority to terminate the water service if rules are not followed.

Officials are hoping the rebates will go quickly.

public meeting?" Iannetta asked. "Only at a public hearing," Parks responded. "This borders on the ridiculous," Iannetta said.

## Personal attack

Robert Dolan then spoke. He identified himself as one of Two Concerned Citizens of Coronado Street. He referred to the small number of North End Concerned Citizens who have been identified. He said according to town officials the north end group consists of about 12 active members.

Then Dolan referred to the north end group as having power because of "their juices and money . . . juices in terms of political pull to get meetings with state officials." Long ruled the comment out of order and said Dolan could speak about issues but not about other people.

Dolan said the council needs to build the barn as soon as possible. "The time spent to respond and rebut claims was causing delays and costing more money. I'll be paying the rest of my days. Get it done and as soon as you can," he said.

## Another view

Susan Little, another North End Concerned Citizen, reviewed

several factors concerning the plans for the highway barn and asked several questions. She proposed that a neighborhood committee be established similar to the one the town formed when it was trying to site the barn at Taylor Point. That plan was rejected for being too expensive.

Little pointed out that most of the Taylor Point concerns were related to visual impact of the barn, compared to the issues of water safety at the landfill site. She said the landfill barn is intended to be a "cheap steel building" but that north end residents also deserve the "same visual respect as the expensive shingled structures proposed at Taylor Point."

Little questioned the \$75,000 authorized for a feasibility study for the barn at the landfill. She said the council specified that environmental and engineering studies would be done before design is started.

Little called for a "full risk assessment." She asked about costs of removal and disposal of waste material in preparation of the barn construction. The council approved reduced well monitoring before the barn was suggested there, and indicated that increased testing is needed if the barn is there, she said.

Such factors make "the real cost estimate of locating the barn at this site" much higher than the \$75,000 allocated, Little said. "I hope the council will treat north end residents in the same fair and equal manner as was given other residents near sites" considered in the past for the barn, she concluded.

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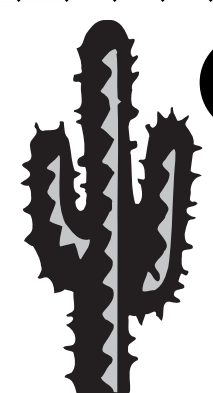
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