

PORTSMOUTH TOWN COUNCIL MEETING
FEBRUARY 22, 2016
AGENDA

7:00 PM - TOWN COUNCIL CHAMBERS, TOWN HALL, 2200 EAST MAIN ROAD

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. Victualler License - New Annual:

My Kitchen Table, 1065 East Main Road, Portsmouth, RI. Owner: Kelle O'Connor,
1084 Green End Avenue, Middletown, RI

Documents: [My Kitchen Table.pdf](#)

2. Entertainment License:

Portsmouth Youth Soccer Association, Carlos Williams, President, 28 Prudence
View Dr., Portsmouth, RI for the Portsmouth Invitational Youth Soccer Tournament,
Gardner Seveney Sports Complex, June 17-18, 2016

Documents: [Entertainment - PYSA.pdf](#)

3. Peddler License - Specific Event:

Portsmouth Youth Soccer Association, Carlos Williams, President, 28 Prudence
View Dr., Portsmouth, RI for the Portsmouth Invitational Youth Soccer Tournament,
Gardner Seveney Sports Complex, June 17 - 18, 2016

Documents: [Peddler - PYSA.pdf](#)

ADJOURN

PRESIDENT'S EXECUTIVE SUMMARY

MINUTES

TCM 2/10/16 and Exec.

Documents: [M 2-10-16 Draft.pdf](#)

BILLS

Documents: [Bill List.pdf](#)

TAX VOUCHERS

None

TOWN ADMINISTRATOR'S REPORT

1. Prudence Island Road Paving Project Update.

2. Newport County Chamber of Commerce Regional Economic Development Initiative Meeting.

RESIGNATIONS AND APPOINTMENTS

1. Appointments:
 - a. Agriculture Committee (Re-Appt.) - J. Carvalho
Documents: [J Carvalho.pdf](#)

OLD BUSINESS

1. Presentation Of The Town Clerk Management And Staffing Study Conducted By DI Jacobs Consulting Company. / R. Rainer (10)
Documents: [Point Paper - Jacobs.pdf](#), [DIJ Final Report.pdf](#)
2. Request Approval Of A Resolution Memorializing The General Assembly To Enact Legislation Authorizing The Town Of Portsmouth To Finance The Design, Construction, Furnishing And Equipping Of A New Police Station By The Issuance Of Not More Than \$10,000,000. General Obligation Bonds And/Or Notes Therefor. / K. Gavin (5)
Documents: [Police Station Bond.pdf](#)

NEW BUSINESS

1. Request To Approve School Department 5 Year Capital Plan Included In The Necessity Of School Construction Stage II Application For Housing Aid Reimbursement And Authorize The School Department To Submit The Application To RIDE. / A. Riley & C. Diluro (No Backup) (10)
Documents: [School Dept Request.pdf](#)
2. Discussion/Action - Proposed Charter Amendment To Make The Office Of The Town Clerk An Appointed Position. / R. Rainer (5)
Documents: [Charter Amendment.pdf](#)
3. Discussion/Action - Recreation Department Items And Updates. / T. Dunbar (10)
Documents: [Recreation Department.pdf](#)
 - a. Recreation Department Spring/Summer 2016 Catalog.
Documents: [Spring-Summer 2016 Catalog.pdf](#)
 - b. Creating New Policy For Teams And Organizations Using Town Fields And Property.
Documents: [Rec Policy.pdf](#)
 - c. Request Assistance In Working With The School Department Regarding Morning Walks For Our Residents At The High School Gym.
4. Request Council Reschedule The April 25, 2016 Town Council Meeting In Order For The Canvassing Authority To Use The Town Council Chambers As A Polling Site For The April 26, 2016 Presidential Preference Primary Election. / J. Schulz (5)
Documents: [Canvassing Authority Request.pdf](#)
5. Request Town Council Approval Of Proposal To Consolidate The Zoning Ordinance And Subdivision Rules And Regulations Into The Codification Of Ordinances. / J. Mower (5)
Documents: [Codification Of Ordinances.pdf](#)
6. Request To Approve Re-Statement Of The Town's Pension Plan. / J. Lathrop (5)
Documents: [Pension Plan.pdf](#)

CORRESPONDENCE

1. Thank You Card For Supporting Project Purple Week And For Participating In The Dodgeball Tournament. / Patriots Committed Students
Documents: [Thank You Card.pdf](#)
2. Portsmouth Water And Fire District's Quarterly Financial Reports For FY-15 And FY-16 Through October 31, 2015. / W. McGlenn, General Manager And Chief Engineer, Portsmouth Water And Fire District
Documents: [Water And Fire District.pdf](#)

FUTURE MEETINGS

March 14 7:00 PM - Town Council Meeting - PUBLIC HEARING: Proposed Amendments to Chapter 257 of the Portsmouth Town Code - Noise Ordinance
March 28 7:00 PM - Town Council Meeting

EXECUTIVE SESSION

1. RIGL 42-46-5(a)(2) - Litigation: Sakonnet River Bridge
2. RIGL 42-46-5(a)(2) - Litigation: A&R Marine Rate Change Application (R.I. Public Utilities Commission)
3. RIGL 42-46-5(a)(2) - Litigation: Aquidneck Island Reliability Project Assessment

ADJOURN

RETURN TO OPEN SESSION

OPEN SESSION

ADJOURN

The public is welcome to any meeting of the Town's boards or its committees. If communication assistance (readers/interpreters/captions) is needed or any other accommodation to ensure equal participation, please contact the Town Clerk's Office at 683-2101 at least (3) business days prior to the meeting.
POSTED 2/18/16

TOWN OF PORTSMOUTH, RHODE ISLAND



VICTUALLER LICENSE APPLICATION

To The Town Council: The applicant, whose signature appears below, respectfully petitions your Honorable Body for a Victualler License. DATE: 2-14-09-16

ANNUAL LICENSE: SPECIFIC EVENT LICENSE: EVENT DATE: _____

EVENT TYPE: _____

EVENT LOCATION: _____

OWNER/CORP/LLC NAME: My Kitchen Table

CONTACT PERSON: Kelle O'Connor DOB: 04/10/1967

OWNER/CORP/LLC ADDRESS: 1084 Green end ave
Middletown, RI 02842

OWNER PHONE: 862-0009 BUSINESS PHONE: - N/A yet

BUSINESS NAME D/B/A/: My Kitchen Table

BUSINESS ADDRESS: 1065 E. Main Rd
Portsmouth, RI 02871

TYPE OF BUSINESS: Cafe / catering / dinner / prepared foods

Hours of Operation: Open from 6 to 8 (Monday - ~~Saturday~~ ^{Fri}) from 7 to 2 (Sunday) ^{7-8 Saturday}

Are the Premises: Owned or Leased Located in Shopping Center (Y/N) Unit# _____

STATE TAX # _____ or FEDERAL ID # 76-0803534

AUTHORIZED SIGNATURE: [Signature] TITLE: Owner

FOR OFFICE USE ONLY: FEE: <u>\$50</u>	DATE PAID: <u>2/9/16</u>	TAXES PAID: <u>N/A</u>
BOARD OF HEALTH CERT: _____	MENU: <input checked="" type="checkbox"/>	EMER. CONTACT FORM: _____
LIQUOR LIC. APPL: _____	APPROVALS: POLICE: _____	FIRE: _____
INSPECTION: _____	COUNCIL MEETING: <u>2/22</u>	DATE GRANTED: _____
DATE ISSUED: _____		

TOWN OF PORTSMOUTH, RHODE ISLAND



ENTERTAINMENT LICENSE APPLICATION

To The Town Council: The applicant, whose signature appears below, respectfully petitions your Honorable Body for an Entertainment License.

DATE: 2/16/2016 *Application must be received 30 days prior to event per Ordinance 91-8-27A

OWNER/CORP/ENTITY: Portsmouth Youth Soccer Association

ADDRESS: 28 Prudence View Drive Portsmouth PHONE: (401) 649-0479

CONTACT PERSON: Carlos Williams DOB: / /

PROPERTY OWNED BY: Town of Portsmouth

ADDRESS: 715 East Main Road PHONE:
Portsmouth, RI 02871

EVENT DATE(S): June 17-18, 2016 HOURS: 8am - 8pm

EVENT LOCATION: Gardner-Sweeney Sports Complex

TYPE OF ENTERTAINMENT: Youth Soccer Tournament

NUMBER OF TICKETS/PASSES FOR EACH DAY: None AGE GROUP:

EXPECTED NUMBER OF PARTICIPANTS AND/OR ATTENDEES EACH DAY:
1500 over the course of a day

ALCOHOLIC BEVERAGES BEING SOLD? (Under RIGL Title 3) YES NO X

ALCOHOLIC BEVERAGES BEING GIVEN AWAY? YES NO X

FOOD BEING SOLD? YES X NO BEING GIVEN AWAY? YES NO

AMPLIFIED SOUND TO BE PROVIDED? YES NO X TYPE

FIREWORKS DISPLAY BEING PROVIDED? YES NO X

AUTHORIZED SIGNATURE: Carlos Williams TITLE: President

FOR OFFICE USE ONLY: FEE:	INSURANCE:	DATE PAID:
APPROVALS: POLICE:	FIRE:	INSPECTION:
COUNCIL MEETING:	DATE GRANTED:	DATE ISSUED:

**PORTSMOUTH TOWN COUNCIL MEETING
FEBRUARY 10, 2016 (WEDNESDAY)**

(RE-SCHEDULED FROM FEBRUARY 8, 2016 DUE TO INCLEMENT WEATHER)

7:00 PM – TOWN COUNCIL CHAMBERS, TOWN HALL, 2200 EAST MAIN ROAD

MEMBERS PRESENT: Keith E. Hamilton, James A. Seveney, Kevin M. Aguiar, David M. Gleason and Elizabeth A. Pedro.

MEMBERS ABSENT: Michael A. Buddemeyer and Joseph W. Robicheau.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was followed by a Moment of Silence for our men and women serving around the world in harm's way.

SITTING AS THE PORTSMOUTH TOWN COUNCIL

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. Victualler License – New Annual

Samantha's Seafood, 108 Chase Road, Portsmouth, RI. Owner: Eric Hyson, 40 Redwood Road, Tiverton, RI

A motion by Mr. Seveney, seconded by Mr. Gleason, to grant a Victualler License to Samantha's Seafood, as requested. All voted in favor of the motion.

ADJOURN

A motion by Mr. Seveney, seconded by Ms. Pedro, to adjourn as the Board of License Commissioners. All voted in favor of the motion.

PRESIDENT'S EXECUTIVE SUMMARY

President Hamilton informed everyone that the schedule has changed and the Public Hearing for Bill's Sales is now scheduled for March 14, 2016 at 7:00 p.m.

MINUTES

TCM 1/23/16

TCM 1/25/16 and Exec.

A motion by Mr. Gleason, seconded by Mr. Seveney, to approve all minutes as printed.

All voted in favor of the motion.

BILLS

A motion by Mr. Seveney, seconded by Mr. Gleason, to pay all just due and owing bills in the amount of \$94,170.13. All voted in favor of the motion.

TAX VOUCHERS - None

TOWN ADMINISTRATOR'S REPORT

1. League of Cities and Towns Convention – A number of Town Council Members and Town Department Staff attended the event.
2. Status of Financial Audit – The Report was received today and posted on-line. Page 95 gives a breakdown of how we ended the year with a \$314,000 surplus. A new format is being used in the audit, that of a comprehensive Annual Financial Report.
3. Status of Tank Farm Study – Study Committee met with Matrix, they will be preparing an opinion to present to the Town Council.
4. Wind Turbine Project Update – The turbine was successfully dismantled ahead of schedule and WED has earned a \$67,000 incentive which will be donated back to Town for playgrounds or public use.
5. Department Updates – Building Inspector, the interviewing is done and that person has accepted the position and will be starting March 1st. DEM has approved the Town to receive CCSLP. Public Works has spent \$125,000 for storm events and there is a balance of \$52,000 (enough for 3 or 4 more storm events). Mr. Rainer will investigate the storage issues of road salt.

A motion by Mr. Gleason, seconded by Mr. Seveney, to send a letter of thanks to WED for their donation. (Mr. Rainer will draft the letter.) All voted in favor of the motion.

RESIGNATIONS AND APPOINTMENTS

1. Resignations/Requests Not to be Re-appointed:

- a. Dog Park Planning Committee – J. Eline, G. Kinnunen

A motion by Ms. Pedro, seconded by Mr. Seveney, to accept, with regret, the resignations of both Joan Eline and Grace Kinnunen. All voted in favor of the motion.

- b. Design Review Board – G. Graham, G. Yalanis, M. Camera

A motion by Mr. Seveney, seconded by Mr. Gleason, to accept, with regret, the requests not to be re-appointed from Gary Graham, Greg Yalanis and Michael Camera. All voted in favor of the motion.

2. Appointments:

- a. Lower Glen Farm Preservation Committee (Re-Appt.) – P. Richtmyer, B. Plante

A motion by Mr. Seveney, seconded by Ms. Pedro, to re-appoint Peter Richtmyer and Barbara Plante to the Lower Glen Farm Preservation Committee. All voted in favor of the motion.

- b. Agriculture Committee (Re-Appt.) – A. Fiore, N. Parker Wilson

A motion by Mr. Seveney, seconded by Mr. Gleason, to re-appoint Ann Fiore and Nancy Parker Wilson, to the Agriculture Committee. All voted in favor of the motion.

OLD BUSINESS

OB 1 – PUBLIC HEARING: Discussion/Action – Proposed Amendments to Chapter 257 of the Portsmouth Town Code – Noise Ordinance: §257-5 Exceptions, Section L and §257-18 Sound Variances, Section C **(RE-SCHEDULED TO: TCM 3/14/16)**

President Hamilton announced that due to scheduling conflicts with advocates for Bill's Sales, the Public Hearing has been re-scheduled and will be heard at the Council Meeting of March 14, 2016.

OB 2 – Request Council to Withdraw the Resolution to the Portsmouth Legislators to Extend Council Authority over the Tax Stabilization Program

Larry Fitzmorris, 50 Kristin Court, addressed his concerns regarding the Council seeking authority over the Tax Stabilization Program.

No action was taken.

NEW BUSINESS

NB 1 – Request from School Department to have a Member of the Town Council Sit in on Labor Negotiations with the NEA

A motion by Ms. Pedro, seconded by Mr. Seveney, to nominate Mr. Robicheau. All voted in favor of the motion.

NOTE: The position would observe negotiations and report back to the Town Council in Executive Session

NB 2 – Request Permission to Place an Insert, with a Dog Park Update, in the Annual Dog License Renewal Letters

A motion by Mr. Seveney, seconded by Ms. Pedro, to approve placing the Dog Park Update insert in with the Annual Dog License Renewal Letters. All voted in favor of the motion.

NOTE: Ms. Miller will bring a proposal to the Town Council regarding future years’ upkeep and maintenance of the dog park.

NB 3 – Request Approval to Amend Resolution #2015-01-29 – Exemption from Taxation of the Real Estate of Certain Income Eligible Senior Citizens

A motion by Mr. Seveney, seconded by Mr. Gleason, to approve. All voted in favor of the motion.

RESOLUTION # 2016-02-10

Exemption from Taxation of the Real Estate of Certain Income Eligible Senior Citizens.

<u>IF YOUR INCOME IS:</u>		<u>YOUR EXEMPTION IS:</u>
<u>(DEC. 2015)</u>		<u>(2016 TAX ROLL)</u>
-		
<u>CPI-U</u>	0 - \$9,313	85% of Assessed Value
0.7 (%)	\$9,314 - \$11,607	75% of Assessed Value
	\$11,608 - \$13,902	65% of Assessed Value
	\$13,903 - \$16,198	55% of Assessed Value
	\$16,199 - \$18,492	45% of Assessed Value
	\$18,493 - \$20,789	35% of Assessed Value
	\$20,790- \$23,081	25% of Assessed Value
	\$23,082 - \$25,379	15% of Assessed Value
	\$25,380 - \$27,489	10% of Assessed Value

Reference: #2015-01-29

FUTURE MEETINGS

February 22 7:00 PM – Town Council Meeting

March 14 7:00 PM – Town Council Meeting

– PUBLIC HEARING: Proposed Amendments to Chapter 257 of the
Portsmouth Town Code – Noise Ordinance: §257-5 Exceptions,
Section L and §257-18 Sound Variances, Section C

EXECUTIVE SESSION

RIGL 42-46-5 (a) (5) – Discussions or Considerations Related to the Acquisition or
Lease of Real Property for Public Purposes Wherein Advanced
Public Information would be Detrimental to the Public Interest

A motion by Mr. Seveney, seconded by Mr. Gleason, to go into Executive Session under
RIGL 42-46-5 (a) (5) Discussions or Considerations Related to the Acquisition or Lease
of Real Property for Public Purposes Wherein Advanced Public Information would be
Detrimental to the Public Interest. All voted in favor of the motion.

TIME: 8:12 p.m.

ADJOURN

RETURN TO OPEN SESSION

TIME: 8:33 p.m.

OPEN SESSION

President Hamilton announced the Town Council met in Executive Session on the acquisition of
property and voted five to zero; the property itself is still in negotiation and will be reported out
once it is finalized.

A motion by Mr. Seveney, seconded by Mr. Gleason, to adjourn. All voted in favor of the
motion.

TIME: 8:35 p.m.

Joanne M. Mower, Town Clerk

BILL LIST

Bill List Expenditures
Town of Portsmouth 2015-2016

2/17/2016 11:11:49 AM

Vendor	Account Number		Date	Description	Amount
Line Item 10002 TOWN ADMINISTRATOR					
URSILLO, TEITZ & RITCH, LTD.	1-01-312-10002-04	LEGAL SERVICES	2/23/2016	PROF SER: LABOR MATTERS	\$2,257.00
Sub Total:					\$2,257.00
 Line Item 10003 TOWN CLERK					
ACS ENTERPRISE SOLUTIONS IN	1-01-402-10003-06	PROBATE COURT SUPPLIES	2/11/2016	TOWN CLERK: PROBATE	\$381.98
FALL RIVER MODERN PRINTING C	1-01-401-10003-06	OFFICE SUPPLIES & EQUIPMEN	2/23/2016	TOWN CLERK: OFFICE SUPPLIES	\$24.00
FALL RIVER MODERN PRINTING C	1-01-890-10003-06	DOG FUND	2/23/2016	DOG LICENSES	\$627.25
GENERAL CODE CORP	1-01-331-10003-08	CODIFICATION OF ORDINANCES	2/11/2016	CODE: ANNUAL MAINT FEE	\$1,195.00
NEACTC	1-01-332-10003-06	PROF.SERVICES/EDUCATION	2/11/2016	TOWN CLERK: DUES 1/1-12/31/16	\$25.00
Sub Total:					\$2,253.23
 Line Item 10004 CANVASSING					
EAST BAY NEWSPAPERS	1-01-316-10004-08 *	ADVERTISING	2/23/2016	CANVASSING; ADVERTISING 1/11-15	\$176.40
KENNEDY PERSONNEL SERVICES	1-01-129-10004-08	TEMPORARY ASSISTANCE	2/11/2016	CANVASSING: TEMP ASST	\$728.00
KENNEDY PERSONNEL SERVICES	1-01-129-10004-08	TEMPORARY ASSISTANCE	2/23/2016	CANVASSING: TEMP ASST	\$478.40
THE NEWPORT DAILY NEWS	1-01-316-10004-08 *	ADVERTISING	2/11/2016	ADVERTISING: CANVASSING	\$247.80
W B MASON CO INC	1-01-401-10004-08	OFFICE SUPPLIES & EQUIPMEN	2/23/2016	CANVASSING: OFFICE SUPPLIES	\$46.75
Sub Total:					\$1,677.35
 Line Item 10008 BOARDS & COMMITTEES					
LEON C. LESINSKI	1-01-401-10008-16	OFFICE SUPPLIES & EQUIP-PLA	2/23/2016	PLANNING BD: OFFICE SUPPLIES	\$53.97
W B MASON CO INC	1-01-401-10008-16	OFFICE SUPPLIES & EQUIP-PLA	2/23/2016	PLANNING BD: OFFICE SUPPLIES	\$97.72
Sub Total:					\$151.69
 Line Item 20001 FINANCE/PERSONNEL					
AZTEC OFFICE TECHNOLOGY PE	1-01-311-20001-20	IT EQUIPMENT & SERVICES	2/23/2016	IT: AQUOS BOARD	\$4,750.00
N.A.D.A.	1-01-334-20001-20	PROF DEV/TRAINING	2/11/2016	TAX: EVAL JAN 2016	\$339.00
TAP PRINTING INC	1-01-401-20001-20	OFFICE SUPPLIES & EQUIPMEN	2/23/2016	FINANCE: OFFICE SUPPLIES	\$273.00
THE ANGELL PENSION GROUP IN	1-01-333-20001-20	PROFESSIONAL SERVICES	2/23/2016	PROF SERV: FLEXIBLE BENEFITS PLAN	\$375.00
THE NEWPORT DAILY NEWS	1-01-316-20001-20	ADVERTISING	2/11/2016	ADVERTISING: PROBATE	\$506.00
THE NEWPORT DAILY NEWS	1-01-316-20001-20	ADVERTISING	2/11/2016	ADVERTISING: TOWN COUNCIL	\$261.75
Sub Total:					\$6,504.75

Vendor	Account Number	Date	Description	Amount
Line Item 20002 TAX ASSESSOR/COLLECTOR				
MUNICIPAL COLLECTIONS, INC	1-01-319-20002-22 *	2/11/2016	TAX: DELINQUENT TAX COLLECTION	\$927.61
W B MASON CO INC	1-01-401-20002-22	2/23/2016	TAX: OFFICE SUPPLIES	\$54.72
W B MASON CO INC	1-01-401-20002-22	2/23/2016	TAX: OFFICE SUPPLIES	\$190.71
W B MASON CO INC	1-01-401-20002-22	2/23/2016	TAX: OFFICE SUPPLIES	\$2.38
Sub Total:				\$1,175.42
 Line Item 31001 POLICE				
C. K. DISTRIBUTION	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$773.28
CORE BUSINESS TECHNOLOGIES	1-01-405-31001-24	2/11/2016	POLICE: BUILDING MAINT	\$84.77
EAST COAST TERMINALS INC	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$411.96
FIRST FORD INC	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$162.99
FORMS & GRAPHICS INC	1-01-401-31001-24	2/11/2016	POLICE: OFFICE SUPPLIES	\$233.00
GUARDIAN TRACKING, LLC	1-01-430-31001-24	2/23/2016	POLICE: SUBSCRIPTION 3/1-2/28	\$1,154.00
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$96.79
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$189.72
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$173.27
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$525.51
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	(\$54.00)
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$65.82
NAPA AUTO PARTS	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$39.60
PORTSMOUTH ACE HARDWARE	1-01-405-31001-24	2/11/2016	POLICE: BUILDING MAINT	\$2.99
PORTSMOUTH ACE HARDWARE	1-01-434-31001-24	2/23/2016	POLICE: KEY	\$1.99
PORTSMOUTH ACE HARDWARE	1-01-405-31001-24	2/23/2016	POLICE: BUILDING MAINT	\$49.98
PORTSMOUTH ACE HARDWARE	1-01-405-31001-24	2/23/2016	POLICE: BUILDING MAINT	\$20.99
RAY'S TOWING SERVICE	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$45.00
SARGE'S PORTSMOUTH AUTO BO	1-01-346-31001-24	2/23/2016	POLICE: VEHICLE MAINT	\$6,289.14
T.J. RUSSELL CO., INC.	1-01-405-31001-24	2/11/2016	POLICE: BUILD MAINTENANCE	\$72.40
TNT CLEANING SERVICES, INC.	1-01-404-31001-24 *	2/23/2016	POLICE: JAN JANITORIAL	\$2,426.66
W B MASON CO INC	1-01-401-31001-24	2/11/2016	POLICE: OFFICE SUPPLIES	\$79.00
W B MASON CO INC	1-01-401-31001-24	2/23/2016	POLICE: OFFICE SUPPLIES	\$434.90
W B MASON CO INC	1-01-401-31001-24	2/23/2016	POLICE: OFFICE SUPPLIES	\$224.85
ZEE MEDICAL, INC.	1-01-405-31001-24	2/23/2016	POLICE: BUILDING MAINT	\$142.45
Sub Total:				\$13,647.06

BILL LIST

Bill List Expenditures
Town of Portsmouth 2015-2016

2/17/2016 11:11:49 AM

Vendor	Account Number	Date	Description	Amount
Line Item 31003 FIRE				
DePAUL DIESEL SERVICE, INC.	1-01-406-31003-28	2/11/2016	VEHICLE MAINT & REPAIRS	\$863.55
DePAUL DIESEL SERVICE, INC.	1-01-406-31003-28	2/11/2016	VEHICLE MAINT & REPAIRS	\$720.78
DOMINA'S AGWAY	1-01-501-31003-28	2/11/2016	EQUIPMENT NEW & REPLACE	\$23.98
GREENWOOD EMERGENCY VEHI	1-01-406-31003-28	2/11/2016	VEHICLE MAINT & REPAIRS	\$125.61
MARK REIMELS	1-01-290-31003-28	2/11/2016	EDUCATION/TRAINING	\$1,365.55
MICHAEL M. CRANSON	1-01-401-31003-28 *	2/11/2016	OFFICE SUPPLIES/EQUIPT MAIN	\$40.00
NEW ENGLAND BOATWORKS, INC	1-01-406-31003-28	2/11/2016	VEHICLE MAINT & REPAIRS	\$501.89
THE DAWSON GROUP	1-01-918-31003-28	2/11/2016	AMBULANCE BILLING SERVICE	\$2,860.57
UNIFIRST CORPORATION	1-01-405-31003-28	2/11/2016	BUILDING MAINTENANCE	\$49.21
ZOLL MEDICAL CORPORATION	1-01-403-31003-28	2/11/2016	MEDICAL SUPPLIES/EQUIPMEN	\$1,020.00
Sub Total:				\$7,571.14
 Line Item 33001 PUBLIC WORKS				
AIRGAS USA LLC	1-01-428-33001-32	2/23/2016	TOOLS & SHOP EQUIP	\$87.35
COASTAL ELECTRIC INC.	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$234.00
COLONIAL SOUTH CHEVROLET	1-01-329-33001-32	2/23/2016	EQUIPMENT MAINT/REPAIRS	\$454.36
DAVID P. KEHEW	1-01-419-33001-32	2/23/2016	SNOW REMOVAL MATERIALS	\$181.67
DAVID P. KEHEW	1-01-419-33001-32	2/23/2016	SNOW REMOVAL MATERIALS	\$22.00
DAVID P. KEHEW	1-01-419-33001-32	2/23/2016	SNOW REMOVAL MATERIALS	\$197.64
DAVID P. KEHEW	1-01-419-33001-32	2/23/2016	SNOW REMOVAL MATERIALS	\$36.20
DONOVAN & SONS INC.	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$563.71
DRY BRIDGE SAND & STONE	1-01-419-33001-32	2/23/2016	SNOW REMOVAL MATERIALS	\$1,917.78
EFFLUENTIAL TECHNOLOGIES INC	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$137.50
GM REFRIGERATION CO. INC.	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$1,475.00
GM REFRIGERATION CO. INC.	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$1,475.00
GM REFRIGERATION CO. INC.	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$1,475.00
J.A.M. CONSTRUCTION CO. INC.	1-01-421-33001-32	2/23/2016	SNOW REMOVAL - CONT. SVC.	\$900.00
J.C. MADIGAN, INC.	1-01-329-33001-32	2/23/2016	EQUIPMENT MAINT/REPAIRS	\$1,490.11
LACAVAL & SOWERSBY INC	1-01-329-33001-32	2/23/2016	EQUIPMENT MAINT/REPAIRS	\$195.90
LACAVAL & SOWERSBY INC	1-01-329-33001-32	2/23/2016	EQUIPMENT MAINT/REPAIRS	\$40.00
LAWSON PRODUCTS, INC.	1-01-428-33001-32	2/23/2016	TOOLS & SHOP EQUIP	\$38.46
OCEAN STATE OIL INC.	1-01-329-33001-32	2/23/2016	EQUIPMENT MAINT/REPAIRS	\$898.85
P.J. KEATING COMPANY	1-01-690-33001-32 *	2/23/2016	DPW 15-16 PAVING	\$1,036.00
RIVERHEAD BUILDING SUPPLY C	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$122.71
THE HOSE CONNECTION, INC.	1-01-329-33001-32	2/23/2016	EQUIPMENT MAINT/REPAIRS	\$104.44
TNT CLEANING SERVICES, INC.	1-01-136-33001-32	2/23/2016	CUSTODIAL SERVICES	\$1,733.33
WASTE MANAGEMENT OF RI, INC	1-01-434-33001-32	2/23/2016	TOWNWIDE BLDGS/GROUNDS	\$17.21
WASTE MANAGEMENT OF RI, INC	1-88-649-33001-32 *	2/23/2016	XFER STA-PI RECYCLING	\$615.15
Sub Total:				\$15,449.37

Vendor	Account Number	Date	Description	Amount	
Line Item 33002 BUILDING INSPECTION					
THE NEWPORT DAILY NEWS	1-01-611-33002-33	2/11/2016	ZONING BOARD OF REVIEW	ZONING: ADVERTISING	\$998.64
				Sub Total:	\$998.64
Line Item 54003 GLEN COMMITTEE/MAINT					
REPUBLIC SERVICES #097	1-01-322-54003-48 *	2/11/2016	REFUSE DISPOSAL	GLEN PARK: REFUSE DISPOSAL	\$50.00
SHS PEST CONTROL CORP.	1-01-700-54003-48 *	2/11/2016	BLDG/GROUNDS MNT	GLEN PARK: PEST CONTROL	\$65.00
				Sub Total:	\$115.00
Line Item 54004 MANOR HOUSE COMM					
ALL ISLAND LANDSCAPE, INC.	1-01-550-54004-50	2/23/2016	GROUNDS MAINTENANCE	MANOR HOUSE: GROUNDS	\$480.00
CRYSTAL SPRING WATER CO.	1-01-403-54004-50	2/23/2016	SUPPLIES	MANOR HOUSE: WATER	\$72.60
OCEAN STATE JANITORIAL SERVI	1-01-137-54004-50	2/23/2016	CUSTODIAL SERVICES	MANOR HOUSE: JANITORIAL	\$240.00
STAPLES CREDIT PLAN	1-01-403-54004-50	2/23/2016	SUPPLIES	MANOR HOUSE: SUPPLIES	\$280.62
SUPERIOR PLUS ENERGY SERVIC	1-01-410-54004-50	2/23/2016	HEATING FUEL - OIL	MANOR HOUSE: HEATING FUEL	\$756.91
WASTE MANAGEMENT OF RI, INC	1-01-322-54004-50	2/23/2016	REFUSE DISPOSAL	MANOR HOUSE: REFUSE	\$196.44
				Sub Total:	\$2,026.57
Line Item 72900 TRF STATION SOLID WASTE					
J. R. VINAGRO CORPORATION	1-88-863-72900-00 *	2/23/2016	XFER STA SOLID WASTE DISPO	TRANSFER STATION	\$20,249.84
J. R. VINAGRO CORPORATION	1-88-863-72900-00 *	2/23/2016	XFER STA SOLID WASTE DISPO	TRANSFER STATION: NON HAZ MIXED	\$958.30
PATRIOT DISPOSAL COMPANY, IN	1-88-863-72900-00 *	2/23/2016	XFER STA SOLID WASTE DISPO	TRANSFER STATION: SOLID WASTE	\$155.00
				Sub Total:	\$21,363.14
Line Item 72901 TRF STATION RECYCLING					
J. R. VINAGRO CORPORATION	1-88-863-72901-00 *	2/23/2016	XFER STA RECYCLING	RECYCLING	\$175.00
SANNE KURE-JENSEN	1-88-863-72901-00 *	2/11/2016	XFER STA RECYCLING	RECYCLING: MILEAGE & EXPENSES	\$105.01
				Sub Total:	\$280.01
Line Item 72902 TRF STATION PI SOLID WAST					
WASTE MANAGEMENT OF RI, INC	1-88-863-72902-00 *	2/23/2016	XFER STA PI SOLID WASTE DIS	DPW: PI SOLID WASTE	\$663.63
				Sub Total:	\$663.63
				Batch BILL LIST	\$76,134.00

PREPAY

Bill List Expenditures
Town of Portsmouth 2015-2016

2/17/2016 11:11:49 AM

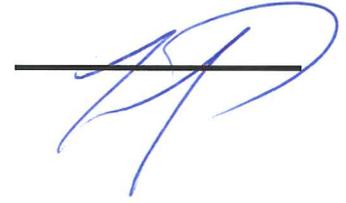
Vendor	Account Number		Date	Description	Amount
Line Item 10002 TOWN ADMINISTRATOR					
LAW OFFICE OF KEVIN GAVIN	1-01-312-10002-04	LEGAL SERVICES	2/8/2016	PROFESSIONAL SERVICES	\$7,170.00
					Sub Total: <u>\$7,170.00</u>
Line Item 10003 TOWN CLERK					
JOANNE M. MOWER	1-01-317-10003-06	TRAVEL	2/9/2016	TRAVEL: 138 MILES & \$1.50 METER	\$76.02
JOANNE M. MOWER	1-01-401-10003-06	OFFICE SUPPLIES & EQUIPMEN	2/9/2016	TOWN CLERK: OFFICE SUPPLIES	\$58.84
					Sub Total: <u>\$134.86</u>
Line Item 72900 TRF STATION SOLID WASTE					
RI RESOURCE RECOVERY CORP	1-88-863-72900-00 *	XFER STA SOLID WASTE DISPO	2/3/2016	TRANSFER STATION	\$10,234.35
					Sub Total: <u>\$10,234.35</u>
					Batch PREPAY <u>\$17,539.21</u>

PRE-PAID

Vendor **145-b711** Account Number Date Description Amount

Grand Total: \$93,673.21

Reviewed



TOWN OF PORTSMOUTH, RI
BOARDS/COMMISSIONS/COMMITTEES
APPLICATION FORM

RECEIVED
PORTSMOUTH, R.I.
2016 FEB -8 A 10:03

JOANNE M. MOWER
TOWN CLERK

Date: 2/5/16 New Appointment: _____ Re-Appointment

Board/Commission/Committee Being Applied For: Agriculture Committee

(PLEASE PRINT) NAME: Judith A. Carvalho

FULL STREET ADDRESS: 262 Heddy Street

MAILING ADDRESS (if different): _____

TELEPHONE NUMBERS:

HOME: 683-4907 BUSINESS: 683-1370 CELL: 529-0743

E-MAIL ADDRESS: judithc1@verizon.net

PRESENT EMPLOYER NAME AND ADDRESS:

Maplewood Farm LLC

LENGTH OF EMPLOYMENT: 27 years

IF LESS THAN TWO YEARS, PREVIOUS EMPLOYER (Name and address):

EDUCATIONAL BACKGROUND: Elms College - BA degree

Worcester State College - Masters in Education

WORK EXPERIENCE RELATED TO POSITION BEING APPLIED FOR:

Full time farmer in Portsmouth for over 25 years

RE-APPOINTMENT MUST INCLUDE DATA ON ATTENDANCE OF

PREVIOUS TERM: Present at all meetings except one
while on vacation

PROVIDE A BRIEF EXPLANATION OF YOUR INTEREST IN THIS

POSITION: As a farmer I feel I have something
to contribute

SIGNATURE OF APPLICANT: Judith A. Carvalho

Point Paper
Town Clerk Management and Staffing Study

Background

- D. I. Jacobs Consulting Company was retained by the Town of Portsmouth to conduct a review and analysis of the organization, management, and staffing levels of the Town Clerk Department.
- Because the Town Clerk serves as an ex-officio member of the Canvassing Authority it was decided to expand the scope of the study to include the Canvassing Department.

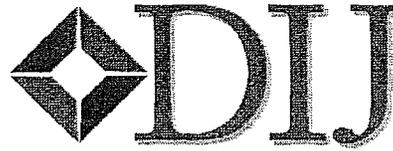
Summary

- A SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis was conducted based on information from internal (staff) and external (client) sources.
- A final report listing recommendations for improvement was prepared based on this analysis.
 - It focused on improving staff accountability and effectiveness within the Town Clerk and Canvassing function areas.
 - Recommendations were presented in priority order:
 - Essential: Immediate action or essential activity (1 year horizon)
 - Important: 12 to 15 month horizon
 - Useful: Good ideas to be implemented as time and/or funding allows

Findings and Discussion

- **Essential:**
 - *Establish a combined Town Clerk / Canvassing Department*
 - STATUS: Will be taken under advisement
 - Not considered essential – more appropriately prioritized as Important or Useful
 - Organizational structure varies widely across RI municipalities
 - Intend to study and readdress in the post-general election season
 - *Increase full-time administrative support staff*
 - STATUS: In progress
 - Recommend re-establishment of Deputy Clerk – elimination of temporary hires
 - Part time Canvassing clerk elevated to full-time under new CBA
 - Impending CBA simplifies Clerk levels
 - *Enhance Mission of the Town Clerk function (Make TA responsible for TC meeting Agendas)*
 - STATUS: Adopting a different approach
 - TA office not staffed to accept this admin function
 - Clerk and Administrator now share responsibility for agenda preps
 - Admin function is assigned to a clerk position in the TC Department
- **Important:**
 - *Establish the Town Clerk as an appointed position*
 - STATUS: Concur
 - Resolution for Charter change referendum to be proposed to TC

- *Establish a Town-wide Strategic Planning Process*
 - STATUS: Concur
 - In progress items include:
 - Streamlined budget process
 - Partnership with Bryant University
 - Scheduled leadership training
- *Develop and implement a Town-wide employee training program*
 - STATUS: Under development
 - Working with RI Trust to development annual employee training program
 - Working to incorporate Technological training as subset of future Technology Master Plan
- **Useful:**
 - *Review and Enhance the Town's Compensation System*
 - STATUS: Ongoing
 - PMEA contract (which addresses compensation) ratified by rank and file
 - Simplified clerk structure
 - *Establish a Town-wide Technology Master Plan*
 - STATUS: Concur and in progress
 - Director of Business Development has been tasked to assist the TA in establishing an ad-hoc steering committee for this purpose
 - Multi-step process (establish vision / goals / objectives, high speed internet, cloud computing, purchasing, transparent web based finance, online bill pay, work order ticketing, community access, training, planned maintenance, phased replacement, etc...)
 - *Establish a Town-wide Customer Satisfaction Program*
 - STATUS: Concur
 - To be addressed concurrently in the Technology Master Plan



Management Consultant Services

90 Twinbrooke Drive, Holden, MA 01520
(508) 829-2254 FAX (508) 267-8500
dijacobs@aol.com

Serving Cities and Towns for 25 Years

Town of Portsmouth, Rhode Island

Town Clerk

Management and Staffing Study

Final Report

June 16, 2015

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Addendum Section

- Town Clerk Functional Chart
- Town Clerk/Elections Department Proposed Organization Chart
- Town Clerk Current Department Organization Chart
- Town Canvassing Department Current Organization Chart
- Resource Management Survey
- Town Clerk/Canvassing FY 2016 Salary Survey
- Town Clerk/Canvassing Function Market Survey
- Job Description: Records "B" Clerk
- Job Description: Records "C" Clerk
- Job Description: Canvassing Clerk

TOWN CLERK MANAGEMENT AND STAFFING STUDY

A. PROJECT OVERVIEW

The Town of Portsmouth ("Town") in an attempt to improve the provision of Town Clerk services, retained the firm of D.I. Jacobs Consulting to conduct a comprehensive review and analysis of the current organization, management and staffing levels of the Town Clerk Department including the utilization of information technology. In accordance with the Town Charter, the Town Clerk serves as an officio member of the Canvassing Authority. It was decided therefore to expand the scope of the study to include the Canvassing Department.

Based on the so-called findings describing how the Town Clerk and Canvassing departments are organized and function today, the consultant was requested to make specific short and long-term recommendations to improve the cost, effectiveness, and accountability of these services.

It should be noted, that the purpose or goal of this study was to evaluate a department or functional area of the Town in this case Town Clerk services and not the individual employees. While organizational studies often tend to be viewed as critical in nature, no criticism of any individual employee or local official is intended, nor should any be implied by the findings and recommendations that are contained in this report.

The outcome of this study has been to identify issues and submit recommendations that are specific, measurable and time bound where changes could be made to improve the effectiveness and accountability of how Town Clerk services are provided in the Town of Portsmouth.

Scope and Project Issues

The **Scope of Work** entailed conducting a so-called S.W.O.T analysis identifying strengths, weaknesses and opportunities as well as obstacles that might prevent any changes based on the collection of information from both internal (staff) and external (clients) sources a S.W.O.T analysis was conducted. Based on this analysis a Final Report was prepared with specific and measurable recommendations for improvement. Specific tasks to accomplish the goal of this study included:

- **Maximizing the input of Town staff and local officials.** During the course of this study members of the project team met with and interviewed the Town Clerk, Town Administrator, Canvassing Clerk as well as current staff in the Town Clerk department. In addition, employee opinions, perspectives and ideas were collected via the administration of a confidential S.W.O.T and Resource Survey (administrative and personnel) resource survey.

Town of Portsmouth, Rhode Island

- **Throughout the project, the study team has met with the Interim Town Administrator, Town Clerk, Canvassing Clerk and Department Staff to review the progress of the study and the key issues which arose during the course of the study.** The project team met with the Administrator, Town Clerk and Canvassing Clerk on a regular basis during the course of this study in order to gain key historical insight regarding historical and current operational issues pertaining to the provision of Town Clerk and election services in Portsmouth. These meetings were oriented so that actual issues were reviewed and discussed as they arose during the course of the study.
- **Thorough analysis of Town Clerk and Canvassing Departments.** A key objective of this study was to assess the efficiency and effectiveness of the current organization structure, staffing, operations, facilities and related Town Clerk and election services in Portsmouth today. In order to accomplish this objective, the project team conducted an assessment of each of the following current functional areas:
 1. Clerk to the Town Council
 2. Vital records and Licensing
 3. Elections
 4. Courts (Municipal and Probate)
 5. Land Evidence Records (Register of Deeds)

In addition to examining staffing levels, the project team conducted an assessment of each department's administrative operations, utilization of technology and administrative policies.

- **Prepare a Report to include a review of options for the potential reorganization of how Town Clerk and Election services are provided:**
 - Identifying the pros and cons of reorganization and the implications (financial and other wise) of doing so.
 - Address perceived span of control issues within and between departments.
 - Present other options and ideas at the discretion of the consultant

The report which follows is the result of the collection of internal and market data as well as meeting with local officials and staff. This analysis has included current as well as future demands for service, staffing levels, management practices and policies. Specific areas of improvement have been identified for the Town Administrator and Town Council to consider implementing on both a short and long-term basis.

We are mindful that in our experience, all organizations are in need of continuous, on-going improvement. Our recommendations are intended to make a good organization even better by improving the **effectiveness** of the Town Clerk and Election functional service areas and the level of department and staff **accountability** in the Town of Portsmouth.

Town of Portsmouth, Rhode Island

B. MANAGEMENT CONSULTING ISSUES

As we do in all of our Management and Organization studies, we reviewed many of the following management issues in order to address issues and topics in accordance with the scope of this study. The following management issues were reviewed:

Governance

1. Legal structure/form of government/ role of departments
2. Role of the governing and advisory boards and committees
3. Policy making and decision making process
4. Identification of and compliance with legal, regulatory and policy requirements

Organization Structure

1. Organization location of services and activities
2. Interdepartmental cooperation among town departments
3. Alternative service delivery opportunities (internal consolidation, privatization)
4. Internal workings of the management team (internal and Town-wide)
5. Management reporting and communications (vertical and horizontal internal and external)
6. Documentation of policies and administrative procedures
7. Customer and stakeholder relations and communication

Planning

1. Strategic planning process (short and long-term)
2. Town and department vision, values, mission, strategies, goals, objectives and measurement standards
3. Operating and Capital financial planning and budget processes, documents, and oversight

Operations Management

1. Work planning and scheduling (short and long-term)
2. Staffing levels (exempt and non-exempt)
3. Job classifications horizontally (across departments) and vertically within a department
4. Adequacy of facilities, equipment, tools, technology and materials
5. Activity and performance reporting and analysis
6. Utilization of resources (technology, office equipment)
7. Financial management

Human Resources

1. Policies, standard operating practices and processes
2. Training and career development
3. Safety and risk management
4. Employee and labor relations
5. Compensation (internal and external equity)

Town of Portsmouth, Rhode Island

C. S. W. O. T ASSESSMENT

This section of the report summarizes the result of a confidential S.W.O.T survey that was conducted with both employees and clients of the Town Clerk and Canvassing departments pertaining to the provision of services today. The survey was structured to solicit comments based on the following four (4) categories:

1. **Strengths:** What does the Town Clerk and Canvassing Departments do well today?
2. **Weaknesses:** What services, policies, operating practices need to be changed?
3. **Opportunities:** What services, policies and/or procedures do not exist today or need to be expanded or enhanced?
4. **Threats:** What obstacles may prevent changes or enhancements from being made?

In addition to the S.W.O.T survey, the consultants conducted a Resource Management Survey that was provided to employees of the Town Clerk department. This survey was designed to identify the extent of issues or concerns pertaining to the adequacy of departmental operational resources and the provision of human resources that included an analysis of job duties for each employee in the Town Clerk Department. The results of all of these surveys are included in the Addendum section of this report.

S. W. O. T. Issues from Employees

Strengths

1. Customer service; responsiveness to citizen complaints and service requests
2. Dedicated, staff with teamwork and work ethic
3. Knowledge of the community
4. Knowledge of municipal operations, procedures and State/Federal Statutes
5. Compensation (wages and benefits: competitive in comparison to the market place)
6. Paperless Town Council meeting packets
7. Town Clerk and Canvassing Department work cooperatively

Weaknesses

1. Level of staffing (lack of Deputy Clerk and support staff)
2. Utilization of technology
3. Lack of written Standard Operating Procedures
4. Appearance and adequacy of facilities: separation of Canvassing and Town Clerk departments
5. Lack of performance management system including staff accountability
6. Compensation (internal equity: job descriptions are not accurate; max out after 3 years)
7. Expand customer service through use of the web site and social media

Opportunities

1. Need to establish a consistent training program (operations and technology)
2. Utilization of technology (hardware and software)

Threats

1. Staffing (lack of Deputy Clerk; staff attrition or turnover and cross training of staff)
2. Elected Town Clerk position (possible turnover every two years)

Town of Portsmouth, Rhode Island

3. Lack of open communications throughout the Town government
4. Lack of coordinated town-wide planning process (goals and objectives)
5. Funding (lack of replacement schedule for office equipment)
6. Lack of a Town-wide Technology Master Plan

S. W. O. T. Issues from Clients

Strengths

1. Courteous, knowledgeable and friendly staff; timely response to service requests
2. Dedicated, staff (teamwork and work ethic)
3. On-line codification is updated
4. Preservation of records
5. Compliance with State mandates

Weaknesses

1. More effective utilization of technology specifically web site and social media
2. Combine Town Clerk and Canvassing departments (one stop shopping)
3. Lack of performance management program including measurement standards
4. Lack of uniform administrative policies consistent with Town departments
5. Town Clerk should be appointed to provide stability and consistent staff leadership
6. Need to establish goals and objectives and priorities (Short and Long-term)
7. Communication within Town government and externally with the public

Opportunities

1. More effective blending of Town Clerk and Canvassing functions
2. Town Hall handicapped access and parking needs to be improved
3. More on-line services
4. Increase staffing levels

Threats

1. Elected Town Clerk position may result in lack of consistent management of services
2. Effect of politics on department operations
3. Limited staff support (i.e. Deputy Clerk vacancy)
4. Lack of funding for employee training, staff, technology improvements and equipment replacement

Town of Portsmouth, Rhode Island

D. FINDINGS and RECOMMENDATIONS

This section of the report presents DIJ's overall assessment of the Town Clerk and Canvassing Departments and highlights the major issues and specific recommendations.

Overall Assessment of the Town Clerk/Election Function:

Compared to other clients and industry-standard best management practices, the Town Clerk and Canvassing functions of **the Town of Portsmouth are relatively well managed, relatively cost-efficient and effective in meeting most performance expectations.** We are mindful that in our experience, all organizations are in need of continuous, on-going improvement. Thus, our recommendations are intended to make a good organization even better by improving the effectiveness of the Town Clerk/Election function and the level of department and staff accountability.

The findings and recommendations described below have been assigned a priority ranking based on the following ranking criteria:

- 1 = **Essential Recommendation:** Recommendations requiring immediate action or an essential activity and therefore should be implemented within one- (1) year.
- 2 = **Important Recommendation:** These recommendations should be implemented within a 12 to 15 month period;
- 3 = **Useful recommendation:** Implementation of these recommendations would result in more efficient, effective personnel services and therefore should be implemented as time and/or funding allows.

PRORITY

1. **Establish a combined Town Clerk/Canvassing Department** 1

Enhance management cohesiveness to ensure that both Town Clerk and election services are managed in an effective, efficient manner.

2. **Establish the Town Clerk as an appointed position** 2

Ensure more effective department management, operations, staff accountability consistent with the Town's organization structure.

3. **Increase full-time administrative support staff** 1

Provide adequate administrative staffing by establishing three (3) full-time "B" Clerk positions along with a full-time Deputy Clerk position. Eliminate the funding of temporary or contract positions. This will provide greater staff flexibility, efficiency and dependability by cross training staff in all services to enhance the cohesiveness of the department and more effective customer service. Eliminating the funding of contractual positions and the Canvassing Clerk by assigning those duties to the Town Clerk and Deputy Clerk should reduce the cost to the Town for these services.

Town of Portsmouth, Rhode Island

PRIORITY

3. Enhance the Mission of the Town Clerk/Election function

1

Transfer the administrative responsibility for the preparation of the Town Council packet to the Town Administrator's office. This duty is more consistent with the Town Administrator's office and will free up a significant amount of staff time in the Town Clerk department that is more consistent with the mission or purpose of the Town Clerk Department. The Town Clerk by statute will continue to function as the Clerk to the Town Council recording and filing meeting minutes etc.

2. Establish a Town-wide Strategic Planning Process

2

We believe in the principal of "managing municipal services by the numbers". In order to do so, it is recommended that the Town Administrator in conjunction with the Town Council and all Town departments establish a management planning process consistent with the Town's budget process and goals of the Town Council. This should include the following components:

- Department objectives that are specific, measurable, attainable, realistic and time bound
- Resource requirements (i.e. cost in terms of people, equipment, materials etc.)
- Performance measurement standards: (i.e. technical, efficiency, cost, productivity etc)

3. Review and Enhance the Town's Compensation System

3

Establish both internal and external equity enabling the Town to pay employees in a fair (consistent) and equitable (competitive) manner based on what an employee is required to do (essential functions), what the Town establishes as the minimum qualifications (knowledge, ability and skill) of each position and is competitive with the market place within the fiscal constraints of the Town.

4. Develop and implement a Town-wide employee training program

2

Establish a coordinated, town-wide employee training program to improve the effectiveness and efficiency of employees and the quality of services provided including technology (hardware, software) and social media communications.

5. Establish a Town-wide Technology Master Plan

3

Conduct a detailed S.W.O.T assessment of the utilization and application of technology in all Town departments including hardware, software, web site and social media.

6. Establish a Town-wide Customer Satisfaction Program

3

It is recommended that the Town establish a municipal service evaluation program to solicit feedback from customers regarding the provision of municipal services to improve the effectiveness and accountability of municipal services.

Town of Portsmouth, Rhode Island
Town Clerk Study

RESOURCE MANAGEMENT SURVEY
Town Clerk Staff

I. Adequacy of Resources

The following are the results of the Town Clerk staff rating based on the following scale:(P=Poor, F=Fair, A=Average or Adequate, G=Good, E=Excellent) of the adequacy of the following resources, and provide explanations of the reasons for your ratings.

STAFFING: Number of full-time, contract, temporary, and seasonal people; skill and experience mix; number of supervisors compared to workers; number of support positions; etc.

Rating: P Lack of staffing (back up support) in relation to department activity level

FACILITY: Location, size, layout, traffic flow, environmental conditions, parking, etc.

Rating: G HVAC system is old; mildew effects quality of record storage; minimal parking; not ADA friendly; cleanliness of office space

VEHICLES: Number and mix of vehicles, features/specifications, availability, maintenance, etc. Includes automobiles, trucks, construction equipment, other rolling stock, and the like.

Rating: N/A Town vehicles are former police vehicles not fit for other departments.

TOOLS: Number and mix of tools, features/specifications, availability, maintenance, etc. Includes saws and drills, hand tools, shop tools, testing and measurement, analysis.

Rating: N/A _____

GEAR: Number and mix of tools, features/specifications, availability, maintenance, etc. Includes uniforms, weapons, hardhats, shoes, vests, breathing apparatus, and the like.

Rating: N/A _____

OFFICE EQUIPMENT: Number and mix, features/specifications, availability, maintenance, etc. Includes copiers, fax, telephones, desks, chairs, bookcases, and the like.

Rating: F Office equipment is old and in effective (i.e. telephone system, copier, office chairs); no equipment replacement schedule.



Town of Portsmouth, Rhode Island
Town Clerk Study

TECHNOLOGY: Number and mix, features/specifications, hardware, software, support services, training, etc. Includes Town-wide network, desktops, notebooks, handheld devices, GIS, survey equipment, CAD, office automation systems, and the like.

Rating: **F** Computers are not compatible with State Vital records-can't do birth certificates; lack of support; Wi-Fi system in Town Hall not effective; Office software (CIVC Plus) is not user friendly,

MATERIALS: Office, maintenance, construction, training, etc.

Rating: **F** Lack of a technology training program; office space is not maintained

OTHER RESOURCES: Contracts and leases, technical support services, capital projects funding, fees and charges for services, operating budget, etc.

Rating: **P** Office equipment owned by Town and is old(copier, postage machine)

II. Personnel Administration

Please provide a rating (**P**=Poor, **F**=Fair, **A**=Average or Adequate, **G**=Good, **E**=Excellent) for the following topics, and provide explanations of the reasons for your ratings.

HIRING PROCESS: Advertising, tests, interviews, hiring decisions, notifications, etc.

Rating: **P** Deputy Clerk position has not been filled resulting in the department understaffed

CAREER LADDERS: Job classifications, promotions within and across departments, etc.

Rating: **F** Lateral moves; union positions must be offered internally before advertised.

TRAINING: Funds and time for work-related seminars, workshops, conferences, etc.

Rating: **F** No formal training program offered; funding level is unclear

GRIEVANCES: Process, administration, communications, notifications, etc.

Rating: **A** Union positions are covered by the collective bargaining contract.



Town of Portsmouth, Rhode Island
Town Clerk Study

DISCIPLINE: Process, administration, timeliness, fairness, communication, etc.

Rating: A Poor communication of policies and procedures

PERFORMANCE EVALUATIONS: Process, criteria and standards, forms, frequency, meetings with supervisors to review performance, connection to salary increases, etc.

Rating: P No consistent evaluation process in place; no linkage to department or individual goals/objectives ; compensation not linked to performance.

PAY: Competitiveness to other local governments in the area; internal equity within the organization; rewards for performance, skills, and certifications; etc.

Rating: ? Unclear-poor communication between Town and employees re decision making process and whether staff is paid competitively with the market place.

BENEFITS: Compared to other local governments in the area, mix of benefit programs, flexibility, administration, etc.

Rating: N/A No apparent significant issues

LABOR RELATIONS: Town-union relationship, tone of contract negotiations, timely renewal of contracts, adequacy of representation in dealings with the Town, etc.

Rating: N/A No apparent significant issues.

MORALE: Current level of morale, relationships with supervisors and other employees, etc.

Rating: G Staff gets along well with one another.

OTHER COMMENTS

Poor communication between Town departments and the Town Administration

Web site is not user friendly. Availability of birth certificate form on all department computers.

Impact of not having a Deputy Clerk? : lack of staff back-up; inventorying and scanning materials



**Town of Portsmouth, Rhode Island
Town Clerk Department
Functional Areas of Responsibility**

Clerk to Town Council

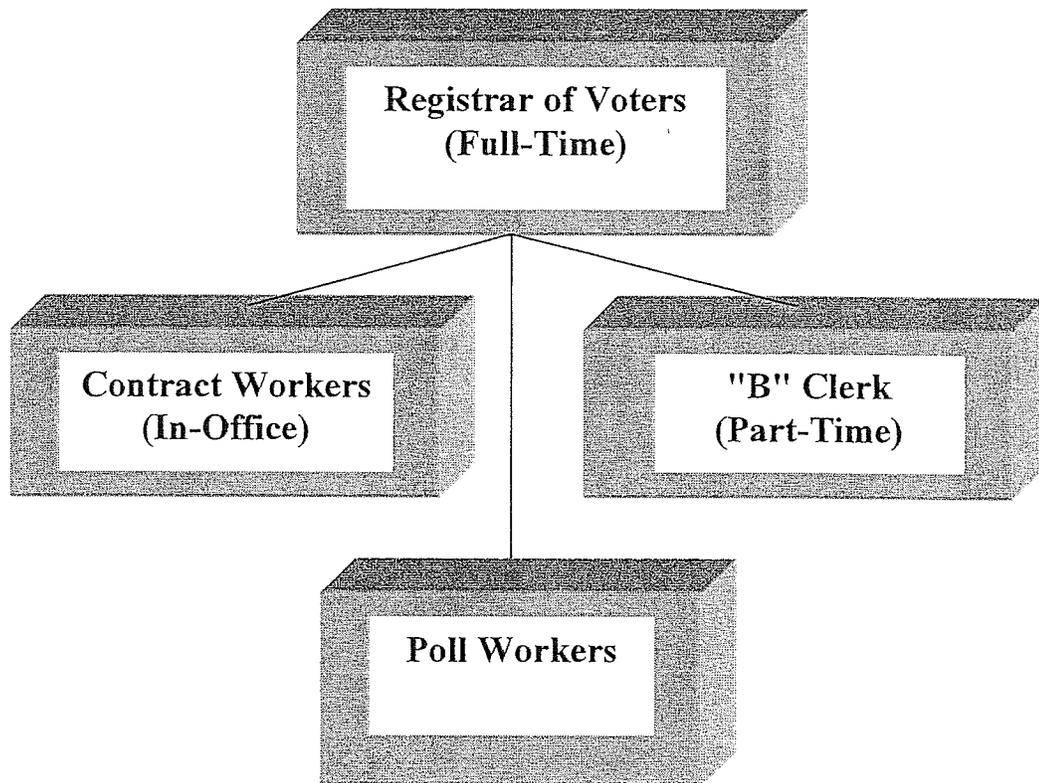
Vital Records/Licensing

**Elections
(Ex-Officio Member of
Canvassing Authority)**

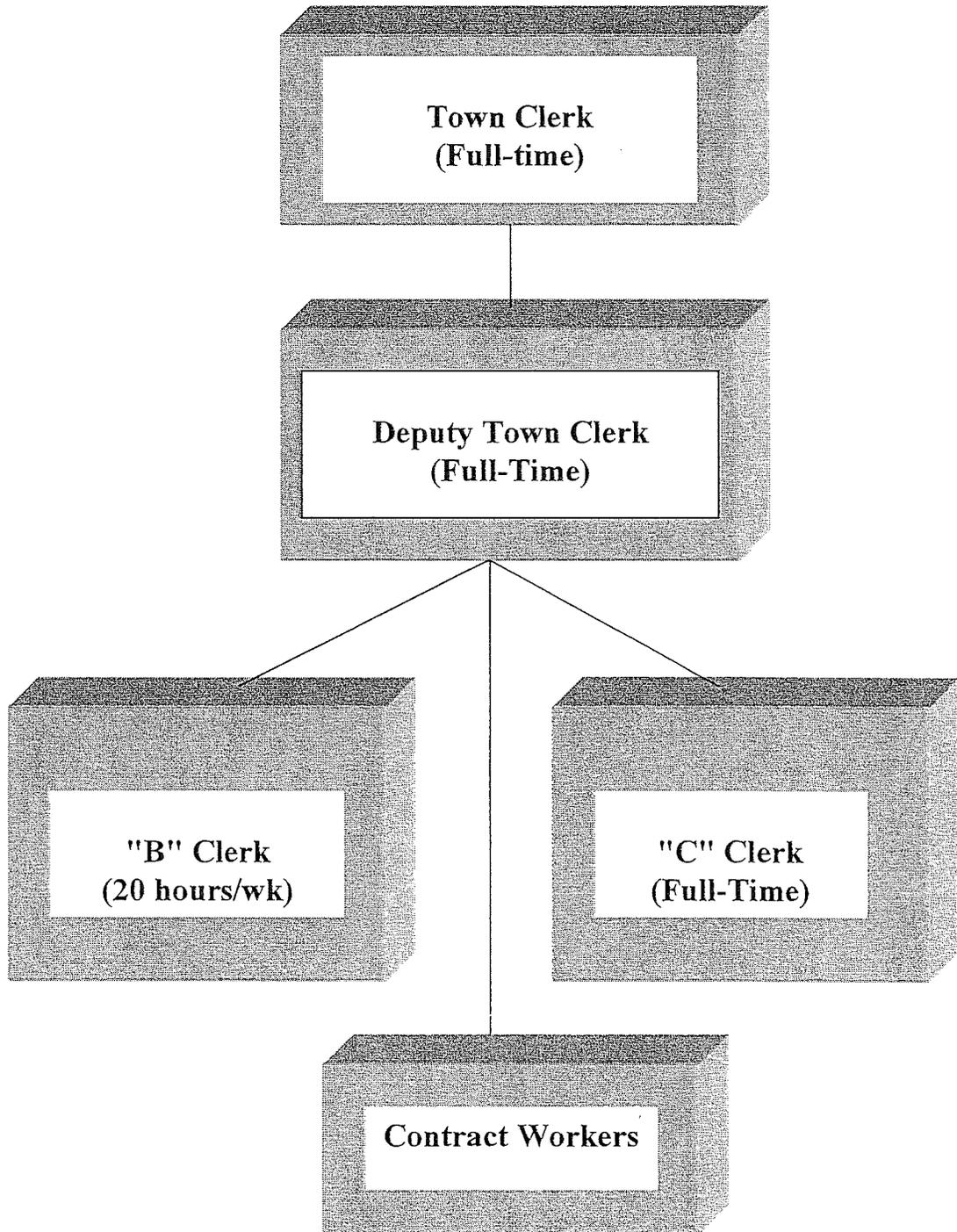
**Courts
(Probate, Municipal)**

**Registrar of Deeds
(Land Evidence Records)**

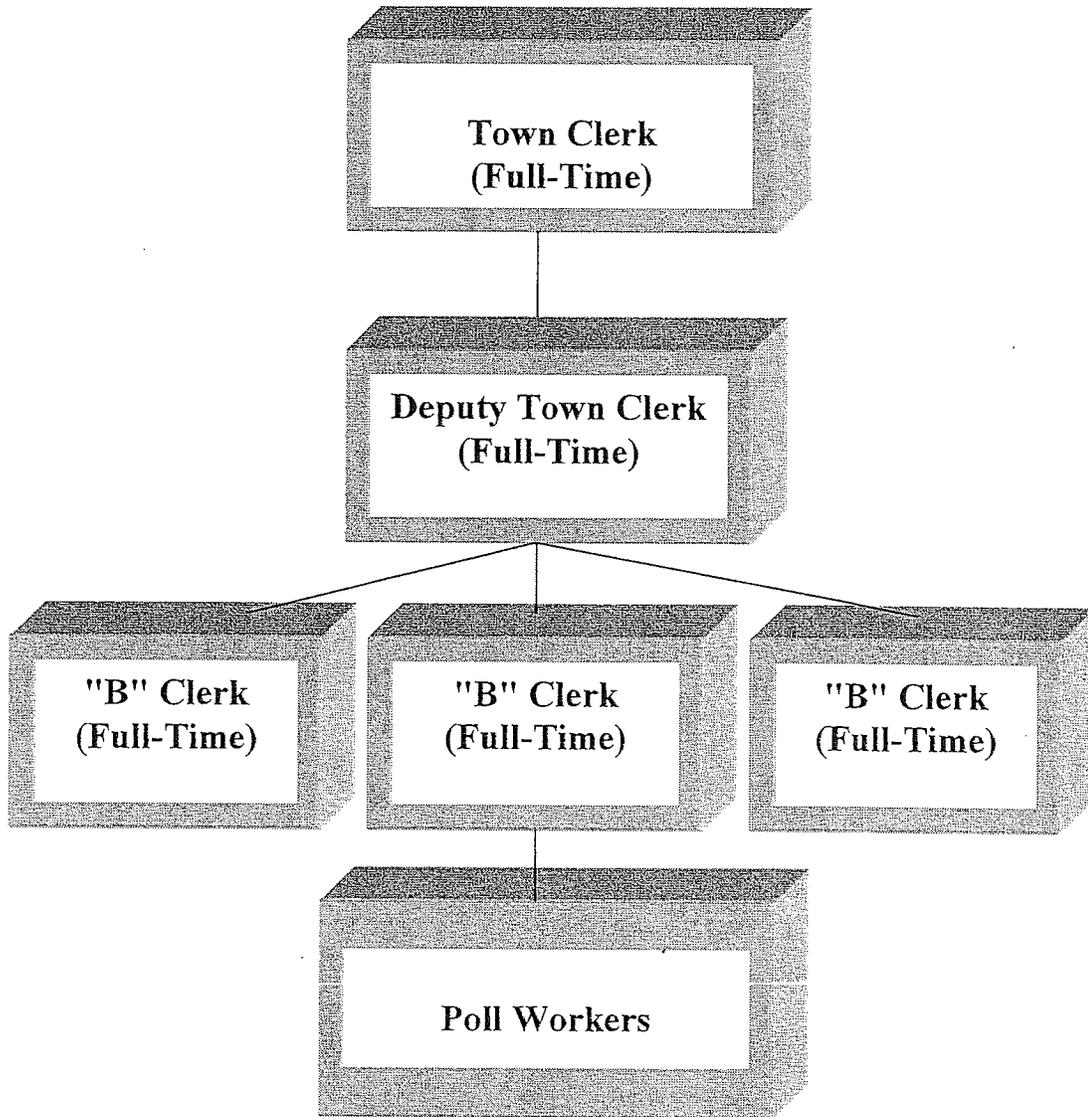
Town of Portsmouth, Rhode Island
Town Canvassing Department
Current Organization Chart



Town of Portsmouth, Rhode Island
Town Clerk Department
Current Organization Chart



Town of Portsmouth, Rhode Island
Town Clerk Department
Proposed Organization Chart



TOWN OF PORTSMOUTH, RI
RESOLUTION # 2016-02-__

A RESOLUTION MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT
LEGISLATION AUTHORIZING THE TOWN OF PORTSMOUTH TO FINANCE THE
DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW POLICE
STATION BY THE ISSUANCE OF NOT MORE THAN \$10,000,000. GENERAL
OBLIGATION BONDS AND/OR NOTES THEREFOR

WHEREAS: the Town Council of the Town of Portsmouth endorses and supports the Design, Construction, Furnishing and Equipping of a New Police Station (the "Project"), and

WHEREAS: in order to undertake and complete the Project, there would be a need to issue bonds and notes in an amount not to exceed \$10,000,000., and

NOW THEREFORE BE IT RESOLVED: that the Town of Portsmouth hereby memorializes the General Assembly to enact legislation authorizing the Town, with the approval of the electors, to issue general obligation bonds and/or notes in an amount not to exceed ten million dollars (\$10,000,000.) for the above purposes, and

BE IT FURTHER RESOLVED: the question of the approval of this act shall be submitted to the electors of the Town of Portsmouth at the general election to be held on November 8, 2016, and be submitted in substantially the form set forth in the legislation, and

BE IT FURTHER RESOLVED: that the Town, working with Bond Counsel for the Town of Portsmouth, ensure that the appropriate legislation is submitted in a timely manner to the Rhode Island General Assembly to ensure that all requirements are met, and to ensure consideration of this question by the electors, and

BE IT FURTHER RESOLVED: that this resolution is an affirmative action of the Town Council of the Town of Portsmouth toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This resolution constitutes the Town's declaration of official intent, pursuant to Treasury Regulation Section 1.150 (2), to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this resolution but prior to the issuance of the bonds or notes. Such amounts to be reimbursed shall not exceed \$10,000,000. and shall be reimbursed not later than eighteen (18) months after the later of (a) the date on which the expenditure is paid, or (b) the date the Project is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid, and

BE IT FURTHER RESOLVED: this Resolution shall take effect upon its passage.

Adopted: February __, 2016

Keith E. Hamilton, President,
Portsmouth Town Council

ATTEST: _____
Joanne Mower, Town Clerk

Moses Afonso Ryan

LTD
COUNSELORS AT LAW

Ellen M. Flynn Corneau
ecorneau@marlawri.com

January 29, 2016

Town of Portsmouth, Rhode Island
2200 East Main Street
Portsmouth, Rhode Island 02871

Re: Town of Portsmouth Bond Act

Members of the Town Council:

At the Town's request, we have drafted the following Bond Act for submission to the General Assembly:

1. AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE DESIGN, CONSTRUCTION, EQUIPPING AND FURNISHING OF A NEW POLICE STATION IN THE TOWN.

The Act is in the proper form for submission to the General Assembly. Please do not hesitate to call me at 453-3600 if you have any further questions.

Sincerely,



Ellen M. Flynn Corneau

EFC/amp
Enclosures

G:\DATA\WPDATA\Town of Portsmouth\2016 General Obligation Bonds\Ltr. to Portsmouth Town Council 1.28.16.docx

2016 –

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2016

AN ACT

AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE DESIGN, CONSTRUCTION, EQUIPPING AND FURNISHING OF A NEW POLICE STATION IN THE TOWN

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

1 SECTION 1. The town of Portsmouth is hereby empowered, in addition to authority
2 previously granted, to issue general obligation bonds and notes to an amount not exceeding ten
3 million dollars (\$10,000,000) from time to time under its corporate name and seal. The bonds of
4 each issue may be issued in the form of serial bonds or term bonds or a combination thereof and
5 shall be payable either by maturity of principal in the case of serial bonds or by mandatory serial
6 redemption in the case of term bonds, in installments of principal, the first installment to be not
7 later than five (5) years and the final installment to be not later than thirty (30) years after the date
8 the bonds are issued. All such bonds of a particular issue may be issued in the form of zero
9 coupon bonds, capital appreciation bonds, serial bonds or term bonds or a combination thereof,
10 and may bear interest at a fixed rate or rates or at a variable or auction rate or rates. The bonds

1 may be sold by a negotiated sale or by competitive bid and may be issued pursuant to a resolution
2 or an indenture of trust. Annual installments of principal may be provided for by maturity of
3 principal in the case of serial bonds or by mandatory serial redemption in the case of term bonds.
4 The amount of principal appreciation each year on any bonds, after the date of original issuance,
5 shall not be considered to be principal indebtedness for the purposes of any constitutional or
6 statutory debt limit or any other limitation. The appreciation of principal after the date of original
7 issue shall be considered interest. Only the original principal amount shall be counted in
8 determining the principal amount so issued and any interest component shall be disregarded.

9 SECTION 2. The bonds shall be signed by the finance director and the president of the
10 town council and shall be issued and sold in such amounts as the town council may authorize.
11 The manner of sale, denominations, maturities, interest rates and other terms, conditions and
12 details of any bonds or notes issued under this act may be fixed by the proceedings of the town
13 council authorizing the issue or by separate resolution of the town council or, to the extent
14 provisions for these matters are not so made, they may be fixed by the officers authorized to sign
15 the bonds or notes. The proceeds derived from the sale of the bonds shall be delivered to the
16 finance director, and such proceeds, exclusive of premiums and accrued interest, shall be
17 expended: (1) for the purpose of financing the design, construction, equipping and furnishing of a
18 new police station in the town, (2) in payment of the principal of and/or interest on temporary
19 notes issued under section 3, (3) in repayment of advances made pursuant to section 4, and/or (4)
20 in payment of costs of issuance associated with the issuance of bonds or notes hereunder. No
21 purchaser of any bonds or notes under this act shall be in any way responsible for the proper
22 application of the proceeds derived from the sale thereof. The proceeds of bonds or notes issued
23 under this act, any applicable federal or state assistance and the other monies referred to in
24 sections 6 and 9, shall be deemed appropriated for the purpose of this act without further action

1 than that required by this act. This bond issue authorized by this act may be consolidated for the
2 purpose of issuance and sale with any other bond issue of the town heretofore or hereafter
3 authorized, provided that, notwithstanding any such consolidation, the proceeds from the sale of
4 the bonds authorized by this act shall be expended for the purposes set forth above. The finance
5 director and the president of the town council, on behalf of the town, are hereby authorized to
6 execute such instruments, documents or other papers as either of them deem necessary or
7 desirable to carry out the intent of this act and are also authorized to take all actions and execute
8 all documents or agreements necessary to comply with federal tax and securities laws, which
9 documents or agreements may have a term coextensive with the maturity of the bonds authorized
10 hereby, including Rule 15c2-12 of the Securities and Exchange Commission and to execute and
11 deliver a continuing disclosure agreement or certificate in connection with the bonds or notes.

12 SECTION 3. The town council may by resolution authorize the issue from time to time of
13 interest bearing or discounted notes in anticipation of the issue of bonds or in anticipation of the
14 receipt of federal or state aid for the purposes of this act. The amount of original notes issued in
15 anticipation of bonds may not exceed the amount of bonds which may be issued under this act
16 and the amount of original notes issued in anticipation of federal or state aid may not exceed the
17 amount of available federal or state aid as estimated by the finance director. Temporary notes
18 issued hereunder shall be signed by the finance director and the president of the town council and
19 shall be payable within five (5) years from their respective dates, but the principal of and interest
20 on notes issued for a shorter period may be renewed or paid from time to time by the issue of
21 other notes hereunder, provided the period from the date of an original note to the maturity of any
22 notes issued to renew or pay the same debt or the interest thereon shall not exceed five (5) years.
23 Any temporary notes in anticipation of bonds issued under this section may be refunded prior to
24 the maturity of the notes by the issuance of additional temporary notes, provided that no such

1 refunding shall result in any amount of such temporary notes outstanding at any one time in
2 excess of two hundred percent (200%) of the amount of bonds which may be issued under this
3 act, and provided further that if the issuance of any such refunding notes results in any amount of
4 such temporary notes outstanding at any one time in excess of the amount of bonds which may be
5 issued under this act, the proceeds of such refunding notes shall be deposited in a separate fund
6 established with the bank which is paying agent for the notes being refunded. Pending their use to
7 pay the notes being refunded, monies in the fund shall be invested for the benefit of the town by
8 the paying agent at the direction of the finance director in any investment permitted under
9 section 5. The monies in the fund and any investments held as a part of the fund shall be held in
10 trust and shall be applied by the paying agent solely to the payment or prepayment of the
11 principal of and interest on the notes being refunded. Upon payment of all principal of and
12 interest on the notes, any excess monies in the fund shall be distributed to the town. The town
13 may pay the principal of and interest on notes in full from other than the issuance of refunding
14 notes prior to the issuance of bonds pursuant to section 1 hereof. In such case, the town's
15 authority to issue bonds or notes in anticipation of bonds under this act shall continue provided
16 that: (1) The town council passes a resolution evidencing the town's intent to pay off the notes;
17 and (2) That the period from the date of an original note to the maturity date of any other notes
18 shall not exceed five (5) years.

19 SECTION 4. Pending any authorization or issue of bonds hereunder or pending or in lieu
20 of any authorization or issue of notes hereunder, the finance director, with the approval of the
21 town council, may, to the extent that bonds or notes may be issued hereunder, apply funds in the
22 treasury of the town to the purposes specified in section 2, such advances to be repaid without
23 interest from the proceeds of bonds or notes subsequently issued or from the proceeds of
24 applicable federal or state assistance or from other available funds.

1 SECTION 5. Any proceeds of bonds or notes issued hereunder or of any applicable
2 federal or state assistance, pending their expenditure, may be deposited or invested by the finance
3 director in demand deposits, time deposits or savings deposits in banks which are members of the
4 Federal Deposit Insurance Corporation or in obligations issued or guaranteed by the United States
5 of America or by any agency or instrumentality thereof or as may be provided in any other
6 applicable law of the state of Rhode Island or resolution of the town council or pursuant to an
7 investment policy of the town.

8 SECTION 6. Any accrued interest received upon the sale of bonds or notes hereunder
9 shall be applied to the payment of the first interest due thereon. Any premiums arising from the
10 sale of bonds or notes hereunder shall, in the discretion of the finance director, be applied to the
11 cost of preparing, issuing and marketing bonds or notes hereunder to the extent not otherwise
12 provided, to the payment of the cost of the project, to the payment of the principal of or interest
13 on bonds or notes issued hereunder or to any one or more of the foregoing. The cost of preparing,
14 issuing and marketing bonds or notes issued hereunder may also, in the discretion of the finance
15 director, be met from bond or note proceeds exclusive of accrued interest or from other monies
16 available therefor. Any balance of bond or note proceeds remaining after payment of the cost of
17 the project and the cost of preparing, issuing and marketing bonds or notes hereunder shall be
18 applied to the payment of the principal of or interest on bonds or notes issued hereunder. To the
19 extent permitted by applicable federal laws, any earnings or net profit realized from the deposit or
20 investment of funds hereunder may, upon receipt, be added to and dealt with as part of the
21 revenues of the town from property taxes. In exercising any discretion under this section, the
22 finance director shall be governed by any instructions adopted by resolution of the town council.

23 SECTION 7. All bonds and notes issued under this act and the debts evidenced thereby
24 shall be obligatory on the town in the same manner and to the same extent as other debts lawfully

1 contracted by it and shall be excepted from the operation of § 45-12-2. No such obligation shall
2 at any time be included in the debt of the town for the purpose of ascertaining its borrowing
3 capacity. The town shall annually appropriate a sum sufficient to pay the principal and interest
4 coming due within the year on bonds and notes issued hereunder to the extent that monies
5 therefor are not otherwise provided. If such sum is not appropriated, it shall nevertheless be added
6 to the annual tax levy. In order to provide such sum in each year and notwithstanding any
7 provision of law to the contrary, all taxable property in the town shall be subject to ad valorem
8 taxation by the town without limitation as to rate or amount.

9 SECTION 8. Any bonds or notes issued under the provisions of this act, if properly
10 executed by officers of the town in office on the date of execution, shall be valid and binding
11 according to their terms notwithstanding that before the delivery thereof and payment therefor
12 any or all such officers shall for any reason have ceased to hold office.

13 SECTION 9. The town, acting by resolution of its town council, is authorized to apply for,
14 contract for and expend any federal or state advances or other grants or assistance which may be
15 available for the purposes of this act, and any such expenditure may be in addition to other
16 monies provided in this act. To the extent of any inconsistency between any law of this state and
17 any applicable federal law or regulation, the latter shall prevail. Federal and state advances, with
18 interest where applicable, whether contracted for prior to or after the effective date of this act,
19 may be repaid as project costs under section 2.

20 SECTION 10. Bonds and notes may be issued under this act without obtaining the
21 approval of any governmental agency or the taking of any proceedings or the happening of any
22 conditions except as specifically required by this act for such issue. In carrying out any project
23 financed in whole or in part under this act, including where applicable the condemnation of any
24 land or interest in land, and in the levy and collection of assessments or other charges permitted

1 by law on account of any such project, all action shall be taken which is necessary to meet
2 constitutional requirements whether or not such action is otherwise required by statute, but the
3 validity of bonds and notes issued hereunder shall in no way depend upon the validity or
4 occurrence of such action.

5 SECTION 11. The question of the approval of this act shall be submitted to the electors of
6 the town at the next general election or at a general or special election (other than a primary
7 election) to be held on a date as shall be designated by the town council. The question shall be
8 submitted in substantially the following form: "Shall an act, passed at the 2016 session of the
9 general assembly, entitled 'AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO
10 ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO
11 EXCEED \$10,000,000 FOR THE DESIGN, CONSTRUCTION, EQUIPPING AND
12 FURNISHING OF A NEW POLICE STATION IN THE TOWN' be approved?" The warning for
13 the election shall contain the question to be submitted. From the time the election is warned and
14 until it is held, it shall be the duty of the town clerk to keep a copy of the act available at his or
15 her office for public inspection, but the validity of the election shall not be affected by this
16 requirement. To the extent of any inconsistency between this act and the town charter, this act
17 shall prevail.

18 SECTION 12. Sections 11 and 12 shall take effect upon the passage of this act. The
19 remainder of this act shall take effect upon the approval of this act by a majority of those voting
20 on the question at the election prescribed by the foregoing section.

EXPLANATION

OF

A N A C T

AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE GENERAL OBLIGATION BONDS AND/OR NOTES IN AN AMOUNT NOT TO EXCEED \$10,000,000 FOR THE DESIGN, CONSTRUCTION, EQUIPPING AND FURNISHING OF A NEW POLICE STATION IN THE TOWN

1 This act would authorize the town of Portsmouth to issue ten million dollars (\$10,000,000) of
2 general obligation bonds and/or notes in order to design, construct, equip and furnish a new
3 police station.

4 Sections 11 and 12 would take effect upon passage. The remainder of the act would take
5 effect upon approval of the act by the electors of the town of Portsmouth.



Riley, Ana <riley@portsmouthschoolsri.org>

Agenda Items - Important

Chris Diuro <diuroc@portsmouthschoolsri.org>
To: "Riley, Ana" <riley@portsmouthschoolsri.org>

Wed, Feb 17, 2016 at 8:43 AM

"Approve School Department 5 Year Capital Plan included in the Necessity of School Construction Stage II application for Housing Aid Reimbursement and Authorize the School Department to Submit the Application to RIDE."

Backup will take a while. Tracey is revising the 5 year plan and I will need to do a couple of PowerPoint sides. We are not asking them to review the application, just approve the concept of submitting one. RIDE wants to avoid miscommunication between towns and school departments. This will show town support for doing the projects. Otherwise they will reject the application and give the money to departments that have community support. Would it be possible to bring the short presentation with me on Monday and maybe get on the early side of the agenda.

Sent from my iPhone
[Quoted text hidden]

LAW OFFICE OF KEVIN P. GAVIN
31 Harrington Avenue, Portsmouth, RI 02871

Admitted in RI and MA

Telephone: 401-683-2044
Facsimile: 401-682-2122
Email: kpgavin@aol.com

MEMORANDUM

TO: Richard Rainer
Town Administrator

FROM: Kevin P. Gavin
Town Solicitor

DATE: February 17, 2016

SUBJECT: Proposed Charter Amendment

Pursuant to Article XIII, Section 8 of the Rhode Island Constitution (“Home Rule for Cities and Towns”), the Town Council has authority to propose amendments to the Town Charter, to be submitted to the electors of the Town qualified to vote for general state officers at the next general election next or at special election to be held for such purposes.

You have requested that I draft a possible charter amendment that would make the office of the Town Clerk an appointed position.

Section 501 of the Town Charter presently reads:

501. Town Clerk. There shall be a Town Clerk who shall be a qualified elector. He/She shall be elected at the biennial election pursuant to the provisions of state law. His/Her duties and prerogatives shall be those defined by statute. (Adopted November 7, 1972; eff. date July 1, 1973.)

I would suggest the following amended language:

501. Town Clerk. There shall be a Town Clerk who shall be appointed by the Town Administrator with the approval by the Town Council. The Town Clerk shall serve as department head for the office of the Town Clerk. The duties and prerogatives of the Town Clerk shall be those defined by statute, together with such additional duties as may be assigned by the Town Administrator.

I understand the intent would be to have the amendment become effective following the November 2018 general election. If the Town Council votes in favor of this or a similar proposed amendment, we would then follow the procedures for placing a local referendum question on the ballot for November 8, 2016.

Date: 02/16/16

To: Town Administration & Honorable Members of the Town Council

Re: Recreation Department Agenda Items & Updates

Dear Town Council & Town Administration:

There are several important recreation department items that I would like to briefly comment on in preparation for the upcoming Town Council Meeting.

(1) The New Recreation Department Spring/Summer 2016 Catalog(Rough Draft)

Please take a few minutes to look over the recreation departments' Spring/Summer 2016 Catalog. It represents over a month of hard work and dedication. It has a tremendous number of offerings for every age level. It is the first catalog of its kind in Portsmouth that I have seen in the last few decades. The recreation department is very proud of it.

(2) The Policy on Leagues use of Town property and fields

This document seeks to adopt a policy on how the Town will handle teams and leagues that use Town Property or fields.

(3) Request for assistance in working with the school department regarding morning walks for our residents at the high school gym

Respectfully,

Timothy Dunbar

Recreation Director



Town Of Portsmouth
Recreation Department
Summer Recreation Catalog
Spring & Summer 2016

Town of Portsmouth
Recreation Department Registration Form
Spring/Summer 2016

General Rules & Policies:

1. Payment should be made by check or money order payable to The Town of Portsmouth
2. All completed forms (both of these pages) should be mailed with payment to:
Recreation Department
Attn: Rec Director
Town of Portsmouth
2200 East Main Road
Portsmouth, RI 02871
3. No registration is complete without payment. Classes will fill up and close quickly so it is recommend you send in your completed form and payment as soon as possible.
4. The deadline to register for Summer Session #1 is June 13, 2016
5. The deadline to register for Summer Session #2 is July 11, 2016
6. All classes and sections are contingent on having met minimum enrollment numbers. You will notified if your selection is under subscribed.
7. **Non-residents of Portsmouth** should include an extra \$10 to the fee for each enrollment.
8. There are a limited number of scholarships available for families in need. Please email the recreation director with individual requests.
9. Questions about the recreation department and its programs should be directed to the recreation director by email tdunbar@portsmouthri.com or by phone at 401-297-1263.
10. Recreation Department Behavior Policy:
The recreation department expects good citizen behavior from all enrolled children. The program is meant to be a safe and fun opportunity for everyone. Children who display negative behaviors will be required to meet with the program director (with their parents) to address these behaviors.
11. Permission to Treat:
All activities involve elements of risk. This is especially true of outdoor activities. By signing below you give permission to treat your child in an emergency with the information you provided. Furthermore, you agree to not hold the Town Of Portsmouth, its employees or agents liable for any incidents that may arise from your child's participation in said program.

Parent Signature: (I have read & understand the above policies & rules)

Section #1 (To be filled out by parent)

Child's Name: _____

Parent's Name: _____

Address: _____

Phone Number: _____

Rec Department Program Code: _____

Program Choice Written In Words: _____

Parent Email (for Recreation Dept future mailings) _____

Medical Information

Family Doctor & Phone Number: _____

Insurance Company & Policy Number: _____

Allergies & Medical Conditions: _____

Other Important Information: _____

List of People Authorized for Child Pick-up

1. _____

2. _____

3. _____

Your child will not be released to anyone not on this list. Staff will ask for valid identification from anyone not well known to us. Please make certain your authorized people have proper identification.

Emergency Contacts (Please Include Phone Number & Relationship to Child):

1. _____

2. _____

3. _____

Recreation Department Summer Camp

The recreation department will be holding a summer camp! The camp will run five days a week from 9am through 4pm. The cost is \$40 for the day or \$150 for the week. This camp is for children ages 5 -14. The camp will meet at Sandy Point Beach. Children will have the opportunity for daily swimming but that's not all. Children will also have the choices of volleyball, soccer, baseball, and kickball played up in the grassy area near the bath house. Also, children can play chess, monopoly, and other board games. Arts & crafts will be offered as well. Also, every Monday & Friday a children's movie will be seen (all shown movies will be rated G). Every Tuesday & Thursday there will either be a field trip away or a presentation brought down to the beach. A healthy snack and drink is included, but children should bring a lunch. A typical Monday or Tuesday might look like this:

Monday

8:45-9:15 Check In & Healthy Snack
9:15-10:15 Sports Activity (4 choices)
10:15-12:00 Down the Beach Sand & Swim
12:00-12:30 Lunch at the picnic tables
***12:30-2:00 Children's Movie**
2:00-3:00 Sports Activity (4 choices)
3:00-3:15 Healthy Snack Break
***3:15-4:00 Contest Sand Castle Building**
4:00 Check Out

Tuesday

8:45-9:15 Check In & Healthy Snack
9:15-10:15 Sports Activity (4 choices)
10:15-12:00 Down the Beach Sand & Swim
12:00-12:30 Lunch at the picnic tables
***12:30- 2:00 Bowling**
2:00-3:00 Sports Activity (4 Choices)
3:00-3:15 Healthy Snack Break
***3:15-4:00 Contest Lego Building**
4:00 Check Out



SUMMER SESSION #1 SUMMER CAMP

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 – Week #1 – Monday through Friday – 9:00am to 4:00pm

June 27 – July 1 Rec Code: SS1CAMPW1

Summer Session #1 – Week #2 – Monday through Friday – 9:00am to 4:00pm

July 4 – July 8 Rec Code: SS1CAMPW2

Summer Session #1 – Week #3 – Monday through Friday – 9:00am to 4:00pm

July 11 - 15 Rec Code: SS1CAMPW3

SUMMER SESSION #2 SUMMER CAMP

((Registration Deadline for Summer Session #1 is July 11))

Summer Session #2 – Week #4 – Monday through Friday – 9:00am to 4:00pm

July 25 – July 29 Rec Code: SS2CAMPW4

Summer Session #2 – Week #5 – Monday through Friday – 9:00am to 4:00pm

August 1 – August 5 Rec Code: SS2CAMPW5

Summer Session #2 – Week #6 – Monday through Friday – 9:00am to 4:00pm

August 8 – August 12 Rec Code: SS2CAMPW6

Sandy Point Beach Swimming Lessons

Sandy Point Beach & the Recreation Department, is proud to offer youth swimming lessons again this summer! The lessons are for children ages 5-10 and group size is limited to a maximum of 6 children so that each student can get the proper attention. Children will focus on personal safety, stroke development, and water sports & games. All classes occur at the beach and each class meets seven times during the summer. The total cost is \$40. All classes are taught by our certified swimming instructor. Private lessons are available at an additional cost upon request. Interested? These sections will fill up fast. Send your forms in today.



SUMMER SESSION #1 SWIMMING LESSONS

Mon & Wed Classes (June 27, 29, July 4, 6, 11, 13, 18)

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 - Class #1 – Mon & Wed 9:00am – 9:30am	Rec Code: SS1MW1900
Summer Session #1 - Class #2 – Mon & Wed 9:30am – 10:00am	Rec Code: SS1MW2930
Summer Session #1 - Class #3 – Mon & Wed 10:00am – 10:30am	Rec Code: SS1MW31000
Summer Session #1 - Class #4 – Mon & Wed 10:30am – 11:00am	Rec Code: SS1MW41030

Tue & Thurs Classes (June 28, 30, July 5, 7, 12, 14, 19)

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 - Class #5 – Tue & Thur 9:00am – 9:30am	Rec Code: SS1TTH5900
Summer Session #1 - Class #6 – Tue & Thur 9:30am – 10:00am	Rec Code: SS1TTH6930
Summer Session #1 - Class #7 – Tue & Thur 10:00am – 10:30am	Rec Code: SS1TTH71000
Summer Session #1 - Class #8 – Tue & Thur 10:30am – 11:00am	Rec Code: SS1TTH81030

SUMMER SESSION #2 SWIMMING LESSONS

Mon & Wed Classes (July 25, 27, Aug 1, 3, 8, 10, 15)

((Registration Deadline for Summer Session #2 is July 11))

Summer Session #2 - Class #1 – Mon & Wed 9:00am – 9:30am	Rec Code: SS2MW1900
Summer Session #2 - Class #2 – Mon & Wed 9:30am – 10:00am	Rec Code: SS2MW2930
Summer Session #2 - Class #3 – Mon & Wed 10:00am – 10:30am	Rec Code: SS2MW31000
Summer Session #2 - Class #4 – Mon & Wed 10:30am – 11:00am	Rec Code: SS2MW41030

Tue & Thurs Classes (July 26, 28, Aug 2, 4, 9, 11, 16)

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #2 - Class #5 – Tue & Thur 9:00am – 9:30am	Rec Code: SS2TTH5900
Summer Session #2 - Class #6 – Tue & Thur 9:30am – 10:00am	Rec Code: SS2TTH6930
Summer Session #2 - Class #7 – Tue & Thur 10:00am – 10:30am	Rec Code: SS2TTH71000
Summer Session #1 - Class #8 – Tue & Thur 10:30am – 11:00am	Rec Code: SS2TTH81030

Sandy Point Sailing Lessons

The recreation department is proud to bring youth sailing back to Sandy Point Beach! The lessons are for children ages 7-16 and group size is limited to a maximum of 10 children so that each student can get the proper attention. Students in the beginner/intermediate classes will focus on sailing basics, gaining an understanding of wind & water, along with boat & aquatic safety. Students in the intermediate/advanced classes will learn at a higher level and quicker pace, and will learn basic racing & advanced maneuvers. All classes occur at the beach and Monday through Thursday for one week. Classes are offered in the morning or the afternoon. The total cost is \$160 for one week. All classes are taught by our sailing instructors. Private lessons may be available at an additional cost. These sections will fill up fast. Help us welcome back sailing to Sandy Point beach. Send your forms in today.



SUMMER SESSION #1 SAILING LESSONS

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 – Week #1 – Morning - Monday through Thursday – 9:00am to 12:00pm

June 27 - 30 Beginner/Intermediate Level Rec Code: SAIL1M

Summer Session #1 – Week #1 – Afternoon - Monday through Thursday – 1:00pm to 4:00pm

June 27 - 30 Beginner/Intermediate Level Rec Code: SAIL1A

Summer Session #1 – Week #2 – Morning - Monday through Thursday – 9:00am to 12:00pm

July 4 - 8 Beginner/Intermediate Level Rec Code: SAIL2M

Summer Session #1 – Week #2 – Afternoon - Monday through Thursday – 1:00pm to 4:00pm

July 4 - 8 Intermediate Level/Advanced Rec Code: SAIL2A

SUMMER SESSION #2 SAILING LESSONS

((Registration Deadline for Summer Session #1 is July 11))

Summer Session #2 – Week #3 – Morning - Monday through Thursday – 9:00am to 12:00pm

July 25 - 28 Beginner/Intermediate Level Rec Code: SAIL3M

Summer Session #2 – Week #3 – Afternoon - Monday through Thursday – 1:00pm to 4:00pm

June 25 - 28 Beginner/Intermediate Level Rec Code: SAIL3A

Summer Session #2 – Week #4 – Morning - Monday through Thursday – 9:00am to 12:00pm

Aug 1 - 5 Beginner/Intermediate Level Rec Code: SAIL4M

Summer Session #2 – Week #4 – Afternoon - Monday through Thursday – 9:00am to 12:00pm

Aug 1 - 5 Intermediate Level/Advanced Rec Code: SAIL4A

Recreation Department Karate Lessons

The Recreation Department is now offering summer Karate lessons. The style is Tang Soo Do, the national art form of Korea. The lessons are taught by a first degree black belt who specializes in children's lessons. The lessons are for children ages 5-12 and group size is limited to a maximum of 6 children so that each student can get the proper attention. Children will focus on personal stretching, strengthening, conditioning, safety, discipline, and beginning martial arts technique. The cost is \$40 for five hour long lessons. Students are encouraged to wear sweat pants and shirts. An official uniform is available at an additional cost. Lessons will be taught at the Portsmouth Middle School. Private lessons are available at an additional cost upon request. Interested? These sections will fill up fast. Send your forms in today.



SUMMER SESSION #1 KARATE LESSONS

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 – Week #1 – June 27-29 – Monday through Friday – 9:00am – 10:00am

Rec Code: SS1KW1

Summer Session #1 – Week #2 - July 11-15 - Monday through Friday - 10:00am – 11:00am

Rec Code: SS1KW2

SUMMER SESSION #2 KARATE LESSONS

((Registration Deadline for Summer Session #2 is July 11))

Summer Session #2 – Week #3 – July 25-29 – Monday through Friday – 9:00am – 10:00am

Rec Code: SS2KW3

Summer Session #2 – Week #4 – August 8-12 – Monday through Friday – 10:00am – 11:00am

Rec Code: SS2KW4

Recreation Department – Adult Rummy Tournament

Do you like to play a friendly game of cards? The Recreation Department is now proud to offer an adult rummy tournament. Do you have great card skills? Be the first to make it to 500 points and win. You must be 18 years and older to play. Each tournament will be played at Sandy Point Beach in the picnic table area. Don't worry if there is wind, we have that covered. Each tournament is limited to a random choosing of 24 people who email in a desire to play. You will be notified by email if you are selected. This will be a single elimination tournament and the referee rulings in all matters will be final. There is no charge to play and the prizes are listed below:



First Prize -	\$50 & Trophy
Second Prize-	\$30 & Trophy
Third Prize-	\$20 & Trophy
Fourth Prize-	\$10
Fifth Prize-	\$10
Sixth Prize-	\$10

SUMMER SESSION #1 ADULT RUMMY TOURNAMENT

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 – Tournament #1 – Sunday June 26th - 10:00am Start

Rec Code: RUMMY1

SUMMER SESSION #2 ADULT RUMMY TOURNAMENT

((Registration Deadline for Summer Session #2 is July 11))

Summer Session #2 – Tournament #2 – Sunday July 24th – 10:00am Start

Rec Code: RUMMY2

Summer Session #2 – Tournament #3 – Sunday Aug 14th – 10:00am Start

Rec Code: RUMMY3

Recreation Department Free Tutoring

The Recreation Department continues its free program during the school year of Thursday night tutoring at the Portsmouth Public library from 4:30pm – 8:00pm. Typically, two or three staff members are available to help students in middle school subjects all the way up to high school Advanced Placement. Currently math, English, science, and social studies are available. We are located near the computers in the library.



Over The Summer Academic Enrichment Courses

Get ready for September's academic workload by preparing during the summer. Try one of the recreation departments' enrichment classes over the summer offered in a variety of subjects. Each course meets at the Portsmouth Public Library for 10 one hour sessions in the subject you choose. Jump ahead with our **one-on-one** tutoring. Get yourself ready ahead of time and be a master of the material when you return to school. The 10 meeting times are made individually with your instructor to work into both yours and the tutors schedules. The total cost is \$200 for all 10 one-on-one classes. The following courses are currently available:

1. Algebra 1
2. Algebra 2
3. Geometry
4. Pre-Calculus
5. Calculus
6. Statistics
7. General High School Math Review
8. General Middle School Math Review
9. English & Writing
10. Chemistry
11. Biology
12. Physics
13. Computer Science

SUMMER SESSION #1 ACADEMIC ENRICHMENT COURSE

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 – Ten Classes

Rec Code: SS1ENRICH

SUMMER SESSION #2 ACADEMIC ENRICHMENT COURSE

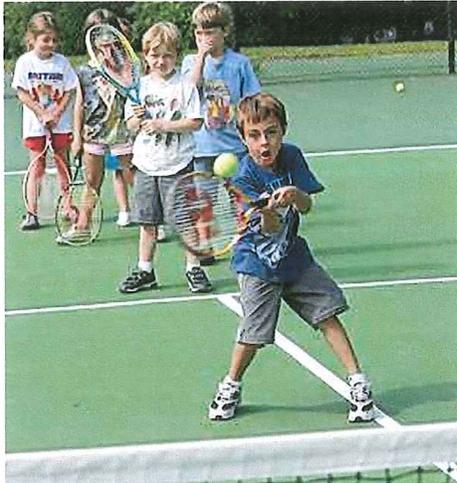
((Registration Deadline for Summer Session #2 is July 11))

Summer Session #2 –Ten Classes

Rec Code: SS2ENRICH

Portsmouth ELITE Tennis Program

The recreation department is excited to have ELITE TENNIS this summer. Co-founded by **Tina Schroeder** and **Randy Osga**, ELITE TENNIS will be offering all kinds of tennis options for all ages. Tina Schroeder is the boys and girls varsity tennis coach at Portsmouth High School. She has USPTA and PTR certification and is widely known for the quality of her programs. Randy Osga is USPTA certified and has over 30 years of teaching experience. Take a long look through the next few pages of all the tennis programs they have to offer. All classes are on the High School tennis courts. Private lessons may be available at an additional cost. These sections will fill up fast. Don't miss out on this, send your forms in today.



ELITE Tennis Camp – Children & Teens

This camp runs for one week from 9am to 12pm Monday through Friday. The camp is held at the Portsmouth High School tennis courts. Children and teens should bring comfortable sneakers, water bottles, hat/sunglasses, and sunscreen. In the rare event that a day is cancelled by ELITE TENNIS, a make-up will be provided in August. The cost is \$250 per child. Please note that the Ages 4-5 group is only from 9:00am-10:00am and the cost for that program is \$100. Parents may also elect to drop a child or teen off for an hour. The hourly rate is \$15 per child.

- Ages 4-5** This program introduces beginning racket skills, ball tracking, and fundamental tennis strokes in a fun and playful manner. ((Please note that the Ages 4-5 group is only from 9:00am-10:00am))
- Ages 6-8** This program continues the fundamental techniques of tennis. The focuses are hand eye coordination, footwork, stroke basics, and beginning match play. The USTA 10 and under tennis teaching platform is utilized.
- Ages 9-10** This program continues development of fundamental techniques. The emphasis is on rallying skills, footwork, game development, and match play. The USTA 10 and under tennis teaching platform is utilized.
- Ages 11-16** This program continues development for the older beginner. Stroke production, rallying skills, footwork, basic strategy, and tactics for match play. Orange and green low compression balls may be used. This is ideal for the student thinking about high school tennis and those wanting to improve their ranking on the team.

SUMMER SESSION #1 - ELITE TENNIS CAMP

((Registration Deadline for Summer Session #1 is June 13))

Summer Session #1 – Week #1 – Monday through Friday – 9:00am to 12:00pm

July 5-8	Ages 4-5*	Rec Code: 1TENNIS45
	Ages 6-8	Rec Code: 1TENNIS68
	Ages 9-10	Rec Code: 1TENNIS910
	Ages 11-16	Rec Code: 1TENNIS1116

Summer Session #1 – Week #2 – Monday through Friday – 9:00am to 12:00pm

July 11-15	Ages 4-5*	Rec Code: 2TENNIS45
	Ages 6-8	Rec Code: 2TENNIS68
	Ages 9-10	Rec Code: 2TENNIS910
	Ages 11-16	Rec Code: 2TENNIS1116

Summer Session #1 – Week #3 – Monday through Friday – 9:00am to 12:00pm

July 18-22	Ages 4-5*	Rec Code: 3TENNIS45
	Ages 6-8	Rec Code: 3TENNIS68
	Ages 9-10	Rec Code: 3TENNIS910
	Ages 11-16	Rec Code: 3TENNIS1116

Summer Session #1 or #2 – 1 Hour Drop Off Rec Code: TENNISHOUR

SUMMER SESSION #2 - ELITE TENNIS CAMP

((Registration Deadline for Summer Session #2 is July 11))

Summer Session #2 – Week #4 – Monday through Friday – 9:00am to 12:00pm

July 25-29	Ages 4-5*	Rec Code: 4TENNIS45
	Ages 6-8	Rec Code: 4TENNIS68
	Ages 9-10	Rec Code: 4TENNIS910
	Ages 11-16	Rec Code: 4TENNIS1116

Summer Session #2 – Week #5 – Monday through Friday – 9:00am to 12:00pm

Aug 1- 5	Ages 4-5*	Rec Code: 5TENNIS45
	Ages 6-8	Rec Code: 5TENNIS68
	Ages 9-10	Rec Code: 5TENNIS910
	Ages 11-16	Rec Code: 5TENNIS1116

Summer Session #2 – Week #6 – Monday through Friday – 9:00am to 12:00pm

Aug 8-12	Ages 4-5*	Rec Code: 6TENNIS45
	Ages 6-8	Rec Code: 6TENNIS68
	Ages 9-10	Rec Code: 6TENNIS910
	Ages 11-16	Rec Code: 6TENNIS1116

***Please note that the Ages 4-5 class is only from 9:00am – 10:00am**



Adult – ELITE Tennis Lessons

Our goal with adult tennis lessons is to teach you a sport of a lifetime. It's important to learn the proper fundamentals for each stroke so that you can build a foundation that will allow you to improve and reach the level you desire. There are no short cuts to building a solid foundation and without quality instruction and proper guidance, tennis can be difficult to master. Fortunately, ELITE tennis is here to help you reach your tennis goals.

What will you learn?

1. The proper fundamentals for the forehand and background strokes, forehand and back ground volleys, overhead, and the serve.
2. Each class will focus on 1 stroke per 2 classes, so that the motor memory you have learned will be reinforced.
3. Proper movement is critical to a tennis player's development. Tennis is not played in a vacuum so you need to learn how to move effectively on the court.
4. How to have fun! Tennis can be difficult to learn, but our main goal, is to help you love the game.

SUMMER SESSION #1 & 2 – ADULT BEGINNER - ELITE TENNIS

((Registration Deadline for Summer Session #1 is June 13))

This class is for those who have little or no knowledge of tennis. Students will learn the mechanics of the basic strokes, scoring, and tennis etiquette. Cost is \$165

This class will run on the following Tuesdays & Thursdays from 6pm–7pm
((June 28, June 30, July 5, July 7, July 14, July 18, July 21, and Aug 2))

Summer Session #1 & 2 – Adult Beginner – Four Weeks – Tue & Thurs –6:00pm to 7:00pm

Rec Code: TENNISADULTB

SUMMER SESSION #1 & 2 – ADULT ADVANCED - ELITE TENNIS

((Registration Deadline for Summer Session #1 is June 13))

This class is for those who know the tennis basics or have successfully completed Adult beginner tennis lessons. We will be reviewing the basic strokes, court movement, and footwork. Class time will focus on consistency in strokes & strategy in doubles & singles. Cost is \$165. This class will run on the following Tuesdays & Thursdays from 6pm–7pm ((June 28, June 30, July 5, July 7, July 14, July 18, July 21, and Aug 2))

Summer Session #1 & 2 – Adult Beginner – Four Weeks – Tue & Thurs –6:00pm to 7:00pm

Rec Code: TENNISADULTB

Adult – ELITE Cardio Tennis

Enjoy tennis and get a **great** workout! Cardio tennis pushes your fitness to a new level with a high energy workout. It's a fun group activity featuring drills to give players of all abilities a great cardio workout. Includes warm-up, cardio workout, and cool down phases. If you want a healthy, new way to get in shape and burn calories.....try our cardio tennis. This class runs on Wednesday night 6pm-7pm (4 sessions per class) on the days listed below. The cost is \$65.

SUMMER SESSION #1 – CARDIO TENNIS - ELITE TENNIS

((Registration Deadline for Summer Session #1 is June 13))

This class will run on the following Wednesdays from 6pm–7pm ((June 29, July 6, July 7, July 13, and July 20))

Summer Session #1 – Cardio Tennis – 4 Sessions – Wednesday – 6:00pm to 7:00pm

Rec Code: TENNISCARDO1

SUMMER SESSION #2 – CARDIO TENNIS - ELITE TENNIS

((Registration Deadline for Summer Session #2 is July 11))

This class will run on the following Wednesdays from 6pm–7pm ((July 27, Aug 3, Aug 10, and Aug 17))

Summer Session #2 – Cardio Tennis – 4 Sessions – Wednesday – 6:00pm to 7:00pm

Rec Code: TENNISCARDO2

Adult – ELITE Pickleball

Pickleball is the fastest growing sport in America. A paddle sport created for all ages and skill levels. The rules are simple and the game is easy to learn, but can develop into a quick, fast-paced, competitive game for experienced players. The cost is \$45.

The Basics

1. A fun sport that combines many elements of tennis, badminton, and ping-pong.
2. Played both indoors and out on a badminton sized court or modified tennis net.
3. Played with a paddle & a plastic ball.

SUMMER SESSION #1 – PICKELBALL - ELITE TENNIS

((Registration Deadline for Summer Session #1 is June 13))

This class will run on the following Wednesdays from 6pm–7pm

((June 29, July 6, July 7, July 13, and July 20))

Summer Session #1 – Pickelball – 4 Sessions – Wednesday – 6:00pm to 7:00pm

Rec Code: TENNISPICKEL1

SUMMER SESSION #2 – PICKELBALL - ELITE TENNIS

((Registration Deadline for Summer Session #2 is July 11))

This class will run on the following Wednesdays from 6pm–7pm

((July 27, Aug 3, Aug 10, and Aug 17))

Summer Session #2 – Pickelball – 4 Sessions – Wednesday – 6:00pm to 7:00pm

Rec Code: TENNISPICKEL2

Please note that even with all the choices and options available, you may still not see exactly what you need or want. Private lessons are available. You may also have tennis questions or concerns. Please address all of these inquiries to:

Tina Schroeder – Co-Founder ELITE Tennis – 1-401-835-1662 – sntschroeder@mac.com

OR

Randy Osga – Co-Founder ELITE Tennis – 1-401-952-7435 – randyosga@gmail.com

Date: 02/10/16

To: Town Administration & Honorable Members of the Town Council

From: Tim Dunbar, Recreation Director & Manager Sandy Point Beach

Re: Creating New Policy for teams & organizations using town fields & property

Dear Town Council & Town Administration,

Not long ago, I was asked to come up with a policy and fee schedule for teams and organizations that regularly utilize Town fields and property. This brief document is meant to introduce a policy and fee schedule that is fair to all concerned. At the very least, it will help to open communication about how the Town should handle this situation. At the heart of the matter is that many leagues & organizations utilize town property and fields without providing the Town compensation for such use.

If you speak to the leaders of the long standing Portsmouth leagues, they will say they favor paying nothing to the Town for use of its fields. They reason that no one has charged them for twenty plus years and why should they be charged now. They would also argue that these are mostly Portsmouth children and that we shouldn't be charging our own. The leagues also make an argument about the funds they have invested into the grounds and fields that they play on. I have requested from the teams and organizations any documentation or evidence that they have of such investment. As of today, I have not received any evidence of such investments into grounds and fields from any organization.

At a meeting last week that I conducted with all the leagues and organizations several points were made which should be considered. The leagues discussed that if they were charged a fee for use of the fields that they would cease paying for the upkeep that they do of these areas. If the town is then to pay the additional upkeep costs, it may negate the effort of attempting to raise the \$17,000. Leagues also indicated that the cost of paying any fees would likely be added directly to the children that are playing the particular sports. They discussed that for some families with multiple children enrolled in multiple sports the cost to play could rise a considerable amount. Lastly, the leagues discussed the considerable amount of hours they currently donate to their respective sports as well as the fact that they currently provide free scholarships to roughly 10% of their Portsmouth enrolled children.

On the other side, the Town pays a significant amount of money every year for maintenance on their fields & property. A figure of roughly \$17,000 has been suggested as the overall cost incurred. In a growingly tough financial time, the teams and

organizations using the fields should be asked to pay their fair share of the upkeep cost. Especially, if said teams or organizations are turning any profit, and still paying nothing to the Town for field use.

I have looked at how twenty-seven other nearby communities handle the sports teams that use their town's property. Many of them are working on policies to handle this situation now. It has been a recent and ongoing discussion of the Rhode Island Recreation Association of which Portsmouth is a member. A few Town's charge their teams nothing, but most charged something. In Barrington, a town comparable to us, the teams & leagues are charged a flat fee of \$12 per child. It would seem to me that a broad, fair, and consistent policy needs to be adopted. The policy should also take into consideration the size of the organization. After considering everything for weeks, I would respectfully recommend the language below be adopted policy in governing the use of town fields & property by organizations & leagues:

“Any team, league, or organization that regularly utilizes town owned field or property shall be required to pay the following in order to diminish the cost of the upkeep of said fields on the Town and taxpayer. Each league shall pay an annual fee of \$300, plus \$3 per child enrolled in said organization or league.”

It is my belief that the above mentioned fees, in concert with the funds we already collect from use of the special events fields, will generate the approximate amount of money necessary to continue a quality up-keep of town owned fields.

As recreation director I believe these fees are reasonable. Some examples of leagues and organizations required to pay the fees would be soccer, lacrosse, baseball, and any others utilizing Town fields. New teams, like tennis and flag-football, have already been in contact with me about joining the recreation department. These new teams are very open to this fee schedule and terms (pending council approval of course). I believe the fees are also reasonable given the fact that soon we will have the Brown House as a recreational headquarters and any organization or league in good standing may also benefit from that. Additionally, teams and leagues in good standing would also benefit from membership within the recreation department as well as they would be able to share our resources as well. Thank you for your attention and consideration.

Respectfully,

Timothy Dunbar
Recreation Director &
Manager Sandy Point Beach
tdunbar1984@gmail.com



Canvassing Authority

Town of Portsmouth

2200 East Main Road
Portsmouth, Rhode Island 02871

(401) 683-3157

February 16, 2016

Keith Hamilton, President
and Town Council Members
Town Council
Town Hall
2200 East Main Road
Portsmouth, RI 02871

Dear Mr. President and Town Council Members:

I am submitting this letter to request that the Town Council consider rescheduling the April 25, 2016 Town Council meeting in order for the Canvassing Authority to use the Town Council Chambers as polling site Precinct 2706 for the April 26 Presidential Preference Primary Election.

The Canvassing Authority will need to set up election equipment in the Council Chambers by Monday, April 25. The election will be held on Tuesday, April 26. I will request that the Public Works department break down the election equipment on Wednesday morning, April 27 so that the room will be restored and available by 9:00 a.m.

Please contact me if there are any other areas of concern regarding the election process.

Sincerely,

Jacqueline S. Schulz
Registrar of Voters

/jss

c: Joanne Mower
Town Clerk

RECEIVED
PORTSMOUTH, R.I.
2016 FEB 16 10:02
JOANNE M. MOWER
TOWN CLERK



Town of Portsmouth

2200 East Main Road / Portsmouth, Rhode Island 02871

Joanne M. Mower
Town Clerk

(401) 683-2101

February 12, 2016

To: Town Council
From: Town Clerk

Subj: Request Town Council Approval of Proposal to Consolidate the Zoning Ordinance
And Subdivision Rules and Regulations into the Codification of Ordinances.

Dear President Hamilton and Town Council Members:

Enforcing and regulating the ordinances of the Town is complicated by having to refer to two sets of ordinance books, The Zoning Ordinance and the Town Code and a third reference book for the Subdivision Rules and Regulations. May I suggest Portsmouth emulate other municipalities by consolidating the Town's ordinances into one Code of Ordinances.

Attached is a proposal by General Code, the company that prepared and continues to provide yearly supplements to the Codification of Ordinances now in use.

I request you approve this technological upgrade for the Town of Portsmouth.

Respectfully,

Joanne M. Mower
Town Clerk

GENERAL CODE

Proposal for Codification Services



Prepared for:

Town of Portsmouth, Rhode Island

Suzanne Owens
Codification Account Manager
(855) GEN CODE
sowens@generalcode.com

Date:

October 2, 2015
(Valid for 6 Months)

**GENERAL
CODE**
Codification Division

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Executive Summary



Serving the needs of communities for over 50 years, General Code provides codification and enterprise content management solutions to more than 3,000 municipal governments throughout the United States and Canada. Our staff has developed, implemented and maintained codification projects for a wide variety of local governments, ranging from small townships and villages to major cities and counties.

Situation Analysis

Thank you for the opportunity to present this proposal for comprehensive codification services. The Code of the Town of Portsmouth was first published by General Code in 2013; however, the Town of Portsmouth's Zoning and Land Development and Subdivision Regulations have never been professionally codified and are presently being updated and maintained by the Town staff. While this approach has served the Town well to this point, the Town is currently undertaking a complete review of the Zoning and Land Development and Subdivision Regulations and has requested that General Code provide a proposal for codification services. General Code can meet the Town's objectives and has outlined its price, processes, and procedures for doing so in the following proposal for the Town's consideration.

For more detail, see the full Situation Analysis on page 3.

General Code Solution

The Town of Portsmouth's objectives will be met and goals achieved through our proposed Codification Solution, which includes:

- Codification of existing materials
- Updating the Town's Premium eCode360® online code to include the Zoning and Land Development and Subdivision Regulations
- 1 Custom printed Code book, with an option for additional printed books

Investment Summary

The cost of General Code's recommended solution will be \$5,968.

A detailed breakdown of the investment and available options can be found on page 9.

Accepting This Proposal

This document serves both as a proposal and as an agreement. To accept this proposal, complete the form on the last page, including authorized signatures. Fax the completed form to General Code at (585) 328-8189, or return it by mail to General Code, 781 Elmgrove Road, Rochester, NY 14624.

Situation Analysis



GENERAL CODE Codification Division



The Town of Portsmouth is located in Newport County in Rhode Island and was established in 1638. Today the Town is home to more than 17,300 residents.

Source Materials

General Code will use the following source materials for the codification project:

- A copy of the Town's Zoning Ordinance, as updated through February 13, 2012, as downloaded from the Town's website in September 2015
- A copy of the Town's Land Development and Subdivision Regulations, as amended through January 12, 2012, as previously provided by the Town's in September 2015

This proposal only takes into account the zoning legislation and land development and subdivision legislation submitted for review, which will be included within the scope of this project. Please note that the scope of materials and work included in this proposal is limited to the zoning legislation and land development and subdivision legislation and amendments only and does not include other legislation of a general and permanent nature. General Code requests that the Town continue to routinely send any new zoning legislation and land development and subdivision regulations legislation upon adoption. These additional materials will be included in the Code up to the point where the editorial work has been completed and shall be subject to an additional charge at the end of the project.

Recommended Solution



General Code will provide the Town of Portsmouth with professional codification services and solutions designed to meet the specific needs of your community, based on your requirements and over 50 years of experience working with local governments. We will provide you with a variety of options for publishing the Code of the Town of Portsmouth, including posting on the Internet and traditional print formats.

Services Included



Publication of new Code volumes

The base price includes the publication of 1 new Zoning and Land Development and Subdivision Regulations Code volume in a high-quality, custom-imprinted post binder. The Code pages will be designed in an 8 ½-by-11-inch page size, using an 11-point Times New Roman font in a single-column format on 100% recycled paper. You may choose blue, dark red, green, brown, black or gray binders, with white, silver or gold silk-screen lettering. The Town Seal can also be embossed on the front and spine if you wish. The Code will also include a set of tab dividers for individual customization. Each copy of the Code will be serial-numbered, and we will provide forms for you to keep track of the distribution of the Codes.

Comprehensive Index

General Code will prepare and publish a comprehensive Index for the Zoning and Land Development and Subdivision Regulations Code. The Index is specifically designed to be easy to use, so that the information in the Code can be quickly located.

Zoning and Land Development and Subdivision Regulations Code Adoption Legislation

The editor assigned to your codification project will prepare adoption legislation for the proposed Zoning and Land Development and Subdivision Regulations Code. This material will be furnished to the Town Attorney for review and enactment by the governing body. If the Zoning and Land Development and Subdivision Regulations Code adoption legislation is enacted and returned to us within 90 days of submission, we will include this material in the Code free of charge. Once the Zoning and Land Development and Subdivision Regulations Code is adopted, it can be amended directly to change, add or delete material.

Disposition List

The Disposition List sets forth, in chronological order, the subject matter, date of adoption and disposition of each item of new legislation reviewed with the project and indicates its inclusion in or omission from the Code. The Disposition List is designed to assist you in locating not only legislation that is included in the Code but also legislation that is not included.

Updated eCode360

The Town's current online Code will remain available for the Town's staff and general public for the duration of this project. Once the project has been completed, General Code will update the Town's eCode360 with the new version of the Town's Zoning and Land Development and Subdivision Regulations Code.

The General Code Codification Process



We see you as a partner in the codification process.

General Code's unique and easily accessible style is readily discernible. Your legislation is organized into a systematized, clean format, designed to provide you and your community with an easily readable, simple to reference, and logically indexed Code.

Including You in the Process

The unique project workflow that General Code has developed engages the Town with a Code editor at key stages throughout the process. Our Code editors bring a breadth of knowledge and expertise acquired over the half century we've invested in working with local governments. Combining our experience with your involvement ensures that your Code will accurately reflect your community's particular needs and requirements for a reliable resource tool.

Process Outline

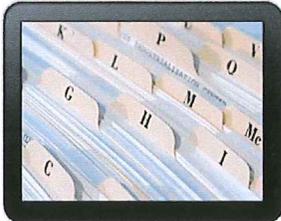


Beginning a Code Project

To begin the project, the Town of Portsmouth has provided the source materials for the new Code. For more detail, see the source materials listed on page 3.

Preliminary Telephone Conference

At the beginning of the project, General Code will consult with the Town's designated contact person to review the project generally and to clarify any initial questions for both General Code and the Town.



Organization

The Zoning and Land Development and Subdivision Regulations Code will be organized, utilizing the General Code style. The Table of Contents will be expanded and numbered to fit accordingly.

Administrative Review

We will prepare a proposed Table of Contents of the Zoning and Land Development and Subdivision Regulations Code and a listing of legislation reviewed, along with any missing material and adoption dates, and any other questions pertaining to the completeness of the materials being reviewed.



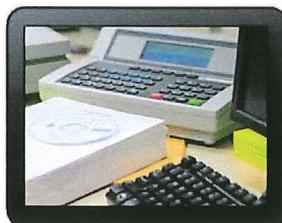
Editing

During the editing process, we will:

- Edit the text of the legislation to include historical notations indicating the source and date of adoption of each enactment
- Update the Table of Contents to add, delete or revise chapters and articles included in the Code, as applicable
- Insert descriptive title headings for each chapter, article and section, as applicable
- Include or update cross-references and Editor's Notes, as required
- Copyread the legislation for style and grammar and to correct typographical and spelling errors

Draft

General Code will submit a Draft of the Zoning and Land Development and Subdivision Regulations Code for final review by the Town. Any specific questions that arise during the editing process shall be submitted with the Guidelines for Draft Review. Such questions may include missing wording or incomplete information, conflicts with incorporating new ordinances, and inconsistencies within chapter provisions. Minor changes in content as a result of the Town's review may be made. Any substantial changes in organization or content shall be subject to additional charges.



Zoning and Land Development and Subdivision Regulations Code Delivery; Recordkeeping; Supplement Distribution

After the Zoning and Land Development and Subdivision Regulations Code is delivered, we will review the project with the Town to ensure that everything meets your expectations. At that time, we will work with you to set up an effective recordkeeping system to keep track of the distribution, sale and maintenance of Codes and supplements.

Performance and Payment Schedule



Performance Schedule

Deliverable	Delivery Date
Initial telephone conference	Within 30 days of contract signing
Submission of Administrative Review	Within 80 days of contract signing and receipt of materials; the Town has 25 days for review
Submission of Draft	Within 100 days of approval of the Administrative Review; the Town has 30 days for review
Delivery of the Code	Within 40 days of approval to proceed with publication of the Code

Performance schedule reflects business days and excludes legal holidays.

Payment Schedule

Percentage of Total Project Price	Milestone
25%	Invoiced within 30 days of contract signing
25%	Invoiced upon submission of the Administrative Review
35%	Invoiced upon submission of the Draft
Balance	Invoiced upon delivery of the Code

Investment Detail and Options



Base Codification Project Price

\$ 5,968

Your base codification project includes the following:

- Preliminary Telephone Conference
- Creation of a New Zoning and Land Development and Subdivision Regulations Code Through October 2, 2015
- Conversion of the Code into an XML Document with General Code Numbering and Format
- Administrative Review
- Editorial Work
- Proofreading
- Draft
- Duplication and Publication of 1 Zoning and Land Development and Subdivision Regulations Code Volume in a Standard Imprinted Post Binder
- Comprehensive Index
- Disposition List
- Customizable Tabs
- Zoning and Land Development and Subdivision Regulations Code Adoption Legislation
- Updated Premium eCode360
- Shipping

Optional Components

The following is available to you at an additional charge:

Please note: Additional Code books (in addition to the 1 Code books included in the base price) may also be ordered; pricing is available upon request.

Prices noted are valid for 6 months from the date of this proposal.

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Formatting and Style



Innovation With Thought

General Code's printed code services have become the hallmark of quality in the codification industry, just as eCode360 sets the standard for online innovation. Our experience and attention to detail in the design and production of your Code go hand-in-hand with our approach to customer service.

Page Design

The Code pages will be designed in an 8 ½-by-11-inch page size, using an 11-point Times New Roman font in a single-column format.

Organization

The Code will be organized and divided into parts to accommodate different types of legislation. Typically Part I is made up of the legislation of an administrative nature, namely, that dealing with the Town's departments, officers and employees; Part II is made up of the legislation that regulates the general public. Within each part, the various pieces of legislation will be organized into chapters, which will be arranged alphabetically by subject matter. For example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." Wherever there are two or more pieces of legislation dealing with the same subject, they will be combined into a single chapter. In such chapters, the use of article designations will preserve the identity of the individual pieces of legislation. The Town will have the opportunity to review and approve the organization of the Code.

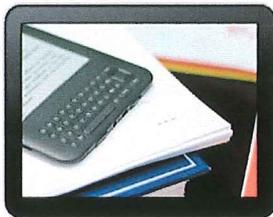
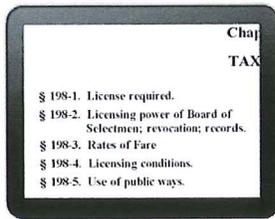


Table of Contents

The Table of Contents lists the various chapters included in the Code and can be used to help locate desired provisions. Space will be reserved for later insertion of new material in its proper alphabetical sequence. Such space is accommodated in the body of the Code by breaks in the chapter numbering and in the page-numbering sequence between chapters.

Pagination

Each chapter forms an autonomous unit in the page-numbering system. The first page number in each chapter is the number of that chapter followed by a colon and the numeral "1." For example, Chapter 6 begins on page 6:1, Chapter 53 on page 53:1, etc. If a page were to be added between pages 53:2 and 53:3, it would be numbered 53:2.1. This system makes it possible to add or to change pages in any chapter without affecting pages in other chapters and to insert new chapters without affecting the existing organization.

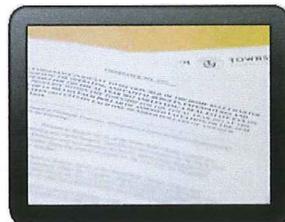


Scheme

The scheme is the list of section titles that appears at the beginning of each chapter and which precedes the text. These titles are written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease of reference, section titles are repeated as section headings in the text.

Section Numbering

In a chapter-related section-numbering system, each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. For example, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can also be added between existing sections by using a decimal system. For example, if two sections were to be added between §§ 53-4 and 53-5, they would be numbered as §§ 53-4.1 and 53-4.2.



Legislative Histories

The legislative history for each chapter or article, as appropriate, is located immediately following the scheme for that chapter or article. The history indicates the specific legislative source from which the chapter was derived, including the enactment number and the date of adoption. Amendments to individual sections or subsections are indicated by boldfaced histories directly in the text.

General References and Editor's Notes

Each chapter containing material related to other chapters in the Code includes a table of General References to direct the reader's attention to those related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Sample Page

Section numbers reflect both the number of the chapter in which the legislation is included and the location of the section within that chapter. This facilitates referencing and indexing sections.

Page heads indicate which sections appear on a particular page, making sections quick to locate.

§ 198-1

Chapter 198

§ 198-3

TAXICABS

§ 198-1. License required.

§ 198-3. Rates of fare.

§ 198-2. Licensing authority; revocation; records.

§ 198-4. Licensing conditions.

§ 198-5. Use of public ways.

Every chapter is preceded by a Scheme, which lists each section by title. Taken together, the titles serve as a summary of the contents of the chapter.

[HISTORY: Adopted by the City Council of the City of Springfield. Amendments noted where applicable.]

The History indicates the specific legislative source from which the chapter is derived.

GENERAL REFERENCES

Vehicle noise restrictions — See Ch. 75.

Vehicle and traffic regulations — See Ch. 111.

A table of General References directs the reader to related chapters.

§ 198-1. License required.

No person shall set up, use, or drive in the City any unlicensed taxicab or motor vehicle for the conveyance of passengers for hire from place to place.

For precision of reference, section titles are repeated as headings in the text.

§ 198-2. Licensing authority; revocation; records.

City Council may license taxicabs or motor vehicles for the conveyance of persons for hire from place to place within the City. It may revoke such licenses at its discretion. A record of all licenses so granted or revoked shall be kept by the City Council.

§ 198-3. Rates of fare.

A. Minimum zone rates. [Amended 2-12-1980 by Ord. No. 80-73 '1]

Amendments to individual sections or subsections are noted in the text at the location which most precisely pinpoints the amended material.

- (1) On all trips originating or terminating north of Riverside Cemetery, the following minimum zone rates may be charged for distances north of said cemetery, which portion of the City is hereby divided into three zones as follows:
 - (a) Zone A, from Riverside Cemetery to and including Boxart Street: \$2.50, plus \$1 for each additional passenger.
 - (b) Zone B, from Boxart Street to and including Denise Road: \$3.50, plus \$1 for each additional passenger.
 - (c) Zone C, from Denise Road to and including Beach Avenue: \$4, plus \$1 for each additional passenger.
- (2) Each zone shall include all areas lying between the lines of its boundary streets extended to the easterly and westerly limits of the City. The minimum rates

A simple internal numbering system presents material in a clear, easy-to-read format.

1. Editor's Note: This ordinance provided an effective date of 3-31-1980.

Editor's Notes provide supplementary information for the Code user.

198:1

The dateline indicates the date the page was printed.

01 - 15 - 2010

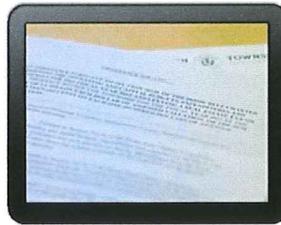
The page-numbering system reflects the chapter number plus the page sequence. This allows the insertion of new chapters without affecting the existing Code organization.

Future Supplementation Services



Your Code is an evolving document.

After your new Code is delivered, in order to protect your investment and maintain an accurate and reliable resource, your Code should be kept up-to-date. General Code's supplementation services are designed to make the process easy, fast and accurate.



Materials

After the enactment of new legislation, the Town can forward a copy by whatever method is most convenient.

- Electronic copies of the legislation can be sent via email to ezsupp@generalcode.com. A reply email will be sent confirming receipt of your transmission. We have other options for transferring large files and will provide the necessary information if requested.
- In addition, paper copies of as-adopted legislation can be sent via US Mail or by Fax to 585-328-8189, and a confirmation postcard will be returned upon receipt of materials.

General Code will hold legislation pending a pre-approved schedule, or begin the job, as directed by the Town. Please note that charges for supplementation services are outside of the scope of this proposal and will be billed separately. An estimate of the charges applicable to a particular supplement is available upon request.

Posting of New Laws

Between regular Code supplements, General Code will temporarily attach (append) verbatim copies of new legislation to your online electronic Code to provide ready access to information until such time as the legislation can be codified through supplementation. If supplementation does not occur within one year of appending, General Code will remove the link to that new legislation.

Schedule

Supplements will be provided on a schedule designed to meet the needs of the Town. Typical schedules may be quarterly, semiannual, or annual, or upon authorization by the Town. Updates to the electronic version of the Code can occur on a more frequent schedule than printed supplements.

Our average turnaround time for processing routine supplementation is between 4 and 6 weeks.

Editorial Work on Your Supplement

The editorial work on your supplement specifically focuses on the new legislation being incorporated with each supplement. As part of our process for new legislation, we will do the following:

- Review the legislation to determine proper placement within the Code.
- Adhere to the structure and style contained in the ordinance, unless changes are required to ensure consistency in the Code.
- Use or impose section and subsection numbering.
- Create chapter, article, and section titles as appropriate.
- Add historical annotations as applicable.
- Correct misspellings so that searchability in eCode360 is not compromised.
- Check and correct internal section hierarchy, capitalization, grammar, and punctuation.
- Check internal and statutory references.
- Correct any missing wording.

General Code will also update the Table of Contents and index. Editorial notes will be appended to sections that require additional explanation. Any tables, drawings, or other graphics as are required by the Town shall be incorporated into the supplement, with improved presentation as necessary. Additionally, for print supplements, an Instruction Page will be created to advise how to insert and remove pages.



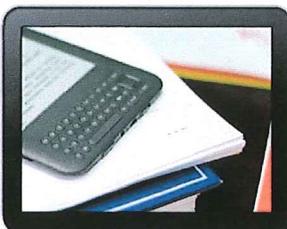
Printed Supplements

Amendments to the printed Code occur in the form of printed supplement pages that are issued as replacement pages. Printed supplements include updated Table of Contents, Disposition List, Index and text pages, as well as an Instruction Page.



Electronic Updates

Amendments to the electronic version of the Code can be provided on their own schedule or can accompany printed supplements. Electronic updates will have been incorporated into the Code, and a fully searchable, complete Code will be delivered online or on CD.



Delivery

Printed supplements to the Code will be delivered in bulk to the Town, unless the Town chooses to utilize General Code's Distribution Services. The website will be updated within one or two business days as electronic updates are delivered.

Why General Code?

Welcome to Civility.

As a values-based company, we adhere to the principles outlined in our Code of Engagement. We are committed to providing a higher standard of customer service, and believe that how we work with our clients is just as important as how we work amongst ourselves.

General Code brings civility to codification, by learning from over 50 years of experience and the constantly changing concerns and needs of our 3,000 customers, including 11 in Rhode Island. We civilize your experience by listening to you and focusing our efforts on meeting your objectives. Our editorial and technical professionals will offer you options, designed to meet your particular needs so that your Code can be constructed and used accordingly. This collaboration will enhance the long-term viability of your legislation and will allow you a level of customization that you will find invaluable.



Experience

- Over 3,000 clients in 39 states in the United States and Canada
- Serving local governments since 1962 — over 50 years of broad experience in all aspects of municipal codification
- Unparalleled reputation for quality and service
- Leader in providing technical and innovative codification solutions

Customer Service Orientation

- Highest customer satisfaction ratings
- Experienced Account Managers
- Quick responses to questions and commitment to person-to-person interaction
- Training and support on an ongoing basis
- Flexible billing plans tailored to meet the specific needs of each client



Professional and Experienced Staff

- Your Project Team will include members of our professional staff of over 100 employees, including attorneys, editors, and other codification specialists, producing over 100 new Code projects and over 2,000 supplements annually
- Team approach, to ensure availability of required personnel and resources until work is complete, as well as consistency and accessibility
- Full-time attorney editors, with extensive experience in both new Code projects, as well as supplementation of existing Codes, in numerous states
- Full-time Code editors, with experience in codification averaging over 15 years
- Specially trained data entry, proofreading, indexing and research staff

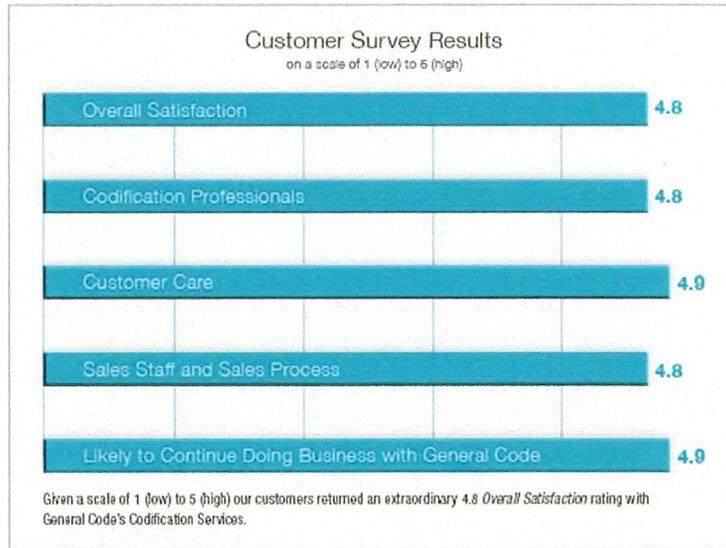


Client Experience

- ♦ User-friendly Code format and organizational system
- ♦ Fast, reliable, accurate supplementation
- ♦ Creative solutions for specific needs
- ♦ Free sample legislation service for clients

Customer Satisfaction

These survey results demonstrate the way our customers recognize and appreciate our passion for excellence and customer focus.



The Code of Engagement



Our Pledge to You

Our Code of Engagement is General Code's pledge to achieve a high standard, cultivate a long-term working relationship, and earn the status of being your trusted partner.

General Code is a values-based company. As such, our Code of Engagement is the set of principles guiding the way we conduct ourselves. It encompasses how we interact with our co-workers and our community, the way we treat you, the way we communicate with you, and the fact that you are not just our customer, you are our partner. Our Code of Engagement is founded on a set of seven values.

Honesty and Integrity

Every interaction will confirm that you are working with an ethical, conscientious, and trustworthy partner.

Delighting the Customer

We will anticipate, and often surpass, your expectations. We will be proactive and responsive to your needs.

Efficiency

You will receive high-quality products and services in the shortest possible time frame. These solutions will save you time and ease your workload.

Innovation and Creativity

We will stay in front of your ever-changing needs. Visionary thinking, resourcefulness, and technology leadership will make this possible.

Personal Responsibility

Every General Code employee will meet and exceed your expected level of product quality and service excellence.

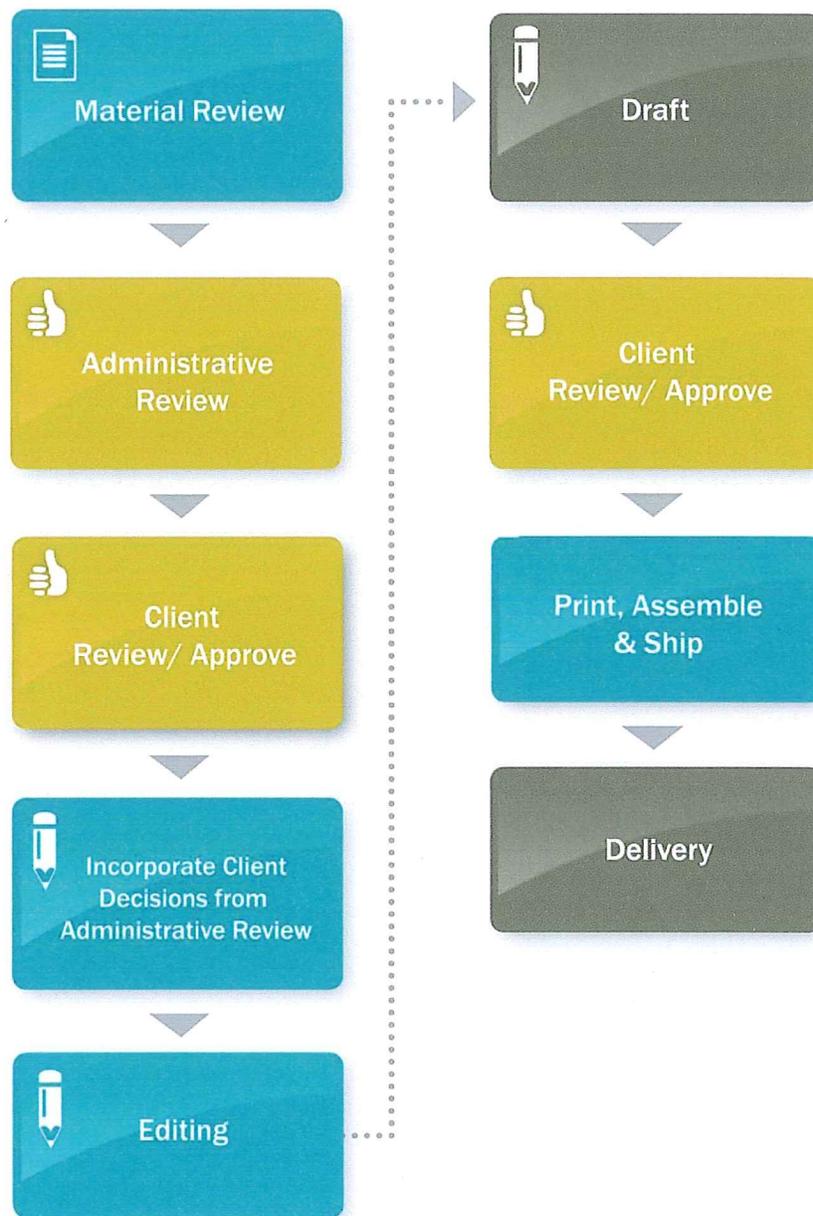
Caring and Concern

You will receive service that is personable, warm, and reliable—an attentive relationship you can trust.

Teamwork

Across departments and at every level of our company, we will collaborate with each other and with you to meet your needs.

The General Code Codification Process At-a-Glance



Authorization and Agreement



Base Codification Project

\$ 5,968



The Town of Portsmouth, Rhode Island, hereby agrees to the procedures outlined above, and to General Code's Codification Terms and Conditions, which are available at www.generalcode.com/TCdocs, and are incorporated herein by reference, and authorizes General Code to proceed with the project.

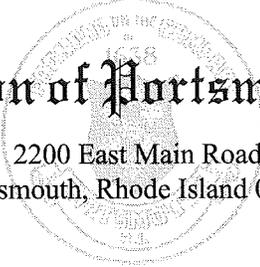
TOWN OF PORTSMOUTH, NEWPORT COUNTY, RHODE ISLAND

By: _____ Witnessed by: _____
Title: _____ Title: _____
Date: _____ Date: _____

GENERAL CODE, LLC

By: _____ Witnessed by: _____
Title: _____ Title: _____
Date: _____ Date: _____

Please sign and return this page to General Code. A signed copy of this agreement will be mailed back to the Town for its records.



Town of Portsmouth

2200 East Main Road
Portsmouth, Rhode Island 02871

Finance/Personnel
Department

Tel. (401) 683-9118
Fax (401) 683-1916

February 16, 2016

Portsmouth Town Council
Keith E. Hamilton, President

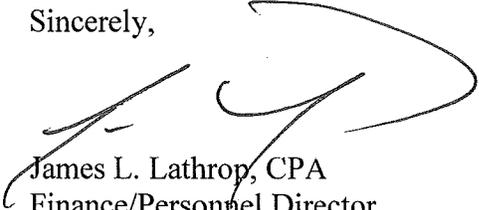
Re: Request to Approve Re-statement of the Town's Pension Plan

Background. I have enclosed an updated Pension Plan. The Plan re-statement brings the document current through July 1, 2015 to meet all IRS regulations and incorporates all plan amendments which have been approved since the previous re-statement of 2005.

Action Requested. I request that the Council approve the enclosed Pension Plan for Employees of the Town of Portsmouth, Rhode Island.

Please contact me if you have any questions.

Sincerely,



James L. Lathrop, CPA
Finance/Personnel Director

Cc: Richard A. Rainer, Jr., Town Administrator

**The Pension Plan for Employees of the Town of
Portsmouth, Rhode Island**

(As amended and restated effective July 1, 2015 except as otherwise provided herein)

INTRODUCTION

The purpose of The Pension Plan for Employees of the Town of Portsmouth, Rhode Island (the "Plan") is to provide periodic income after retirement to covered employees of the Town of Portsmouth, Rhode Island (the "Town"). Covered employees include all employees of the Town who have (a) achieved full time status in the Police, Fire, Town Hall and Public Works Departments and (b) the permanent employee roster of the School Department, as determined and reported by the Town, except teachers in the School Department.

The Plan was previously amended and restated effective January 1, 2002 and again effective July 1, 2005. This amended and restated Plan is effective July 1, 2015 except as otherwise provided herein. The Plan as set forth herein shall be applicable only in respect of persons who are in covered employment on and after July 1, 2015. The benefits and rights of a former employee who is a participant shall be determined under the provisions of the Plan as in effect when the former employee terminated employment and/or retired, except as otherwise expressly provided in this Plan.

The Plan is a defined benefit pension plan designed to meet the requirements of the Internal Revenue Code of 1986, as amended, as they apply to governmental plans.

The capitalized words and phrases used throughout the Plan shall have the meanings set forth in Article I. Unless otherwise plainly required by the context, any gender may be construed to include all genders and the singular or plural may be construed to include the plural or singular, respectively. The article and section headings in the Plan have been inserted for the convenience of reference only and are not to be considered in the interpretation of the Plan.

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ARTICLE VI Form of Payment of Benefits	21
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ARTICLE I

Definitions

1. **Accrued Benefit** means the benefit determined as of any given date under Article V of this Plan and payable at a Participant's Normal or Early Retirement Date.
2. **Accumulated Contributions** means at any time the total of a Participant's Contributions to this Plan together with Credited Interest thereon.
3. **Actuarially Equivalent or Actuarial Equivalent Value** means a benefit of equivalent value based upon an interest rate of six percent and the 1994 Group Annuity Reserving (94 GAR) table, projected to 2002 (unisex).
4. **Actuary** means a member of the Society of Actuaries who is enrolled by the Joint Board for the Enrollment of Actuaries who has been selected by the Town to provide services to the Plan.
5. **Administrator** means the Town Council.
6. **Authorized Leave of Absence** shall have the meaning provided in Article II.
7. **Beneficiary** means the Participant's designated beneficiary under this Plan or, in the absence of an effective designation, the estate of such Participant.
8. **Code** means the Internal Revenue Code of 1986, as amended.
9. **Contingent Annuitant** means the person designated by the Participant to receive payments upon his death under the Contingent Annuitant Option described in Article VI.
10. **Cost of Living Adjustment** shall mean:
 - a. **For Fire and Public Works Department Participants** who retire on or after July 1, 1987 (but before June 30, 2007 for Fire Department Participants), with twenty (20) or more years of Credited Service (and at age sixty (60) or later for Public Works Department Participants), an amount equal to fifty percent (50%) of the percentage salary increase received the previous July 1 by the active bargaining unit employees in the department from which the Participant retired multiplied by the pension benefit then being received by the Retired Participant. There shall be a two (2) year waiting period following a January 1 retirement; provided, however, that effective July 1, 2000, the waiting period for Fire Department Participants shall be until January 1st following his/her retirement date.

Notwithstanding the foregoing paragraph, for Fire Department Participants who retire on or after June 30, 2007 with twenty (20) or more years of Credited Service, the annual Cost of Living Adjustment shall be three percent (3%) of the pension

benefit received by the Participant in the prior year, commencing the first day of January immediately following his retirement date.

Effective July 1, 2013, for Fire and Public Works Department Participants who retire on or after July 1, 2013, with twenty (20) or more years of Credited Service, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. The Cost of Living Adjustment shall commence on the Participant's fifth (5th) anniversary of the Participant's Annuity Starting Date. Effective July 1, 2013, Public Works Department Participants who earned at least ten (10) years of Credited Service as of June 30, 2013 and who retire on or after July 1, 2013, with ten (10) or more years of Credited Service, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. The Cost of Living Adjustment shall commence on the Participant's fifth (5th) anniversary of the Participant's Annuity Starting Date. For the Fire Chief and Fire Deputy who retire on or after July 1, 2013, the Cost of Living Adjustment shall be three percent (3%) per year. The Cost of Living Adjustment shall commence on the fifth (5th) anniversary of the Participant's Annuity Starting Date.

- b. **For Police Department Participants** who retire on or after July 1, 2003, with twenty (20) or more years of Credited Service or who retire under the Ordinary or Accidental Disability Benefit, the Cost of Living Adjustment shall be three percent (3%) per year. Effective July 1, 2003, the Cost of Living Adjustment shall commence on the first day of January following the first anniversary of the Participant's date of retirement.

Effective July 1, 2010, for Police Officers hired prior to June 30, 2010 who retire on or after July 1, 2010 with twenty (20) or more years of Credited Service or who retire under the Ordinary or Accidental Disability Benefit, the Cost of Living Adjustment shall be three percent (3%) per year. The Cost of Living Adjustment shall commence on the January 1 following the second anniversary of the Participant's Annuity Starting Date.

- c. **For Town Hall Non-Management Participants** who are members of the Portsmouth Municipal Employees Association (PMEA) who retire on or after July 1, 2003, with twenty (20) or more years of Credited Service and at age sixty (60) or later, the Cost of Living Adjustment shall be two percent (2%) per year. Effective July 1, 2003, the Cost of Living Adjustment shall commence on the first day of January immediately following the first anniversary of the Participant's date of retirement.

Effective July 1, 2005. For Town Hall Non-Management Participants who retire on or after July 1, 2005, with twenty (20) or more years of Credited Service and at age sixty (60) or later, the Cost of Living Adjustment shall be the annual Consumer Price Index (CPI-U, U.S. city average), established on December 31 of the preceding year, but shall not be less than two percent (2%) or more than three percent (3%) annually commencing on the first anniversary of the Participant's date of retirement.

Effective July 1, 2013, for Town Hall Non-Management Participants who retire on or after July 1, 2013, with twenty (20) or more years of Credited Service and at age sixty (60) or later, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. The Cost of Living Adjustment shall commence on the fifth (5th) anniversary of the Participant's Annuity Starting Date.

- d. **For Town Hall Management Participants** who retire on or after July 1, 2002 but before July 1, 2004, who have either attained age sixty (60) with twenty (20) or more years of Credited Service or have attained age fifty-five (55) with twenty-five (25) or more years of Credited Service, the Cost of Living Adjustment shall be two percent (2%) per year. There shall be a one (1) year waiting period following retirement.

For Town Hall Management Participants who retire on or after July 1, 2004, who have either attained age sixty (60) with twenty (20) or more years of Credited Service or have attained age fifty-five (55) with twenty-five (25) or more years of Credited Service, the Cost of Living Adjustment shall be three percent (3%) per year, commencing on the first day of January following the first anniversary of the Participant's date of retirement.

Effective July 1, 2013, for Town Hall Management Participants who have either attained age sixty (60) with twenty (20) or more years of Credited Service or have attained age fifty-five (55) with twenty-five (25) or more years of Credited Service, and who retire on or after July 1, 2013, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. The Cost of Living Adjustment shall commence on the fifth (5th) anniversary of the Participant's Annuity Starting Date.

- e. **For School Management Participants** who retire on or after January 1, 2001, who have either attained age sixty (60) with twenty (20) or more years of Credited Service or who have attained age fifty-five (55) with twenty-five (25) or more years of Credited Service, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. There shall be a one (1) year waiting period following retirement.

- f. **For Non-Certified School Participants** who retire on or after July 1, 2007, who have attained age sixty (60) with twenty (20) or more years of Credited Service, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. There shall be a one (1) year waiting period following retirement.

Effective October 1, 2013, for Non-Certified School Participants who retire on or after October 1, 2013 or later and who have attained age sixty (60) with twenty (20) or more years of Credited Service or who have attained age fifty-five (55) with twenty (20) years of Credited Service, the Cost of Living Adjustment shall be one and seven tenths percent (1.7%) per year. The Cost of Living Adjustment shall commence on the fifth (5th) anniversary of the Participant's Annuity Starting Date.

If applicable, the Cost of Living Adjustment for any Participant shall be added to the Participant's pension benefit on the January 1 following the July 1 date on which the Cost of Living Adjustment is calculated.

There is no Cost of Living Adjustment on a Deferred Vested Benefit or a Pre-Retirement Death Benefit.

11. **Credited Interest** means interest on Participant Contributions, compounded annually, at the rate of 5% per annum.

12. **Disability or Disabled, including Accidental Disability and Ordinary Disability**, as applied to a Police Department Participant or a Fire Department Participant shall have the meaning provided in the collective bargaining agreement covering such Participant at the time of such Disability, the terms of which are expressly incorporated in this Plan by this reference.

Disability or Disabled as applied to any other Participant shall mean bodily or mental injury or disease which prevents the Participant from engaging in any occupation with the Town and which is assumed to be permanent and continuous during the remainder of the Participant's lifetime, but shall not include any disability resulting from self-inflicted injury or the habitual use of narcotics or alcohol. Proof of Disability shall be submitted to the Administrator upon request but shall not be required more frequently than once every six (6) months.

13. **Disability Benefits** means the benefits payable to a Participant pursuant to Article XIII.

14. **Early Retirement Date** means the date specified in Article IV.

15. **Effective Date** means June 1, 1965; provided, however, that the effective date of this amendment and restatement of the Plan means July 1, 2015 except as otherwise provided herein.

16. **Employee** means any person enrolled on the active employment rolls of the Employer on or after the Effective Date of this Plan.

17. **Employer or Town** means the Town of Portsmouth, Rhode Island.

18. **Final Earnings** with respect to a Town Hall Management Participant means such Participant's highest Gross Annual Salary earned during the last three (3) years ending prior to such Participant's retirement or other termination of employment.

Final Earnings with respect to any other Participant shall be determined on an annual basis in accordance with the collective bargaining agreement that governs such Participant's employment with the Town as in effect on the date of such Participant's retirement or other termination of employment, the terms of which are expressly incorporated in this Plan by this reference or as expressly stated in this Plan Restatement.

Notwithstanding the foregoing, for purposes of determining a Participant's Pre-Retirement Death Benefit as provided in Article VI, Final Earnings shall mean such Participant's average Gross Annual Salary earned during the last five (5) years ending prior to such Participant's death.

If a Participant's service with the Employer is continued during a period of leave of absence as provided in Article II, such Participant shall be deemed to continue to receive the Gross Annual Salary he was receiving at the time such leave commenced.

Notwithstanding the foregoing, for all purposes under this Plan, Gross Annual Salary taken into account in determining benefit accruals in any Plan Year beginning after December 31, 2001 shall not exceed \$200,000. This \$200,000 limit shall be adjusted for cost-of-living increases in accordance with Section 401(a)(17)(B) of the Code (\$220,000 in 2006). The cost-of-living adjustment in effect for a calendar year applies to Gross Annual Salary for the determination period that begins with or within such calendar year.

19. **Fire Department Employees** means full-time Employees of the Town's Fire Department.
20. **Fire Department Participants** means Fire Department Employees who have satisfied the participation requirements described in Article III.
21. **Gross Annual Salary** means a Participant's annual regular earnings plus longevity pay, EMT bonus and compensation deferred under the Town of Portsmouth Deferred Compensation Plan, but excluding overtime, holiday pay or any other form of compensation, except as otherwise specified in the Plan. For Town Hall Non-Management Participants, Gross Annual Salary does not include longevity pay.

Gross Annual Salary is used in the determination of the Participant Contributions.
22. **Non-Certified School Participants** means School Department Employees who are not management employees as determined by the Town who have satisfied the participation requirements described in Article III.
23. **Normal Retirement Date** means the date specified in Article IV.
24. **Participant** means an Employee or former Employee who has, on or after the Effective Date of this Plan, met the requirements of Article III hereof.
25. **Participant Contributions or Participant's Contributions** means contributions required from a Participant.
26. **Plan** means the Pension Plan for Employees of the Town of Portsmouth, Rhode Island as it may from time to time be amended.
27. **Plan Year** means the period of twelve consecutive months beginning each July 1.
28. **Police Department Employees** means full-time Employees of the Town's Police Department.

29. **Police Department Participants** means Police Department Employees who have satisfied the participation requirements described in Article III.
30. **Public Works Department Employees** means full-time Employees of the Town's Public Works Department.
31. **Public Works Department Participants** means Public Works Department Employees who have satisfied the participation requirements described in Article III.
32. **Required Beginning Date** means April 1 of the calendar year following the later of the calendar year in which the participant i) attains age 70 ½, or ii) retires, as defined in Section 401(a)(9)(C) of the Code.
33. **Retired Participant** means a former Participant who is retired under this Plan and who is receiving Retirement Benefits provided for hereunder.
34. **Retirement Benefit** means the monthly payments to which a Participant is entitled hereunder.
35. **School Department Employees** means the permanent employee roster of the School Department, as determined and reported by the Town, other than teachers, to the extent they are eligible to participate in the Plan on or after October 1, 2013 in accordance with Section 2.c. of Article III.
36. **School Management Participants** means School Department Employees who are management employees as determined by the Town who have satisfied the participation requirements described in Article III.
37. **Spouse** means the person to whom a Participant, Retired Participant or Terminated Participant is legally married.
38. **Town Hall Employees** means full-time Employees not classified elsewhere.
39. **Town Hall Non-Management Participants** means Town Hall Employees who are not management employees as determined by the Town who have satisfied the participation requirements described in Article III.
40. **Town Hall Management Employees** means Town Hall Employees who are management employees as determined by the Town.
41. **Town Hall Management Participants** means Town Hall Management Employees who have satisfied the participation requirements described in Article III.

ARTICLE II

Types of Service

For purposes of this Plan, a Participant's years of service with the Employer shall be determined and reported by the Administrator in accordance with the following:

1. Credited Service

For Town Hall Management Participants, Non-Certified School Participants and School Management Participants, Credited Service shall mean the number of full years and fractions (based on number of days worked) of continuous service completed by the Participant from his date of employment to his date of termination of employment, up to a maximum of twenty-seven (27) years for Town Hall Management Participants.

For Town Hall Management Participants – Credited Service shall not be credited for work as a Town Hall Management Employee after June 30, 2014 and shall be frozen as of June 30, 2014.

For Police, Fire, and Public Works Department Participants and for Participants who are members of the Portsmouth Municipal Employees Association, Credited Service shall mean the number of full years and fractions (based on number of days worked) of continuous service completed by the Participant from his date of employment to his date of termination of employment up to a maximum of twenty-seven (27) years for Fire Department Participants, Public Works Department Participants, and Participants who are members of the Portsmouth Municipal Employees Association, and twenty-five (25) years for Police Department Participants.

For Public Works Department Participants

Employees hired on or before June 30, 2010 who had 10 or more years of Credited Service with the Town as of June 30, 2013:

Employees shall maintain all Credited Service earned through June 30, 2013. No Credited Service shall be credited after June 30, 2013 and shall be frozen as of June 30, 2013.

Employees hired on or before June 30, 2010 who did not have 10 or more years of Credited Service with the Town as of June 30, 2013:

Employees shall maintain all Credited Service earned through June 30, 2013 and shall continue to earn Credited Service until the Employee has earned 10 years of Credited Service. Upon completion of 10 years of Credited Service, no additional Credited Service shall be earned.

Effective July 1, 1991, a Participant covered by the Municipal Retirement System, with 10 or more years of Credited Service, who shall have rendered part-time service on a daily

basis in accordance with the established workweek of the respective department, immediately prior to such Participant's permanent full-time employment, with the exception of an Authorized Leave of Absence, shall be given credit for such part-time service in an amount not to exceed four (4) years, provided the Participant pays to the Plan a lump sum amount equal to the value of such service credit as determined by the Plan Actuary pursuant to a uniform method. For purposes of this section, Employees who have rendered part-time service on a daily basis in accordance with the established workweek of the respective department shall not include those Employees who rendered only temporary, seasonal or on-call services, regardless of whether they were available to render such services on a daily or full-time basis. Eligible employees must make written requests to the Administrator.

A Participant covered by the Municipal Retirement System who shall have rendered service as an elected official of the Town shall be given credit for such service, not to exceed three (3) years, provided the Participant pays to the Plan a lump sum amount equal to the value of such credit as determined by the Plan Actuary pursuant to a uniform method.

2. Continuous service with the Town shall not be broken in the event of an Authorized Leave of Absence, which shall include:
 - a. absence with the consent of the Town during any period not in excess of one year, except that the Town may consent to extend the period of leave and, to the extent not covered by the foregoing, any period of absence which constitutes leave permitted under the Family and Medical Leave Act of 1993;
 - b. any absence from work because of occupational injury or illness, incurred as a result of employment with the Town, for which absence a Participant is eligible to receive Workers' Compensation payments; and
 - c. any absence in the service of the Armed Forces of the United States, provided the Participant shall re-enter the employ of the Town within the statutory period during which his right to re-employment is guaranteed after he has first become eligible for discharge or separation from active duty.

An Employee shall not receive Credited Service for any Authorized Leave of Absence, but shall retain Credited Service accrued prior to such absence and upon return to active employment with the Town shall recommence to accrue Credited Service. Notwithstanding the foregoing, in the event of an absence specified in Section 2.b. above that is less than six (6) months in duration, an Employee shall receive Credited Service for such absence and in the event of an absence specified in Section 2.c. above, Credited Service and Retirement Benefits shall be provided in accordance with Section 414(u) of the Code and any Employee returning from such absence shall be eligible to pay any contributions that may have been required by Article III of this Plan during his absence. (Compliance with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994, as amended, is intended, for the purposes of this section and for the entire Plan.)

Compliance with the applicable provisions of the Heroes Earnings Assistance and Relief Tax Act (HEART) of 2008, and as amended, is intended for the purposes of this Section and for the entire Plan.

3. Except as otherwise provided in Section 2 above, any absence shall be considered a termination of employment. Any Participant whose employment has been terminated shall, for purposes of this Plan, be deemed a new Employee upon resumption of his employment.

ARTICLE III

Participation

1. Eligible Employees

Employees eligible to participate in this Plan include Fire, Police, Public Works, and School Department Employees (excluding teachers) and Town Hall Employees.

2. Conditions for Participation

- a. Police, Fire, Public Works and School Department Employees and Town Hall Employees who participated in this Plan prior to July 1, 2005, the Effective Date of the prior amendment and restatement of the Plan were entitled to continue to participate in the Plan.
- b. Any Employee who becomes a Police, Fire, Public Works or School Department Employee or Town Hall Employee on or after July 1, 2005, but prior to the applicable dates set forth in subsection (c) below, the effective date of this amendment and restatement of the Plan shall become a Participant on the first day of the month coincident with or next following his date of employment.
- c. Employees hired on or after the following dates are not eligible to participate in this Plan:
 - (1) Firefighters hired on or after July 1, 2013 are not eligible to participate in this Plan, except that such employee could become eligible for the Ordinary or Accidental Disability Benefit, as described in Article XIII.
 - (2) Police Officers hired on or after July 1, 2010 are not eligible to participate in this Plan, except that such employee could become eligible for the Ordinary or Accidental Disability Benefit, as described in Article XIII.
 - (3) Public Works Employees hired on or after July 1, 2010 are not eligible to participate in this Plan except that such employee could become eligible for the Ordinary or Accidental Disability Benefit, as described in Article XIII.
 - (4) School Department Employees who are Non-Certified School Participants, hired on or after July 1, 2012 shall cease to participate in this Plan as of September 30, 2013.

School Department Employees who are not School Management Participants, hired on or after October 1, 2013 are not eligible to participate in this Plan.
 - (5) Town Hall Employees hired on or after July 1, 2012 are not eligible to participate in this Plan.

3. **Participant Contributions**

a. School Department Employee.

- (1) Effective July 1, 1991, each School Department Employee hired on or after July 1, 1991 shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to six percent (6%) of his Gross Annual Salary. Effective July 1, 2001, each School Department Employee hired prior to July 1, 1991 shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to two percent (2%) of his Gross Annual Salary.
- (2) Effective October 1, 2013, each Non-Certified School Participant who is participating in the Plan shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to four percent (4%) of his annual salary.

Effective October 1, 2013, each School Management Participant shall make Participant contributions in accordance with subsection a.(1) above.

b. Police and Fire Department Employees.

- (1) Effective July 1, 2001, each Police and Fire Department Employee shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to eight percent (8%) of his Gross Annual Salary and longevity pay. An exception is the Fire Chief and two Deputy Fire Chiefs who shall make Participant Contributions to this Plan while they remain participants hereunder in an amount equal to five and ½ percent (5.5%) of their Gross Annual Salary and longevity pay.
- (2) Effective July 1, 2013, each Fire Department Employee shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to four percent (4%) of his annual salary, exclusive of any other form of compensation. An exception is the Fire Chief and two Deputy Fire Chiefs who shall make Participant Contributions to this Plan while they remain participants hereunder in an amount equal to ten percent (10%) of their annual salary, including holiday pay, longevity pay and EMT bonus, exclusive of any other form of compensation.

Effective July 1, 2010, each Police Officer shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to nine percent (9%) of his gross annual salary, including longevity pay but exclusive of overtime, holiday pay and any other form of compensation.

c. Town Hall or non-union Public Works Department Employee.

- (1) Effective July 1, 1991, each Town Hall or non-union Public Works Department Employee with a date of employment on or subsequent to July 1, 1991 (but before July 1, 2004 for Town Hall Management Employees) shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to five percent (5%) of his Gross Annual Salary and longevity pay.

Effective July 1, 2004, each Town Hall Management Employee with a date of employment on or after July 1, 2004 shall make Participant contributions to this Plan while he remains a Participant hereunder in an amount equal to five and one-half percent (5.5%) of his Gross Annual Salary and longevity pay.

- (2) Effective July 1, 2013, each Public Works Department Employee shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to four percent (4%) of his annual salary including longevity pay.

Effective July 1, 2013, each Town Hall Employee shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to five percent (5%) of his annual salary.

Effective July 1, 2014, each Town Hall Employee shall make Participant Contributions to this Plan while he remains a Participant hereunder in an amount equal to six percent (6%) of his annual salary, except Town Hall Management Employees; no further contributions shall be required.

Notwithstanding the foregoing provisions of this subsection "c", Town Hall Management Participants whose benefit would exceed the maximum retirement benefit under Article V, Section 1 "b" and "f" herein shall no longer be required to make contributions to the Plan.

- d. Effective on the following dates, Participant Contributions to this Plan shall be made on a pre-tax basis:

- (1) Fire Department Participants: January 1, 1999
- (2) Police Department Participants: April 1, 1999
- (3) Town Hall Non-Management Participants: May 1, 2000
- (4) Town Hall Management Participants: April 1, 2003
- (5) School Department Employees: July 1, 2007.

ARTICLE IV

Retirement Dates

1. Normal Retirement Date

The Normal Retirement Date for a Police Department Participant shall be the first day following the date of such Participant's completion of twenty (20) years of Credited Service.

The Normal Retirement Date for a Fire Department Participant shall be the first day following the date of such Participant's completion of twenty (20) years of Credited Service.

The Normal Retirement Date for a Public Works Department Participant shall be the first day following the date of such Participant's attainment of age sixty (60) and completion of ten (10) years of Credited Service.

The Normal Retirement Date for a Town Hall Management and Non-Management Participant shall be the first day following the date of such Participant's attainment of age sixty (60) and completion of ten (10) years of Credited Service.

The Normal Retirement Date for a Non-Certified School Participant or School Management Participant shall be the first day following the date of such Participant's attainment of age sixty (60) and completion of ten (10) years of Credited Service.

A Participant shall be fully vested in his Accrued Benefit upon his Normal Retirement Date, provided he has completed ten years of Credited Service.

2. Early Retirement Date

A School Management Participant or a Public Works Department Participant who has attained age fifty-five (55) and completed twenty (20) years of Credited Service may elect an Early Retirement Benefit that will not include a Cost of Living Allowance (COLA). A School Management Participant or a Town Hall Management Participant who has attained age fifty-five (55) and completed twenty-five (25) years of Credited Service may elect an Early Retirement Benefit that will include a COLA. A Non-Certified School Participant who has attained age fifty-five (55) and completed twenty (20) years of Credited Service may elect an Early Retirement Benefit that will include a COLA. Payment of this Retirement Benefit may be deferred to his Normal Retirement Date or may commence on the first day of any month between the date the election is made and the Participant's Normal Retirement Date, as specified by the Participant in his election.

3. **Deferred Retirement Date**

A Participant may continue employment after his Normal Retirement Date. The Deferred Retirement Date of any Participant who is in employment beyond his Normal Retirement Date shall be the first day following the date the Participant terminates employment with the Employer.

ARTICLE V

Accrued Benefits and Retirement Benefits

1. Accrued Benefit

- a. School Management Participant: Effective January 1, 2001, the monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of two and one-half percent (2.5%) of such Participant's Final Earnings multiplied by his years of Credited Service at such date of determination, multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).

Non-Certified School Participant:

- (1) Effective July 1, 2001, the monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of two and one-half percent (2.5%) of such Participant's Final Earnings multiplied by his years of Credited Service at such date of determination, multiplied by a fraction, not to exceed one (1), the numerator which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).
- (2) Effective October 1, 2013, the monthly Accrued Benefit as of any date of the determination on or subsequent to such Participant's Normal Retirement Date shall be the amount equal to one-twelfth (1/12) of the following formula:
- (A) For Credited Service earned prior to October 1, 2013 - Participant's Final Earnings times two and one-half percent (2.5%) for each year, plus
- (B) For Credited Service on and after October 1, 2013 – Participant's Final Earnings time one percent (1%) for each year earned after October 1, 2013; multiplied by
- (C) a fraction, not to exceed one (1), the numerator which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).

Final Earnings shall be based on the Participant's base annual salary and longevity pay, during the final three years preceding the Participant's retirement.

b. Fire Department Participant:

- (1) Effective July 1, 2000, the monthly Accrued Benefit as of any date of determination on or subsequent to such Participant's Normal Retirement

Date shall be an amount equal to one-twelfth (1/12) of sixty percent (60%) of such Participant's Final Earnings, plus an additional two percent (2%) of such Participant's Final Earnings for each additional year of Credited Service completed by such Participant in excess of twenty (20) years, subject to a maximum Retirement Benefit of one-twelfth (1/12) of seventy-four percent (74%) of such Participant's Final Earnings. The monthly Accrued Benefit as of any date of determination prior to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of sixty percent (60%) of such Participant's Final Earnings multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).

(2) Effective July 1, 2013, the monthly Accrued Benefit as of any date of the determination on or subsequent to such Participant's Normal Retirement Date shall be the amount equal to one-twelfth (1/12) of the following formula:

(A) For Credited Service earned prior to July 1, 2013 - Participant's Final Earnings times three percent (3%) for each year to a maximum of 20 years, plus two percent (2%) times each year in excess of twenty (20) years, plus

(B) For Credited Service on and after July 1, 2013 - Participant's Final Earnings time one percent (1%) for each year earned after July 1, 2013;

(C) The sum of (A) plus (B) are subject to a maximum of seventy four percent (74%) of the Participant's Final Earnings.

Final Earnings shall be Participant's highest Gross Annual Salary earned during the three (3) twelve-month periods of 365 or 366 days immediately preceding the retirement date (or date of termination if earlier). Gross Annual Salary for this calculation includes the Participant's base annual salary, longevity and EMT bonus, but excludes overtime, clothing allowance, holiday pay and any other form of compensation.

(3) Effective July 1, 2013, the monthly Accrued Benefit as of any date of determination on or subsequent to the Fire Chief or Fire Deputy's Normal Retirement Date shall be an amount equal to the formula described in subparagraph (1) of this subsection (b).

c. Police Department Participant:

(1) Effective July 1, 2000, the monthly Accrued Benefit as of any date of determination on or subsequent to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of sixty percent (60%) of such Participant's Final Earnings, plus an additional two percent (2%) of

such Participant's Final Earnings for each additional year of Credited Service completed by such Participant in excess of twenty (20) years, subject to a maximum Retirement Benefit of one-twelfth (1/12) of seventy percent (70%) of such Participant's Final Earnings, The monthly Accrued Benefit as of any date of determination prior to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of sixty percent (60%) of such Participant's Final Earnings multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).

- (2) Effective July 1, 2010, the formula shall remain the same, however, the Final Earnings shall be based on the Participant's base annual salary and longevity pay, excluding overtime, clothing allowance, holiday pay and any other form of compensation during the three twelve-month periods of 365 or 366 days immediately preceding the retirement date or termination date, if earlier.

d. Town Hall Non-Management Participant:

- (1) Effective July 1, 1998, the monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings, plus an additional two and one half percent (2.5%) of such Participant's Final Earnings for each additional year of Credited Service completed by such Participant in excess of twenty (20) years, subject to a maximum Retirement Benefit of one-twelfth (1/12) of sixty seven and one half percent (67.5%) of such Participant's Final Earnings. The monthly Accrued Benefit as of any date of determination prior to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).
- (2) Effective July 1, 2013, the monthly Accrued Benefit as of any date of the determination on or subsequent to such Participant's Normal Retirement Date shall be the amount equal to one-twelfth (1/12) of the following formula:
 - (A) For Credited Service earned prior to July 1, 2013 - Participant's Final Earnings times two and one-half percent (2.5%) for each year to a maximum of 67.5%, plus
 - (B) For Credited Service on and after July 1, 2013 – Participant's Final Earnings times one percent (1%) for each year earned after July 1, 2012;

- (C) The sum of (A) plus (B) are subject to a maximum of sixty seven and one-half percent (67.5%) of the Participant's Final Earnings.

Final Earnings shall be Participant's highest Gross Annual Salary earned during the three (3) twelve-month periods of 365 or 366 days immediately preceding the retirement date (or date of termination if earlier). Gross Annual Salary for this calculation includes the Participant's base annual salary plus longevity pay.

e. Public Works Participant:

- (1) Effective June 1, 1990, the monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings, plus an additional two and one half percent (2.5%) of such Participant's Final Earnings for each additional year of Credited Service completed by such Participant in excess of twenty (20) years, subject to a maximum Retirement Benefit of one-twelfth (1/12) of sixty seven and one half percent (67.5%) of such Participant's Final Earnings. The monthly Accrued Benefit as of any date of determination prior to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).
- (2) Effective July 1, 2013, for Participants hired on or before June 30, 2010 who have earned ten (10) or more years of Credited Service as of June 30, 2013, Credited Service is frozen as of July 1, 2013. Final Earnings shall be based on the average of the Participant's base annual salary and longevity pay, during the last five years preceding the Participant's retirement. The monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings, plus an additional two and one half percent (2.5%) of such Participant's Final Earnings for each additional year of Credited Service completed by such Participant in excess of twenty (20) years, subject to a maximum Retirement Benefit of one-twelfth (1/12) of sixty seven and one half percent (67.5%) of such Participant's Final Earnings. The monthly Accrued Benefit as of any date of determination prior to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).
- (3) Effective July 1, 2013, for Participants hired on or before June 30, 2010, who have earned less than ten (10) years of Credited Service as of June 30, 2013, the Participant will continue to earn Credited Service under the

Plan to a maximum of ten (10) years of Credited Service. The monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of two and one half percent (2.5%) of such Participant's Final Earnings for each year of Credited Service completed by such Participant, subject to a maximum Retirement Benefit of one-twelfth (1/12) of twenty five percent (25%) of such Participant's Final Earnings. Final Earnings shall be based on the Participant's base annual salary and longevity pay, during the last five years preceding the Participant's retirement.

f. Town Hall Management Participant:

- (1) Effective July 1, 2004, the monthly Accrued Benefit shall be an amount equal to one-twelfth (1/12) of sixty percent (60%) of such Participant's Final Earnings, plus an additional two percent (2%) of such Participant's Final Earnings for each additional year of Credited Service completed by such Participant in excess of twenty (20) years, subject to a maximum Retirement Benefit of one-twelfth (1/12) of seventy-four percent (74%) of such Participant's Final Earnings. The monthly Accrued Benefit as of any date of determination prior to such Participant's Normal Retirement Date shall be an amount equal to one-twelfth (1/12) of sixty percent (60%) of such Participant's Final Earnings multiplied by a fraction, not to exceed one (1), the numerator of which is the total number of years of Credited Service completed by such Participant and the denominator of which is twenty (20).
- (2) Effective July 1, 2012, the monthly Accrued Benefit for a Town Hall Management Employee shall be an amount equal to one-twelfth (1/12) of the Participant's Final Earnings times three percent (3%) for each year up to 20 years, plus two percent (2%) for each year in excess of 20 years, up to a maximum of 74%. Credited Service is frozen as of July 1, 2014.

Final Earnings shall be the Participant's highest Gross Annual earned during the three (3) twelve-month periods of 365 or 366 days immediately preceding the retirement date (or date of termination if earlier). Gross Annual Salary for this calculation includes the Participant's base annual salary and longevity pay.

- g. In computing the Retirement Benefit for other than Police and Fire Department Participants, it will be assumed that such Benefit shall be payable in accordance with the terms of the Life Annuity form as set forth in Article VI. Benefits payable in accordance with any other form will be Actuarially Equivalent to the Life Annuity form.

In computing the Retirement Benefit for Police and Fire Department Participants, it will be assumed that such benefit shall be payable in the form of a Joint and Survivor Annuity as set forth in Article VI. Benefits payable in accordance with any other form will be Actuarially Equivalent to the Joint and Survivor Annuity form.

2. **Normal Retirement Benefit**

The amount of Retirement Benefit payable to a Participant who retires on his Normal Retirement Date shall be equal to his Accrued Benefit determined as of such Participant's Normal Retirement Date.

3. **Early Retirement Benefit for Public Works, Town Hall Management and School Department Employees**

The amount of Retirement Benefit payable to a School Department Employee, Public Works Department or Town Hall Management Participant who retires on his Early Retirement Date shall be equal to his Accrued Benefit determined as of such Early Retirement Date. As an alternative, a Participant may elect to defer commencement of benefits to his Normal Retirement Date, in which case there would be no reduction for early commencement.

The early retirement benefit is calculated as follows: the participant's Accrued Benefit is multiplied by a fraction not to exceed one, the numerator of which is the total number of years of credited service completed by such participant and the denominator of which is the number of years of credited service which would have been credited had the participant remained in service until his normal retirement date.

4. **Deferred Retirement Benefit**

The amount of Retirement Benefit payable to a Participant who retires on a Deferred Retirement Date shall be equal to his Accrued Benefit determined as of such Deferred Retirement Date.

5. **Employment After Retirement Benefits Commence**

If a Retired Participant is re-employed by the Town and is pension eligible as defined in Article I as a Fire, Police, Public Works or School Department Employee or a Town Hall Employee, his Retirement Benefit payments shall cease with the last payment due immediately prior to his re-employment as such. Retirement Benefit payments shall again become payable on the first day of the month following his subsequent termination of employment. No additional benefit will be earned upon reemployment after retirement.

6. **Maximum Retirement Benefits**

Notwithstanding the foregoing provisions of this Article V, the Retirement Benefit payable to any Participant shall not exceed the maximum amount permitted under Section 415 of the Code, the provisions of which are hereby incorporated herein by reference.

ARTICLE VI

Form of Payment of Benefits

1. Definitions

The following definitions shall be used solely for the purposes of this Article:

- a. **Earliest Retirement Age** means the earliest Early Retirement Date on which, under the Plan, a Participant who separates from service (including death) could receive Retirement Benefits assuming, if appropriate under the circumstances, he would have survived to such date or, in the case of a Participant who separates from service (including death) and who would not be eligible to receive Retirement Benefits on an Early Retirement Date, his Normal Retirement Date.
- b. **Normal Form of Retirement Benefit** means
 - (1) the Life Annuity form for other than Police and Fire Department Participants. This form of benefit shall provide for the payment of Retirement Benefits to the Retired Participant during his lifetime. Retirement Benefits shall commence on the first day of the month coincident with or next following the date the Participant actually retires and shall cease upon his death. No Retirement Benefits will be payable under this form if the Participant dies before his first Retirement Benefit payment becomes due except as provided in paragraph 5 hereof.
 - (2) the Joint and Survivor form for Police and Fire Department Participants. Benefits shall commence on the Participant's actual retirement date and cease upon his death. Such benefits, in accordance with Section 45-21.3-1, General Laws of Rhode Island (1956) ("RIGL"), shall be continued to the surviving Spouse or surviving dependent child or children of a deceased retired fireman or policeman. Benefits shall continue to the Spouse as long as the Spouse lives and remains unmarried. Benefits shall continue to a surviving dependent child or children until the last dependent child reaches age 18. If there is no surviving Spouse or surviving dependent child or children, then upon such death of the Retired Participant, there shall be payable to his Beneficiary, or if there is no Beneficiary, to his estate, the amount, if any, by which the Retired Participant's Accumulated Contributions, as of the date for commencement of his Retirement Benefit, exceeds the aggregate of Retirement Benefit payments due before such Retired Participant's death. Further, upon the death of the surviving Spouse or surviving dependent child or children of a deceased retired Police or Fire Department Participant, there shall be payable to his Beneficiary, or if there is no Beneficiary, to his estate, the amount, if any, by which the Retired Participant's Accumulated Contributions, as of the date for

commencement of his Retirement Benefit, exceeds the aggregate of Retirement Benefit payments paid to said Retired Participant prior to his death, plus the benefit payments paid to said deceased Retired Participant's Spouse or surviving dependent child or children.

- c. **Annuity Starting Date** is the first day of the first period for which an amount is paid as an annuity or in any other form. For purposes of determining a Participant's Annuity Starting Date, the payment of any Disability Benefits pursuant to Article XIII shall be disregarded. In the case of an Annuity Starting Date that occurs on or after the Participant's Normal Retirement Date, such date shall apply to any additional benefit accruals after the Annuity Starting Date, to the extent earned. In the case of an Annuity Starting Date that occurs prior to the Participant's Normal Retirement Date, such date shall not apply to any additional benefit accruals after the Annuity Starting Date.

2. **Optional Annuity Form**

a. **Contingent Annuitant Option**

- (1) In lieu of the Normal Form of Retirement Benefit called for in Section 1 above, a Participant may elect a Contingent Annuitant Option which provides for an Actuarially Equivalent benefit payable to the Retired Participant during his lifetime and for the continuance of such Retirement Benefit in the percentage amount elected by the Participant at retirement, to a Contingent Annuitant, if living, after the Retired Participant's death. The optional percentages are 50, 66 2/3, 75 and 100.
- (2) The monthly payment to the Contingent Annuitant shall commence on the first day of the month following the month in which the Retired Participant dies, if the Contingent Annuitant is then living, and shall continue monthly with the last payment due for the month in which the Contingent Annuitant's death occurs.
- (3) If a Contingent Annuitant dies before the Participant's Annuity Starting Date is attained, the Normal Form of Retirement Benefit will, if applicable, automatically become payable as if a Contingent Annuitant Option had not been elected. If the Contingent Annuitant pre-deceases the Retired Participant on or after the Annuity Starting Date is attained, the Retirement Benefit payments will cease upon the Retired Participant's death.
- (4) No monthly benefit will be payable under this form to a Contingent Annuitant if the Participant dies before his Annuity Starting Date unless such death occurs prior to his Deferred Retirement Date. For the School Department refer to Death Benefits, Article VI section 3. An exception applies to Fire and Police Participants per RIGL 45-21.3-2.

- (5) If a Participant who has elected this option shall die after his Normal Retirement Date and prior to his Deferred Retirement Date, the Contingent Annuitant, if living, shall become entitled to benefits, payable for his further lifetime, in a monthly amount equal to the amount which would have been payable to the Contingent Annuitant had the Participant retired on the date of his death with the Contingent Annuitant Option operative.

b. **Election of Optional Annuity Form**

- (1) An Optional Annuity Form may be elected by the Participant by written notice to the Administrator at least six (6) months before the Participant's Annuity Starting Date, or at any time prior to his Annuity Starting Date. An election of an Optional Annuity Form may be revoked in writing by the Participant at any time prior to his Annuity Starting Date. In no event shall the consent of any person entitled to receive payments upon the death of the Participant be required as a condition to the right of a Participant to revoke or change any option previously elected. After an Optional Annuity Form has been revoked, another election of an Optional Annuity Form may be made.
- (2) Notwithstanding any contrary provision of this Plan, in no event may the Participant elect an Optional Annuity Form which does not satisfy, with respect to such Participant, the requirements of Code Section 401(a)(9) and the regulations there under.

3. **Death Benefits**

a. **Pre-Retirement Death Benefit**

The monthly amount of benefit payable upon the death of a Police, Fire, or Public Works Department, or Town Hall Employee prior to his Annuity Starting Date shall be an amount equal to one twelfth (1/12) of thirty percent (30%) of such Participant's Final Earnings (five year average), which benefit shall be payable to his Spouse so long as she shall live and remain unmarried, plus one-twelfth (1/12) of ten percent (10%) of his Final Earnings (five year average), which benefit shall be payable to each minor child of such Participant who is under age twenty-one (21), subject to a maximum death benefit of one-twelfth (1/12) of fifty percent (50%) of such Participant's Final Earnings (five year average).

The monthly amount of benefit payable to the Spouse of a School Department Employee (excluding teachers) who has completed ten (10) years of Credited Service in the event of the death of such Non-Certified School Participant prior to his Annuity Starting Date shall be an amount equal to the monthly Retirement Benefit to which the Participant would have been entitled had the Participant terminated employment on the day before his death, survived to his Earliest Retirement Age, elected the 100% Contingent Annuitant Option and then died. If a Non-Certified School Participant dies without a surviving Spouse, no Pre-

Retirement Death Benefit is payable. The death benefit is payable to the surviving Spouse commencing at the later of the Participant's death or the Participant's Normal Retirement Date or an Actuarially Equivalent death benefit is payable at the Spouse's election, at the Participant's Early Retirement Date. There is no reduction for electing a 100% contingent annuitant option. The benefit shall be payable to his surviving Spouse for her lifetime as long as she remains unmarried.

- b. In the event of the death of a Participant who is not covered by RIGL 45-21.3-1 prior to his eligibility for any Retirement Benefit under this Plan, there shall be payable to his named Beneficiary a lump sum death benefit equal to his Participant Contributions with Credited Interest, if any, to the last day of the month in which the death occurred.

4. **Payment of Benefits**

a. **General Rules.**

- (1) **Effective Date.** The provisions of this Section will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year, as well as required minimum distributions for the 2002 distribution calendar year that are made on or after October 1, 2002.
- (2) **Coordination with Minimum Distribution Requirements Previously in Effect.** If the total amount of 2002 required minimum distributions under the Plan made to the distributee prior to the effective date of this Section equals or exceeds the required minimum distributions determined under this Section, then no additional distributions will be required to be made for 2002 on or after such date to the distributee. If the total amount of the 2002 required minimum distributions under the Plan made to the distributee prior to the effective date of this Section is less than the amount determined under this Section, then required minimum distributions for 2002 on and after such date will be determined so that the total amount of required minimum distributions for 2002 made to the distributee will be the amount determined under this Section.
- (3) **Precedence.** The requirements of this Section will take precedence over any inconsistent provisions of the Plan.
- (4) **Requirements of Treasury Regulations Incorporated.** All distributions required under this Section will be determined and made in accordance with the Treasury regulations under Code Section 401(a)(9).

b. **Time and Manner of Distributions.**

- (1) **Required Beginning Date.** The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the

Participant's Required Beginning Date, as defined in Article I section 32 herein.

- (2) Death of Participant Before Distributions Begin. If the Participant dies before distributions begin, the Participant's Pre-Retirement Survivor Annuity interest will be distributed, or begin to be distributed, no later than as follows:
- (A) If the Participant's surviving spouse is the Participant's sole designated Beneficiary, then distributions to the surviving spouse will begin by December 31st of the calendar year immediately following the calendar year in which the Participant died, or by December 31st of the calendar year in which the Participant would have attained age 70½, if later.
 - (B) If the Participant's surviving Spouse is not the Participant's sole designated Beneficiary, then, except as provided in Section 4(b)(2)(C), distributions to the designated Beneficiary will begin by December 31st of the calendar year immediately following the calendar year in which the Participant died.
 - (C) If the Participant dies before distributions begin and there i) is no designated Beneficiary or ii) there is a designated Beneficiary (other than the Participant's surviving Spouse), distribution to the designated Beneficiary is not required to begin by the date specified in Section 4(b)(2)(B), but the Participant's Pre-Retirement Survivor Annuity interest will be distributed to the designated Beneficiary or, if none, the Participant's estate, by December 31st of the calendar year containing the fifth anniversary of the Participant's death.
 - (D) If the Participant's surviving Spouse is the Participant's sole designated Beneficiary and the surviving Spouse dies after the Participant but before distributions to the surviving Spouse begin, this Section 4(b)(2), other than Section 4(b)(2)(A), will apply as if the surviving Spouse were the Participant.

For purposes of this Section 4(b)(2) and Section 4(e), distributions are considered to begin on the Participant's required beginning date (or, if Section 4(b)(2)(D) applies, the date distributions are required to begin to the surviving Spouse under Section 4(b)(2)(A)). If annuity payments irrevocably commence to the Participant before the Participant's required beginning date (or to the Participant's surviving Spouse before the date distributions are required to begin to the surviving Spouse under Section

4(b)(2)(A)), the date distributions are considered to begin is the date distributions actually commence.

- (3) Form of Distribution. Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Sections 4(c), 4(d) and 4(e) of this Section. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Code Section 401(a)(9) and the Treasury regulations. Any part of the Participant's interest which is in the form of an individual account described in Code Section 414(k) will be distributed in a manner satisfying the requirements of Code Section 401(a)(9) and the Treasury regulations that apply to individual accounts.

c. Determination of Amount to be Distributed Each Year.

- (1) General Annuity Requirements. If the Participant's interest is paid in the form of annuity distributions under the Plan, payments under the annuity will satisfy the following requirements:
- (A) the annuity distributions will be paid in periodic payments made at intervals not longer than one year;
 - (B) the distribution period will be over a life (or lives) or over a period certain not longer than the period described in Section 4(d) or 4(e);
 - (C) once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
 - (D) payments will either be non-increasing or increase only as follows:
 - (i) by an annual percentage increase that does not exceed the annual percentage increase in a cost-of-living index that is based on prices of all items and issued by the Bureau of Labor Statistics;
 - (ii) to the extent of the reduction in the amount of the Participant's payments to provide for a survivor benefit upon death, but only if the Beneficiary whose life was being used to determine the distribution period described in Section 4(d) dies or is no longer the Participant's Beneficiary pursuant to a qualified

domestic relations order within the meaning of Code Section 414(p);

- (iii) to provide cash refunds of Employee contributions upon the Participant's death; or
- (iv) to pay increased benefits that result from a Plan amendment.

(2) Amount Required to be Distributed by Required Beginning Date. The amount that must be distributed on or before the Participant's required beginning date (or, if the Participant dies before distributions begin, the date distributions are required to begin under Section 4(b)(2)(A) or (B)) is the payment that is required for one payment interval. The second payment need not be made until the end of the next payment interval even if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bi-monthly, monthly, semi-annually, or annually. All of the Participant's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the Participant's required beginning date.

(3) Additional Accruals After First Distribution Calendar Year. Any additional amount accruing to the Participant in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.

d. Requirements For Annuity Distributions That Commence During Participant's Lifetime.

(1) Joint Life Annuities Where the Beneficiary Is Not the Participant's Spouse. If the Participant's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the Participant and a nonspouse Beneficiary, annuity payments to be made on or after the Participant's required beginning date to the designated Beneficiary after the Participant's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the Participant using the table set forth in Q&A-2 of section 1.401(a)(9)-6T of the Treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the Participant and a nonspouse Beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated Beneficiary after the expiration of the period certain.

- (2) Period Certain Annuities. Unless the Participant's Spouse is the sole designated Beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the Participant's lifetime may not exceed the applicable distribution period for the Participant under the Uniform Lifetime Table set forth in Section 1.401 (a)(9)-9 of the Treasury regulations for the calendar year that contains the Annuity Starting Date. If the Annuity Starting Date precedes the year in which the Participant reaches age 70, the applicable distribution period for the Participant is the distribution period for age 70 under the Uniform Lifetime Table set forth in section 1.401(a)(9)-9 of the Treasury regulations plus the excess of 70 over the age of the Participant as of the Participant's birthday in the year that contains the Annuity Starting Date. If the Participant's Spouse is the Participant's sole designated Beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the Participant's applicable distribution period, as determined under this Section 4(d)(2), or the joint life and last survivor expectancy of the Participant and the Participant's Spouse as determined under the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the Treasury regulations, using the Participant's and Spouse's attained ages as of the Participant's and Spouse's birthdays in the calendar year that contains the Annuity Starting Date.

e. **Requirements For Minimum Distributions Where Participant Dies Before Date Distributions Begin.**

- (1) Participant Survived by Designated Beneficiary. Except as provided in Section 4(e)(2), if the Participant dies before the date distribution of his or her interest begins and there is a designated Beneficiary, the Participant's Pre-Retirement Survivor Annuity interest will be distributed, beginning no later than the time described in Section 4(b)(2)(A) or (B), over the life of the designated Beneficiary or over a period certain not exceeding:
- (A) unless the Annuity Starting Date is before the first distribution calendar year, the life expectancy of the designated Beneficiary determined using the Beneficiary's age as of the Beneficiary's birthday in the calendar year immediately following the calendar year of the Participant's death; or
 - (B) if the Annuity Starting Date is before the first distribution calendar year, the life expectancy of the designated Beneficiary determined using the Beneficiary's age as of the Beneficiary's birthday in the calendar year that contains the Annuity Starting Date.
- (2) If the Participant dies before distributions begin and there i) is no designated Beneficiary or ii) there is a designated Beneficiary (other than

the Participant's surviving Spouse), distribution to the designated Beneficiary is not required to begin by the date specified in Section 4(b)(2)(B), but the Participant's Pre-Retirement Survivor Annuity interest will be distributed to the designated Beneficiary or, if none, the Participant's estate, by December 31st of the calendar year containing the fifth anniversary of the Participant's death.

- (3) Death of Surviving Spouse Before Distributions to Surviving Spouse Begin. If the Participant dies before the date distribution of his or her interest begins, the Participant's surviving Spouse is the Participant's sole designated Beneficiary, and the surviving Spouse dies before distributions to the surviving Spouse begin, this Section 4(e) will apply as if the surviving Spouse were the Participant, except that the time by which distributions must begin will be determined without regard to Section 4(b)(2)(A).

f. **Definitions.**

- (1) Designated Beneficiary. The individual who is designated as the Beneficiary under the Plan and is the designated Beneficiary under Code Section 401(a)(9) and Section 1.401(a)(9)-1, Q&A-4, of the Treasury regulations.
- (2) Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Participant's required beginning date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to Section 4(b)(2).
- (3) Life expectancy. Life expectancy as computed by use of the Single Life Table in section 1.401(a)(9)-9 of the Treasury regulations.
- (4) Required Beginning Date. The date defined in Article I section 32 and Article VI section 4(b) of the Plan.

ARTICLE VII

Termination of Employment

1. A Participant shall be fully vested in his monthly Accrued Benefit upon attaining his Normal Retirement Date as set forth in Article IV and, upon termination of employment thereafter, he shall be entitled to receive his monthly Accrued Benefit determined as of the date of his termination of employment.
2. A Participant who has completed ten (10) years or more of Credited Service and who terminates his employment with the Employer prior to his Normal Retirement Date shall retain a nonforfeitable right to his monthly Accrued Benefit determined as of his date of termination of employment. The Participant's nonforfeitable monthly Accrued Benefit shall be payable on the Participant's Normal Retirement Date in a form as determined in accordance with Article VI. If both criteria for an early retirement, i.e., years of Credited Service and age, are not met, then the Participant must wait to receive his Accrued Benefit until his Normal Retirement Date. Any Participant who terminates employment without being entitled to any Disability, Retirement, or vested Deferred Benefits from this Plan shall be entitled to a return of his Participant Contributions (if any) with Credited Interest to the last day of the month in which his termination of employment occurs.

Any Participant who terminates employment with a Disability, Retirement, or vested Deferred Benefit payable shall not be entitled to a return of his Participant Contributions but shall have such Participant Contributions with Credited Interest thereon applied to the cost of his benefit.

3. Should a Participant's termination of employment with the Employer be caused by the Participant's death or should the Participant die subsequent to his date of termination and prior to his Early Retirement Date or Normal Retirement Date he shall not, in the absence of any contrary provision of Article VI, retain any nonforfeitable rights hereunder.
4. A Participant who terminates employment and retains a nonforfeitable right to a Retirement Benefit hereunder shall have the amount of nonforfeitable benefit determined in accordance with the provisions of the Plan in effect as of the date of such Participant's termination of employment.

ARTICLE VIII

Funding

1. The Employer shall adopt a funding policy for this Plan which is consistent with the requirements of the Internal Revenue Code.
2. For the purpose of carrying out any such funding policy, the Employer may enter into and make periodic payments under a group annuity contract. Any amounts so paid may, at the direction of the Employer be held in an equity account maintained in conjunction therewith. The Employer expressly reserves the right to change funding agencies or vehicles at any time at its own election and without the consent of any person or organization.
3. No part of the funds held under this Plan shall be used for or diverted to purposes other than for the exclusive benefit of Participants, their spouses, or their beneficiaries covered under this Plan prior to the satisfaction of all liabilities hereunder with respect to them, provided that any funds under this Plan may be used to pay reasonable Plan administration expenses.

Any provisions of this Plan to the contrary notwithstanding, Employer contributions under this Plan are expressly conditioned upon the initial qualification of the Plan under Section 401 of the Internal Revenue Code and upon the deductibility of such contributions under Section 404 of such Code. Upon the Employer's written request, a contribution which was made by a mistake of fact, or conditioned upon the initial qualification of the Plan, or upon the deductibility of the contribution shall be returned to the Employer within one year after the mistaken payment of such contribution, denial of the initial qualification, or the disallowance of the deduction (to the extent disallowed), whichever is applicable. Earnings attributable to a contribution which occurred due to a mistake of fact or conditioned upon deductibility may not be returned to the Employer and losses attributable thereto shall reduce the amount to be so returned. The return of a contribution to the Employer conditioned upon initial qualification of the Plan shall apply only if the application for the determination is made by the time prescribed by law for filing the Employer's tax return for the taxable year in which the Plan was adopted, or such later date as the Secretary of the Treasury may prescribe.

4. No person shall have any interest in or right to any of the funds contributed to or held under this Plan except as expressly provided in this Plan and the group annuity contract and then only to the extent that such funds have been contributed by the Employer.

ARTICLE IX

Administration

1. The Portsmouth Town Council shall act as the Administrator.
2. The Administrator shall determine the benefits payable under this Plan, shall administer the Plan in accordance with the terms of the Plan, shall have the power to determine all questions arising in connection with the administration, interpretation, and application of the terms of this Plan (subject to the provision that such power shall be consistently applied in a nondiscriminatory manner among all Participants), and may require Participants to apply in writing to the Administrator for benefits hereunder and to furnish satisfactory evidence of their date of birth and marital status and such other information as may from time to time be deemed necessary.
3. If a Participant's application for Retirement Benefits has been rejected by the Administrator, then the Administrator shall notify the Participant of such rejection in writing setting forth the specific reasons for such rejection. Such written explanation shall be written in a manner calculated to be understood by the Participant.
4. The Administrator shall also afford to any Participant whose claim for Retirement Benefits has been rejected a reasonable opportunity for a full and fair review of the rejection decision.

ARTICLE X

Discontinuance of Employer Contributions Plan Amendments and Mergers

1. The Employer intends to continue its sponsorship of this Plan and payment of contributions to this Plan indefinitely; but continuance of such sponsorship and such contributions is not assumed as a contractual obligation, or other obligation, of the Employer and the right is reserved by the Employer to cease its sponsorship of this Plan or to reduce, suspend, or discontinue its contributions hereunder at any time. In the event of a suspension of contributions which ripens into discontinuance, such discontinuance shall be retroactive to the date the last suspension of contributions commenced.
2. The Employer shall have the right to amend this Plan at any time and to any extent that it may deem advisable. No such amendment, however, shall:
 - a. vest in the Employer any interest or control over the funds accumulated in accordance with this Plan or the benefits provided hereunder; or
 - b. deprive any Participant who has retired under this Plan, prior to the date of amendment, of any benefit under this Plan or change the provisions thereof, provided, however, that any change or modification for the purpose of conforming this Plan to the requirements of the Internal Revenue Code of the United States or of any other pertinent provisions of Federal or State Law, or of any regulation or ruling of any duly constituted authority in connection therewith, may be made effective at any time with retroactive effect.

ARTICLE XI

Plan Termination Procedures

This Plan shall be discontinued upon written notice by the Town to the Participants covered hereunder of discontinuance of this Plan. In the event of discontinuance of contributions, the Participants will become fully vested in their Accrued Benefits.

In the event this Plan shall be discontinued, no further payments shall be made by the Town to the Pension Fund. The Pension Fund shall become vested in said Participants covered under this Plan at the date of discontinuance in the manner hereinafter indicated.

1. Any funds which shall be available for distribution upon discontinuance of this Plan shall be applied to provide benefits for Participants eligible on that date for a Normal Retirement hereunder in amounts to which said Participants shall be entitled under this Plan to the extent that sufficient funds therefore shall be available.
2. Any funds which shall be available for distribution after the provision for the benefits described in (a) above shall be applied to provide benefits for Participants eligible on that date for Early Retirement hereunder in amounts to which said Participants shall be entitled under this Plan to the extent that sufficient funds therefore shall be available.
3. Any funds which shall be available for distribution after the provision for the Retirement Benefits described in (a) and (b) above shall be applied to provide benefits at the date of discontinuance for Participants and former Participants retaining a vested interest under this Plan, as described in Article VII hereof, in amounts to which said Participants or former Participants shall be entitled under this Plan to the extent that sufficient funds therefore shall be available.
4. Any funds which shall be available for distribution after the provision for the benefits described in (a), (b), and (c) above shall be applied to all other Participants in amounts to which said Participants shall be entitled under this Plan to the extent that sufficient funds therefore shall be available.

Said available funds contributed by the Employer shall be used to completely provide for the benefits in any one class as described above before being used for subsequent classes. In the event the funds available for a class are insufficient to completely provide for the benefits for such class, they shall be applied pro-rata within the class to provide for such benefits to the extent that such funds are sufficient.

Any funds which shall be available for distribution after the provision in full for all the benefits described in (a), (b), (c), and (d) above shall be paid in cash to the Employer.

ARTICLE XII

Miscellaneous

1. Inclusion in this Plan shall not be construed as giving the Participant any right to be retained in the service of the Employer without the Employer's consent, nor shall it interfere with the right of the Employer to discharge the Participant, nor shall it give the Participant any right, claim or interest in any Retirement Benefits herein described except upon fulfillment of the provisions and requirements of this Plan.
2. No person entitled to benefits under this Plan shall have the right to assign, commute or encumber the benefits herein provided. To the maximum extent permitted by law, the benefits or payments herein provided shall not in any way be liable to attachment, garnishment or other process, or to be seized, taken, appropriated or applied by any legal or equitable process, to pay any debt or liability of such person. Notwithstanding the foregoing, in the event that a Qualified Domestic Relations Order (as defined in Code Section 414(p)) is received by the Plan Administrator, benefits shall be payable in accordance with such order and with Code Section 414(p). The amount payable to the Participant and to any other person other than the alternate payee named in the order shall be adjusted accordingly. The Plan Administrator is authorized to issue procedures to effectuate the requirements for administering Qualified Domestic Relations Orders. If the Plan Administrator is in receipt of a domestic relations order, the Plan Administrator may take such action as necessary in order to administer the Plan consistently with the terms of any such Qualified Domestic Relations Order.
3. This Plan shall be construed and enforced under the laws of the State of Rhode Island and all of the provisions hereof shall be administered in accordance with the laws of that State.
4. Directed Transfer of Eligible Rollover Distributions
 - a. General

This Section applies to distributions made on or after January 1, 2001. Notwithstanding any provision of the Plan to the contrary that would otherwise limit a Distributee's election under this Section, a Distributee may elect, at the time and in the manner subject to the administrative rules prescribed by the Plan Administrator, to have any portion of an Eligible Rollover Distribution paid directly to an Eligible Retirement Plan specified by the Distributee in a Direct Rollover.

- b. Eligible Rollover Distribution

An Eligible Rollover Distribution is any distribution of all or any portion of the eligible balance to the credit of the Distributee, except that an Eligible Rollover Distribution does not include: any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the Distributee's and the Distributee's designated

beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Section 401(a)(9) of the Code; any distribution which is made upon hardship of the employee, if applicable; and the portion of any distribution that is not includible in gross income, unless the exception provided in Section 402(c)(2) applies.

c. Eligible Retirement Plan

Effective January 1, 2002, pursuant to Section 402(c)(8)(B) of the Code, an Eligible Retirement Plan is an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, a qualified trust described in Section 401(a) of the Code, an annuity plan or contract described in Sections 403(a) or 403(b) of the Code and an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and when aggregate to separately account for amounts transferred into such plan from this Plan. This definition of an Eligible Retirement Plan shall also apply in the case of a distribution to a surviving Spouse, or to a Spouse or former Spouse who is the alternative payee under a qualified domestic relations order, as defined in Section 414(p) of the Code. Effective for distributions made after January 1, 2008, an eligible retirement plan shall also include a Roth individual retirement account or Roth individual retirement annuity described in Section 408A of the Code.

d. Distributee

A Distributee includes an Employee or former Employee. In addition, the Employee's or former Employee's surviving spouse and the Employee's or former Employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Code, are Distributees with regard to the interest of the spouse or former spouse.

Effective January 1, 2010, a non-spouse Beneficiary of a deceased Participant is also a distributee for purposes of this Section; provided, however, that in the case of a non-spouse Beneficiary, the direct rollover may be made only to an individual retirement account or annuity described in Section 408 or 408A of the Code that is established on behalf of the non-spouse Beneficiary and will be treated as an inherited individual retirement account or annuity pursuant to Section 402(c)(11) of the Code.

e. Direct Rollover

A Direct Rollover is a payment by the Plan to the Eligible Retirement Plan specified by the Distributee.

ARTICLE XIII

Permanent and Total Disability

1. A Participant who terminates employment prior to his Normal Retirement Date as a result of a Disability shall be entitled to Disability Benefits as provided herein. Disability Benefits shall not be paid to a Participant whose employment terminated prior to his becoming Disabled.
2. The monthly Disability Benefit payable to a Police Department Participant who has an Accidental Disability shall be an amount equal to one-twelfth of sixty-seven percent (67%) of such Participant's annual salary and longevity pay that is payable at the time of such Accidental Disability, increased by three percent (3%) each January 1 following the commencement of such Participant's Disability Benefit.

For a Police Department Participant who is hired on or after July 1, 2010 and becomes eligible for a monthly Disability Benefit, the amount of the Disability Benefit will be offset by the monthly annuity value of the Participant's 401(a) Money Purchase Plan benefit distribution.

3. The monthly Disability Benefit payable to a Police Department Participant who has an Ordinary Disability shall be an amount equal to one-twelfth of fifty percent (50%) of such Participant's average annual salary during any two (2) consecutive year period preceding such Participant's Disability that produces the highest such average, increased by three percent (3%) each January 1 following the commencement of such Participant's Disability Benefit.
4. The monthly Disability Benefit payable to a Fire Department Participant who has a work-related Accidental Disability shall be an amount equal to one of the following formulas:
 - a. **Effective July 1, 2004**, the benefit will be one-twelfth of seventy-two percent (72%) of such Participant's annual salary and longevity pay that is payable at the time of such Accidental Disability, increased each January 1 following the commencement of such Participant's Disability Benefit by an amount equal to fifty percent (50%) of the average percentage salary increase received by the active bargaining unit employees of the Fire Department the previous July 1, multiplied by the amount of such Participant's Disability Benefit otherwise payable on such January 1; or
 - b. **Effective July 1, 2010, if the disability prevents the Fire Department Participant from performing any work for gainful employment:** one-twelfth of sixty-six and two thirds percent (66 2/3%) of such Participant's annual salary, longevity pay and EMT Bonus that is payable at the time of such Accidental Disability, increased each January 1 immediately following the commencement of such Participant's Disability Benefit by an amount equal to three percent (3%),

multiplied by the amount of such Participant's Disability Benefit otherwise payable on such January 1; or

- c. **Effective July 1, 2010, if the disability prevents the Fire Department Participant from performing only work as a firefighter:** one-twelfth of fifty percent (50%) of such Participant's annual salary, longevity pay and EMT Bonus that is payable at the time of such Accidental Disability, increased each January 1 immediately following the 5th anniversary of the commencement of such Participant's Disability Benefit by an amount equal to one and seven tenths percent (1.7%) multiplied by the amount of such Participant's Disability Benefit otherwise payable on such January 1.
5. The monthly Disability Benefit payable to a Fire Department Participant who has an Ordinary Disability shall be an amount equal to one-twelfth of fifty percent (50%) of such Participant's average annual rate of earnings during any three (3) consecutive year period preceding such Participant's Disability that produces the highest such average. Effective for Ordinary Disability retirement on or after July 1, 2004, the benefit shall be increased each January 1 following the commencement of such Participant's Disability Benefit by an amount equal to fifty percent (50%) of the average percentage salary increase received by the active bargaining unit employees of the Fire Department the previous July 1, multiplied by the amount of such Participant's Disability Benefit otherwise payable on such January 1. Effective for Ordinary Disability retirements on or after July 1, 2010, the benefit shall be increased each January 1 following the commencement of such Participant's Disability Benefit by an amount equal to three (3%) multiplied by the amount of such Participant's Disability Benefit otherwise payable on such January 1

For a Fire Department Participant who becomes eligible for a monthly Disability Benefit on or after July 1, 2013, the amount of the Disability Benefit will be offset by the monthly annuity value of the Participant's 401(a) Money Purchase Plan benefit distribution.

6. The monthly Disability Benefit payable to any other Participant in this Plan who has a Disability shall be his monthly Accrued Benefit, which shall be deemed fully vested and determined as of the date his Disability first commences in accordance with the Plan provisions in effect at the time of Disability, multiplied by a fraction, the numerator of which is the number of years of Credited Service completed by such Participant as of such date of Disability and the denominator of which is the number of years of Credited Service which such Participant would have completed had he remained employed by the Town until his Normal Retirement Date.

For a Public Works Department Participant who becomes eligible for a monthly Disability Benefit on or after July 1, 2010, the amount of the Disability Benefit will be offset by the monthly annuity value of the Participant's 401(a) Money Purchase Plan benefit distribution.

7. A participant shall receive monthly Disability Benefit payments commencing as of the first day of the month following his Disability. Monthly Disability Benefit payments will cease with the last payment due for the month immediately preceding the earliest of the following:
 - a. the date the Participant is deemed to be no longer Disabled, or
 - b. the Participant's date of death, or
 - c. the Participant's attainment of his Early Retirement Date, or
 - d. the Participant's attainment of his Normal retirement Date.

Notwithstanding the foregoing, this Section 7(d) shall not apply to a police officer or firefighter whose disability is governed by RIGL §45-19-19 and any respective collective bargaining agreements.

8. If the monthly Disability Benefit payments cease as of a result of the Participant reaching his Early or Normal Retirement Date as provided in Section 7(c) or (d) above, the Participant shall begin to receive his Early or Normal Retirement Benefit as applicable under the circumstances. The form, amount and payment of the Early or Normal Retirement Benefit will be in accordance with and subject to the provisions and restrictions of Articles V and VI. If both criteria for an early retirement, i.e., years of Credited Service and age, are not met, then the Participant must wait to receive his Accrued Benefit until his Normal Retirement Date.

This amended and restated Plan shall take effect as of July 1, 2015 unless otherwise stated herein.

Executed this 22nd day of February, 2016.

ATTEST:

Town of Portsmouth, Rhode Island

By: Keith E. Hamilton

Official Title: Town Council President

Witnessed by: Joanne M. Mower

Official Title: Town Clerk

I Thank You



Thank
you for
your support
Ms. Zahnd

Thank you for
your support
- Mr. Denard

Sofia White
- Thank you
for supporting
Patriots Committed

Thanks so
much for your
support!
Colleen Hans

Eamon
McKenney

Kyle McBowen

Bailey
Driscoll

Bailey Holland

Kenneth Armitage

Alicia Nicholson

Ben O'Hara

Isabel Hamilton

Dear Members of the Portsmouth
Town Council,

Thanks so much for
supporting Patriots Committed
and coming out to play
dodgeball, supporting the
culminating event of project
purple week. We really
appreciate your time & efforts.

Patriot Committed
Students

Portsmouth Water and Fire District

1944 East Main Road
P.O. Box 99
Portsmouth, Rhode Island 02871-0099

(401) 683-2090
Fax (401) 682-1550
E-mail: info@portsmouthwater.org

February 2, 2016

Keith Hamilton, President
Portsmouth Town Council
Town of Portsmouth
2200 East Main Road
Portsmouth, RI 02871

Re: Quarterly Financial Reports

Dear Mr. Hamilton:

Pursuant to Rhode Island General Laws Section 45-12-22.2, enclosed please find copies of the Portsmouth Water and Fire District's quarterly financial reports for FY-15 and FY-16 through October 31, 2015, for distribution to the members of the Portsmouth Town Council.

Sincerely,
Portsmouth Water and Fire District



William J. McGlinn, P.E.
General Manager and Chief Engineer

WJM/wjm

Enclosures

Quarterly Report

Fire District: Portsmouth Water and Fire DistrictFor the period ending 07/31/2014
(mm/dd/yyyy)

In accordance with Section 45-12-22.2 of the General Laws of Rhode Island, as amended, the following information must be submitted on or before the 25th day of the month following the end of each fiscal quarter to the Division of Municipal Finance and the RI Auditor General

FIRE DISTRICT REVENUES:	Adopted Budget	Revised Budget	Actual: Year to Date	% Collected YTD	Projected Total Revenues FY 2016	Projected Revenue Variance FY 2016
1 Local Property Taxes	518,500		-	0.00%		
2 Federal Funds	-		-			
3 Miscellaneous Fees	358,422		243,208	67.86%		
4 Payments from Other Fire Districts or Agencies	-		-			
5 Rescue Services	-		-			
6 Interest Income	2,100		-	0.00%		
7 Other Income	3,184,202		95,127	2.99%		
Total Fire District Revenue	4,063,224		338,335	8.33%		

FIRE DISTRICT EXPENDITURES: (attach detail)	Adopted Budget	Revised Budget	Actual: Year to Date	% Spent YTD	Projected Total Expenditures FY 2016	Projected Expenditures Variance FY 2016
1. Operating Disbursements or Expenditures	3,636,048		734,079	20.19%		
2. Capital Outlay*	44,500		3,588	8.06%		
3. Debt Service Payment						
Principal	269,634		7,680	2.85%		
Interest	113,042		27,037	23.92%		
4. Payments to Other Fire Districts			0			
5. Other (specify)	0		0			
Total Fire District Expenditures	4,063,224	0	772,384	19.01%		

*Please describe how the capital outlay expenditures were financed during the year (i.e. borrowing, lease, reserves, operations, or combination, etc.)

Quarterly Period Ending: 7/31/2014
 Fiscal Year 2015
 Pursuant to Rhode Island General Law Section 45-12-22.2

Fire District: Portsmouth Water and Fire District

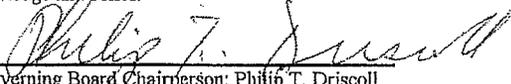
Tiers I and II Fire Districts complete pages 1 and 2 of Form FD-3A and attach detail

Please indicate accounting method for reporting: Cash Accrual

	Adopted Budget	Revised Budget	Actual Year To Date	Collected Expended YTD	Projected Total FY 2016	Projected Revenue Variance
Opening Surplus/(Deficit)	0		0	0.00%		
Revenues	4,063,224		338,335	8.33%		
Expenditures	4,063,224		772,384	19.01%		
* Projected Operating Surplus/(Deficit)	0		0			
* Projected Cumulative Surplus/(Deficit)						

*A correction action plan is required for deficits reported on lines marked with an asterisk.

I certify that the following schedules are accurate to the best of my knowledge and belief.


 Governing Board Chairperson: Philip T. Driscoll

2/1/2016
 Date:

TOWNSARG169@COX.NET
 Email Address
401-683-3081
 Phone Number

I certify that the following schedules are accurate to the best of my knowledge and belief.


 Finance Officer: Allen J. Shers

2/1/2016
 Date

AJSHERS@AOL.COM
 Email Address
401-846-4424
 Phone Number

Please remit this report to the following offices on or before the 25th day of the month succeeding the end of each fiscal quarter to:

Fire District Governing Board

Members of the Town Council

kimberly.prasinos@dor.ri.gov
 Division of Municipal Finance
 One Capitol Hill, 1st Floor
 Providence, RI 02908

ag@oag.ri.gov
 Office of the Auditor General
 86 Weybosset Street
 Providence, RI 02903

Quarterly Report

Fire District: Portsmouth Water and Fire District

For the period ending 10/31/2014
(mm/dd/yyyy)

In accordance with Section 45-12-22.2 of the General Laws of Rhode Island, as amended, the following information must be submitted on or before the 25th day of the month following the end of each fiscal quarter to the Division of Municipal Finance and the RI Auditor General

FIRE DISTRICT REVENUES	Adopted Budget	Revised Budget	Actual: Year to Date	% Collected YTD	Projected Total Revenues FY 2016	Projected Revenue Variance FY 2016
1 Local Property Taxes	518,500		536,015	103.38%		
2 Federal Funds						
3 Miscellaneous Fees	358,422		403,492	112.57%		
4 Payments from Other Fire Districts or Agencies						
5 Rescue Services						
6 Interest Income	2,100		89	4.24%		
7 Other Income	3,184,202		1,184,312	37.19%		
Total Fire District Revenue	4,063,224		2,123,908	52.27%		

FIRE DISTRICT EXPENDITURES: (attach detail)	Adopted Budget	Revised Budget	Actual: Year to Date	% Spent YTD	Projected Total Expenditures FY 2016	Projected Expenditures Variance FY 2016
1. Operating Disbursements or Expenditures	3,636,048		1,799,844	49.50%		
2. Capital Outlay*	44,500		136,146	305.95%		
3. Debt Service Payment						
Principal	269,634		0	0.00%		
Interest	113,042		57,320	50.71%		
4. Payments to Other Fire Districts						
5. Other (specify)	0					
Total Fire District Expenditures	4,063,224		1,993,310	49.06%		

*Please describe how the capital outlay expenditures were financed during the year (i.e. borrowing, lease, reserves, operations, or combination, etc.)

Quarterly Period Ending: 10/31/2014
 Fiscal Year 2015
 Pursuant to Rhode Island General Law Section 45-12-22.2

Fire District: Portsmouth Water and Fire District

Tiers I and II Fire Districts complete pages 1 and 2 of Form FD-3A and attach detail

Please indicate accounting method for reporting: Cash Accrual

%

	Adopted Budget	Revised Budget	Actual Year To Date	Collected Expended YTD	Projected Total FY 2016	Projected Revenue Variance
Opening Surplus/(Deficit)						
Revenues	4,063,224		2,123,908	52.27%		
Expenditures	4,063,224		1,993,310	49.06%		
* Projected Operating Surplus/(Deficit)	0		0			
* Projected Cumulative Surplus/(Deficit)						

*A correction action plan is required for deficits reported on lines marked with an asterisk.

I certify that the following schedules are accurate to the best of my knowledge and belief.

Philip T. Driscoll

 Governing Board Chairperson: Philip T. Driscoll

2/1/2016

 Date

TOWNSARG189@COX.NET

 Email Address

401-683-3081

 Phone Number

I certify that the following schedules are accurate to the best of my knowledge and belief.

Allen J. Shers

 Finance Officer: Allen J. Shers

2/1/2016

 Date

AJSHERS@AOL.COM

 Email Address

401-846-4424

 Phone Number

Please remit this report to the following offices on or before the 25th day of the month succeeding the end of each fiscal quarter to:

Fire District Governing Board

Members of the Town Council

kimberly.prasinos@dor.ri.gov
 Division of Municipal Finance
 One Capitol Hill, 1st Floor
 Providence, RI 02908

ag@oag.ri.gov
 Office of the Auditor General
 86 Weybosset Street
 Providence, RI 02903

Quarterly Report

Fiscal Year 2015

Fire District: Portsmouth Water and Fire District

For the period ending 01/31/2015
(mm/dd/yyyy)

FIRE DISTRICT REVENUES:	Adopted Budget	Revised Budget	Actual: Year to Date	% Collected YTD	Projected Total Revenues FY 2016	Projected Revenue Variance FY 2016
1 Local Property Taxes	518,500		535,997	103.37%		
2 Federal Funds						
3 Miscellaneous Fees	358,422		528,345	147.41%		
4 Payments from Other Fire Districts or Agencies						
5 Rescue Services						
6 Interest Income	2,100		177	8.43%		
7 Other Income	3,184,202		1,857,898	58.35%		
Total Fire District Revenue	4,063,224		2,922,417	71.92%		

FIRE DISTRICT EXPENDITURES: (attach detail)	Adopted Budget	Revised Budget	Actual: Year to Date	% Spent YTD	Projected Total Expenditures FY 2016	Projected Expenditures Variance FY 2016
1. Operating Disbursements or Expenditures	3,636,048		2,824,185	77.67%		
2. Capital Outlay*	44,500		201,822	453.53%		
3. Debt Service Payment						
Principal	269,634		269,634	100.00%		
Interest	113,042		57,320	50.71%		
4. Payments to Other Fire Districts						
5. Other (specify)	0					
Total Fire District Expenditures	4,063,224		3,352,961	82.52%		

*Please describe how the capital outlay expenditures were financed during the year (i.e. borrowing, lease, reserves, operations, or combination, etc.)

Quarterly Period Ending: January 31, 2015
 Fiscal Year 2015
 Pursuant to Rhode Island General Law Section 45-12-22.2

Fire District: Portsmouth Water and Fire District

Tiers I and II Fire Districts complete pages 1 and 2 of Form FD-3A and attach detail

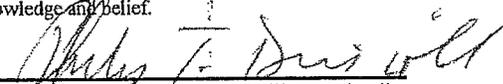
Please indicate accounting method for reporting: Cash Accrual

%

	Adopted Budget	Revised Budget	Actual Year To Date	Collected Expended YTD	Projected Total FY 2016	Projected Revenue Variance
Opening Surplus/(Deficit)						
Revenues	4,063,224		2,922,417	71.92%		
Expenditures	4,063,224		3,352,961	82.52%		
* Projected Operating Surplus/(Deficit)	0		0			
* Projected Cumulative Surplus/(Deficit)						

*A correction action plan is required for deficits reported on lines marked with an asterisk.

I certify that the following schedules are accurate to the best of my knowledge and belief.


 Governing Board Chairperson: Philip T. Driscoll

2/1/2016
 Date

TOWNSARG169@COX.NET
 Email Address

401-683-3081
 Phone Number

I certify that the following schedules are accurate to the best of my knowledge and belief.


 Finance Officer: Allen J. Shers

2/1/2016
 Date

AJSHERS@AOL.COM
 Email Address

401-846-4424
 Phone Number

Please remit this report to the following offices on or before the 25th day of the month succeeding the end of each fiscal quarter to:

Fire District Governing Board

Members of the Town Council

kimberly.prasinos@dor.ri.gov
 Division of Municipal Finance
 One Capitol Hill, 1st Floor
 Providence, RI 02908

ag@oag.ri.gov
 Office of the Auditor General
 86 Weybosset Street
 Providence, RI 02903

Quarterly Report

Fire District: Portsmouth Water and Fire District

For the period ending 04/30/2015
(mm/dd/yyyy)

In accordance with Section 45-12-22.2 of the General Laws of Rhode Island, as amended, the following information must be submitted on or before the 25th day of the month following the end of each fiscal quarter to the Division of Municipal Finance and the RI Auditor General

FIRE DISTRICT REVENUES:	Adopted Budget	Revised Budget	Actual: Year to Date	% Collected YTD	Projected Total Revenues FY 2016	Projected Revenue Variance FY 2016
1 Local Property Taxes	518,500		535,974	103.37%		
2 Federal Funds						
3 Miscellaneous Fees	358,422		856,043	238.84%		
4 Payments from Other Fire Districts or Agencies						
5 Rescue Services						
6 Interest Income	2,100		263	12.52%		
7 Other Income	3,184,202		2,765,202	86.84%		
Total Fire District Revenue	4,063,224		4,157,482	102.32%		

FIRE DISTRICT EXPENDITURES: (attach detail)	Adopted Budget	Revised Budget	Actual: Year to Date	% Spent YTD	Projected Total Expenditures FY 2016	Projected Expenditures Variance FY 2016
1. Operating Disbursements or Expenditures	3,636,048		3,785,502	104.11%		
2. Capital Outlay*	44,500		155,470	349.37%		
3. Debt Service Payment						
Principal	269,634		269,634	100.00%		
Interest	113,042		113,038	100.00%		
4. Payments to Other Fire Districts						
5. Other (specify)	0					
Total Fire District Expenditures	4,063,224		4,323,644	106.41%		

*Please describe how the capital outlay expenditures were financed during the year (i.e. borrowing, lease, reserves, operations, or combination, etc.)

Quarterly Period Ending: April 30, 2015
Fiscal Year 2015
Pursuant to Rhode Island General Law Section 45-12-22.2

Fire District: Portsmouth Water and Fire District

Tiers I and II Fire Districts complete pages 1 and 2 of Form FD-3A and attach detail

Please indicate accounting method for reporting: Cash Accrual

%

	Adopted Budget	Revised Budget	Actual Year To Date	Collected Expended YTD	Projected Total FY 2016	Projected Revenue Variance
Opening Surplus/(Deficit)						
Revenues	4,063,224		4,157,482	102.32%		
Expenditures	4,063,224		4,323,644	106.41%		
* Projected Operating Surplus/(Deficit)	0		(166,162)			
* Projected Cumulative Surplus/(Deficit)						

*A correction action plan is required for deficits reported on lines marked with an asterisk.

I certify that the following schedules are accurate to the best of my knowledge and belief.

Philip T. Driscoll

 Governing Board Chairperson: Philip T. Driscoll

2/1/2016

 Date

TOWNSARG169@COX.NET

 Email Address

401-683-3081

 Phone Number

I certify that the following schedules are accurate to the best of my knowledge and belief.

Allen J. Shers

 Finance Officer: Allen J. Shers

2/1/2016

 Date

AJSHERS@AOL.COM

 Email Address

401-846-4424

 Phone Number

Please remit this report to the following offices on or before the 25th day of the month succeeding the end of each fiscal quarter to:

Fire District Governing Board

Members of the Town Council

kimberly.prasinos@dor.ri.gov
 Division of Municipal Finance
 One Capitol Hill, 1st Floor
 Providence, RI 02908

ag@osy.ri.gov
 Office of the Auditor General
 86 Weybosset Street
 Providence, RI 02903

Quarterly Report

Fire District: Portsmouth Water and Fire District

For the period ending 07/31/2015
(mm/dd/yyyy)

In accordance with Section 45-12-22.2 of the General Laws of Rhode Island, as amended, the following information must be submitted on or before the 25th day of the month following the end of each fiscal quarter to the Division of Municipal Finance and the RI Auditor General

FIRE DISTRICT REVENUES:	Adopted Budget	Revised Budget	Actual: Year to Date	% Collected YTD	Projected Total Revenues FY 2016	Projected Revenue Variance FY 2016
1 Local Property Taxes	541,500		-	0.00%		
2 Federal Funds	-		-			
3 Miscellaneous Fees	389,123		248,124	63.76%		
4 Payments from Other Fire Districts or Agencies	-		-			
5 Rescue Services	-		-			
6 Interest Income	450		23	5.10%		
7 Other Income	3,219,136		737,482	22.91%		
Total Fire District Revenue	4,150,209		985,629	23.75%		

FIRE DISTRICT EXPENDITURES: (attach detail)	Adopted Budget	Revised Budget	Actual: Year to Date	% Spent YTD	Projected Total Expenditures FY 2016	Projected Expenditures Variance FY 2016
1. Operating Disbursements or Expenditures	3,744,127		667,360	17.82%		
2. Capital Outlay*	27,000		6,493	24.05%		
3. Debt Service Payment						
Principal	277,402		0	0.00%		
Interest	101,470		0	0.00%		
4. Payments to Other Fire Districts			0			
5. Other (specify)	0		0			
Total Fire District Expenditures	4,149,999	0	673,853	16.24%		

*Please describe how the capital outlay expenditures were financed during the year (i.e. borrowing, lease, reserves, operations, or combination, etc.)

Quarterly Period Ending: 7/31/2015
 Fiscal Year 2016
 Pursuant to Rhode Island General Law Section 45-12-22.2

Fire District: Portsmouth Water and Fire District

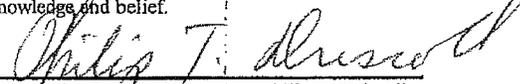
Types I and II Fire Districts complete pages 1 and 2 of Form FD-3A and attach detail

Please indicate accounting method for reporting: Cash Accrual

	Adopted Budget	Revised Budget	Actual Year To Date	Collected Expended YTD	%	Projected Total FY 2016	Projected Revenue Variance
Opening Surplus/(Deficit)	0		0	0.00%			
Revenues	4,150,209		985,629	23.75%			
Expenditures	4,149,999		673,853	16.24%			
* Projected Operating Surplus/(Deficit)	210		0				
* Projected Cumulative Surplus/(Deficit)							

*A correction action plan is required for deficits reported on lines marked with an asterisk.

I certify that the following schedules are accurate to the best of my knowledge and belief.



 Governing Board Chairperson: Philip T. Driscoll

2/1/2016

 Date

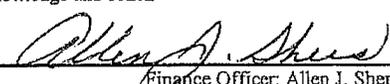
TOWNSARG189@COX.NET

 Email Address

401-683-3081

 Phone Number

I certify that the following schedules are accurate to the best of my knowledge and belief:



 Finance Officer: Allen J. Shers

2/1/2016

 Date

AJSHERS@AOL.COM

 Email Address

401-846-4424

 Phone Number

Please remit this report to the following offices on or before the 25th day of the month succeeding the end of each fiscal quarter to:

Fire District Governing Board

Members of the Town Council

kimberly.prasinos@dor.ri.gov
 Division of Municipal Finance
 One Capitol Hill, 1st Floor
 Providence, RI 02908

ag@oag.ri.gov
 Office of the Auditor General
 86 Weybosset Street
 Providence, RI 02903

Quarterly Report

Fiscal Year 2015

Fire District: Portsmouth Water and Fire DistrictFor the period ending 10/31/2015
(mm/dd/yyyy)

In accordance with Section 45-12-22.2 of the General Laws of Rhode Island, as amended, the following information must be submitted on or before the 25th day of the month following the end of each fiscal quarter to the Division of Municipal Finance and the RI Auditor General

FIRE DISTRICT REVENUES:	Adopted Budget	Revised Budget	Actual: Year to Date	% Collected YTD	Projected Total Revenues FY 2016	Projected Revenue Variance FY 2016
1 Local Property Taxes	541,500		567,031	104.71%		
2 Federal Funds						
3 Miscellaneous Fees	389,123		434,507	111.66%		
4 Payments from Other Fire Districts or Agencies						
5 Rescue Services						
6 Interest Income	450		36	7.92%		
7 Other Income	3,219,136		1,684,782	52.34%		
Total Fire District Revenue	4,150,209		2,686,355	64.73%		

FIRE DISTRICT EXPENDITURES: (attach detail)	Adopted Budget	Revised Budget	Actual: Year to Date	% Spent YTD	Projected Total Expenditures FY 2016	Projected Expenditures Variance FY 2016
1. Operating Disbursements or Expenditures	3,744,127		1,839,129	49.12%		
2. Capital Outlay*	27,000		11,852	43.90%		
3. Debt Service Payment						
Principal	277,402		107,402	38.72%		
Interest	101,470		25,426	25.06%		
4. Payments to Other Fire Districts						
5. Other (specify)						
Total Fire District Expenditures	4,149,999		1,983,809	47.80%		

*Please describe how the capital outlay expenditures were financed during the year (i.e. borrowing, lease, reserves, operations, or combination, etc.)

Quarterly Period Ending: 10/31/2015
 Fiscal Year 2016
 Pursuant to Rhode Island General Law Section 45-12-22.2

Fire District: Portsmouth Water and Fire District

Tiers I and II Fire Districts complete pages 1 and 2 of Form FD-3A and attach detail

Please indicate accounting method for reporting: Cash Accrual

	Adopted Budget	Revised Budget	Actual Year To Date	Collected Expended YTD %	Projected Total FY 2016	Projected Revenue Variance
Opening Surplus/(Deficit)						
Revenues	4,150,209		2,686,355	64.73%		
Expenditures	4,149,999		1,983,809	47.80%		
* Projected Operating Surplus/(Deficit)	210		0			
* Projected Cumulative Surplus/(Deficit)						

*A correction action plan is required for deficits reported on lines marked with an asterisk.

I certify that the following schedules are accurate to the best of my knowledge and belief.

Philip T. Driscoll
 Governing Board Chairperson: Philip T. Driscoll

2/2/2016
 Date

TOWNSARG169@COX.NET

Email Address

401-683-3081

Phone Number

I certify that the following schedules are accurate to the best of my knowledge and belief.

Allen J. Shers
 Finance Officer: Allen J. Shers

2/1/2016
 Date

AJSHERS@AOL.COM

Email Address

401-846-4424

Phone Number

Please remit this report to the following offices on or before the 25th day of the month succeeding the end of each fiscal quarter to:

Fire District Governing Board
 Members of the Town Council

kimberly.prasinos@dor.ri.gov
 Division of Municipal Finance
 One Capitol Hill, 1st Floor
 Providence, RI 02908

ag@oag.ri.gov
 Office of the Auditor General
 86 Weybosset Street
 Providence, RI 02903