

PORTSMOUTH TOWN COUNCIL MEETING
AUGUST 22, 2016

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

Members Absent: Michael A. Buddemeyer and Joseph W. Robicheau

6:30 PM – TOWN COUNCIL CHAMBERS, TOWN HALL, 2200 EAST MAIN ROAD

EXECUTIVE SESSION

1. RIGL 42-46-5(a)(2) – Litigation: RI Nurseries
2. RIGL 42-46-5(a)(2) – Litigation: A&R Marine Rate Change Application (R.I. Public Utilities Commission)

A motion by Mr. Seveney, seconded by Mr. Gleason, to go into Executive Session under RIGL 42-46-5(a)(2) – Litigation: RI Nurseries and RIGL 42-46-5(a)(2) – Litigation: A&R Marine Rate Change Application (R.I. Public Utilities Commission). All voted in favor of the motion.

TIME: 6:31 PM – Break

TIME: 7:01 PM - Return

7:01 PM – TOWN COUNCIL CHAMBERS, TOWN HALL, 2200 EAST MAIN ROAD

PLEDGE OF ALLEGIANCE

A moment of silence for our men and women around the world in harm's way.

SITTING AS THE PORTSMOUTH TOWN COUNCIL

PRESENTATIONS/RECOGNITIONS

1. Portsmouth Fire Department Swearing-In Ceremony for Promotion of Officers:

Dominic Lautieri – to Captain
Allen Levesque – to Lieutenant
Andrew Jones – to Lieutenant

Town Clerk Joanne Mower administered the oath of office to Portsmouth Fire Department's Captain Dominic Lautieri, Lieutenant Allen Levesque and Lieutenant Andrew Jones.

CONSENT AGENDA

1. Portsmouth Canvassing Authority Notice of New Election Equipment:

The Canvassing Authority Will Demonstrate the New Rhode Island Voting Machine, DS-200, in the South Lobby of Town Hall on Monday, August 22, 2016 from 5:30 to 7:30 PM. Voters will be able to Cast their Ballot in a Mock Election and Staff will be Available to answer Questions. / J. Schulz, Registrar of Voters

A motion by Mr. Seveney, seconded by Ms. Pedro, to receive and place on file. All voted in favor of the motion.

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. Peddler License – Annual

Ryan Connors & Max Reeves, d/b/a Red's, 133 Farm Drive, Cumberland, RI 02864

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

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

ADJOURN

MINUTES

TCM 7/11/16 and Exec.
TCM 7/30/16

A motion by Mr. Gleason, seconded by Mr. Seveney, to approve all minutes from 7/11 and 7/30. All voted in favor of the motion.

BILLS

1. FY 2016 – Prepaid from 7/27/16

A motion by Mr. Seveney, seconded by Mr. Gleason, to pay all just and due bills in the amount of \$179,157.04. All voted in favor of the motion.

2. FY 2017 – Prepaid from 7/27/16

A motion by Mr. Seveney, seconded by Ms. Pedro, to pay all just and due bills in the amount of \$350,906.22. All voted in favor of the motion.

3. FY 2016 – Prepaid from 8/10/16

A motion by Mr. Seveney, seconded by Mr. Gleason, to pay all just and due bills in the amount of \$110,002.67. All voted in favor of the motion.

4. FY 2017 – Prepaid from 8/10/16

A motion by Mr. Seveney, seconded by Ms. Pedro, to pay all just and due bills in the amount of \$182,577.12. All voted in favor of the motion.

5. 8/22/16

A motion by Ms. Pedro, seconded by Mr. Seveney, to pay all just and due bills in the amount of \$49,155.07. All voted in favor of the motion.

PRESIDENT’S EXECUTIVE SUMMARY

President Hamilton announced that prior to this meeting, the Council met in Executive Session and had a discussion and update on litigation in terms of the RI Nurseries lawsuit and voted 5-0 to direct our legal staff in a direction that the Council hopes it will go and we had a discussion on the A& R Marine update and we have actually recessed that meeting and will be continuing that discussion after tonight’s meeting.

TAX VOUCHERS

Request Approval for Tax Vouchers #20160822-01 to #20160822-10. / M. Helfand

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

TOWN ADMINISTRATOR’S REPORT

1. Update on RFP’s:

Glen Farm Stables- RFP was released August 15th, that property is under lease until August 15, 2017. We are looking to consider unique and innovative ways to best use the property once that current lease expires. A non-mandatory meeting for those interested in bidding and making proposals is schedule for 9/20/16 and proposals will be due no later than close of business October 10th.

Elmhurst Park, - RFP was issued August 17th. We are looking for bids for a new parking lot and landscape improvements for Elmhurst Park at the Glen Manor House. There is a mandatory pre-bid conference on September 1st at the Glen Manor House and response for those RFPs are due by close of business on September 16th.

DPW Salt Shed – RFP almost finished and will be issued this week. For a new salt shed over at the DPW complex. Our goal is to have the salt shed completed before the next winter season.

2. New Employee Update: Welcome to our four new employees
Gareth Eames – Building Inspector
Timothy Gardiner – Assistant Building Inspector
Nancy Poletti – DPW Office Assistant
Elizabeth Futoma – Animal Control Officer
3. Dog Park Update – In preparation for construction, the contractor has begun to remove trees and clear vegetation and construction will continue throughout the rest of the summer and grass will be planted in the fall growing season so as to have the Dog Park ready to open next Spring.
4. Wind Turbine Update – A Ribbon Cutting was held last Friday marking the commissioning of the new Portsmouth wind turbine. The turbine is in the final stages of testing and is operational and capable of supplying electricity to the Grid.

Ms. Pedro announced that Officer Scott Sullivan was listed as one of the Top ten groundbreakers in the August issue of Newport Life.

REMOVALS, RESIGNATIONS AND APPOINTMENTS

1. Removal Requests:

- a. Juvenile Hearing Board – M. Auerbach, E. Jordan

A motion by Mr. Seveney, seconded by Mr. Gleason, to approve the removal of Marsha Auerbach and Elizabeth Jordan. All voted in favor of the motion.

2. Resignations:

- a. Agriculture Committee – H. Chase, M. Haynes

A motion Ms. Pedro, seconded by Mr. Gleason, to accept with regret the resignations of Harry Chase and Martha Haynes. All voted in favor of the motion.

- b. Solid Waste/Recycling Committee – A. Corcoran

A motion by Mr. Seveney, seconded by Mr. Gleason, to accept with regret the resignation of Alan Corcoran. All voted in favor of the motion.

c. Portsmouth Citizens Interested in the Comprehensive Community Planning Process
Committee – H. W. Wilson

A motion by Mr. Seveney, seconded by Mr. Gleason, to accept with regret the resignation of H. W. Wilson. All voted in favor of the motion.

3. Appointments:

a. Glen Manor House Authority (Re-Appt.) – J. Elste, D. Warren, B. Doran, N. Hall

A motion by Mr. Seveney, seconded by Mr. Gleason, to reappoint Judith A. Elste, Deare Warren, Brenda Doran and Nancy Hall. All voted in favor of the motion.

b. Glen Park Working Committee (Re-Appt.) – R. Davidson

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

c. Melville Park Committee (Re-Appt.) – L. Lesinski

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

d. Juvenile Hearing Board (Re-Appt.) – K. Gleason, L. Nalle

A motion by Mr. Seveney, seconded by Mr. Gleason, to reappoint Karen Gleason and Linda Nalle. All voted in favor of the motion.

e. Agriculture Committee – (1 Applicant / 1 Vacancy)

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

f. Juvenile Hearing Board – (1 Applicant / 2 Alternate Vacancies)

A motion by Ms. Pedro, seconded by Mr. Seveney, to appoint John C. Ferreira. All voted in favor of the motion.

g. Economic Development Committee – (2 Applicants / 3 Vacancies)

A motion by Mr. Seveney, seconded by Mr. Gleason, to appoint Courtney Ward and Frederick J. Marano. All voted in favor of the motion.

h. Aquidneck Island Planning Commission – (3 Applicants / 2 Vacancies)
1. AIPC Recommendation

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

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

OLD BUSINESS

OB 1 - Award of Contract to the Lowest Qualified Bidder for Roadway Improvements to Narragansett Avenue on Prudence Island. / J. Pisano, VHB & B. Woodhead (10)

Brian Woodhead, Deputy Public Works Director, stated that the work would be for Narragansett Avenue from Broadway to Rafael. Work will begin right after Labor Day with a projected completion date of November 15th. If, after November 15th, there is still extra money, we will come back to the Council to request additional work be authorized.

Jamie Pisano, VHB, stated that it would take about three months to get permitting and they should be ready to do that work in the spring of 2017.

A motion by Mr. Seveney, seconded by Ms. Pedro, to award the contract to P. J. Keating Co. for a bid of \$1,826,955. All voted in favor of the motion.

OB 2 - Discussion/Action – East Main Road RIDOT Accessibility Improvement Project. / G. Crosby (20)

Kate Wilson, Civil Highway Engineer for the RI DOT and Project Manager provided an update on the project. Regarding the intersection of Park Avenue and Basin. Since the last meeting they have:

- “T’d” up the intersection and extended the Chase roadway onto Park Avenue.
- Realigned the section of Chase Road based on a 25 MPH speed design and accessible by a single unit truck or school bus.
- The two diagonal cuts will be changed to be accessible to fire department radii.
- The changes are needed in order to make the intersection ADA accessible.
- Park Avenue will have governance over the traffic light.
- 40 feet is required to put in a right turn lane where the turn lane is now.
- They will be able to put in the five-foot sidewalks with very few problems with utility poles and hydrants.

Ms. Pedro stated that the plans for the intersection of Chase Road and Boyd’s Lane were not in the Council packet.

- The State needs the land north of Park Avenue to put in a bio-retention area to comply with regulations of CRMC.
- The plans for the reconstruction of East Main Road at Boyd's Lane will be emailed as a PDF to Gary Crosby to forward to the Council.
- The chatter strip will be removed and smaller granite islands with a pedestrian signal will be put in with a pedestrian crosswalk through them.

Mr. Crosby stated he only included the changes made by DOT since the last meeting.

Ms. Wilson asked for an okay from the Town Council to start the permitting process and the right of way process. They hope to advertise in December and be ready for spring.

President Hamilton stated that he hopes DOT will reconsider adding the right turn lane similar to the one at the Mount Hope Bridge and Bristol Ferry Road.

Ms. Wilson stated that the cost of this project for East Main Road from Turnpike to Boyd's Lane, the intersection of Boyd's Lane resurfacing, sidewalks and ADA accessible wheelchair ramps and the section of Park Ave from Norseman to East Main Road is \$4,420,749.85.

In response to Ms. Pedro, Ms. Wilson stated that the TIP for East Main Road from Hedly to the Middletown town line or further is slated to be an in house project and slated to come in 2021.

In response to Mr. Aguiar, Ms. Wilson stated that the State cannot pave East Main Road without making it ADA compliant.

Mr. Crosby stated that the Sprague Street construction is scheduled to start in 2018.

A motion by Mr. Seveney, seconded by Mr. Gleason, to approve the plan contingent upon the DOT coming back and updating the Council as to whether we can have the right turn lane. All voted in favor of the motion.

OB 3 - Request to Advertise for a Public Hearing for an Amendment to Chapter 101 of the Portsmouth Town Code - Animals. / B. Miller & K. Gavin (5)

A motion by Mr. Seveney, seconded by Mr. Gleason, to advertise and have a Public Hearing on September 14th. All voted in favor of the motion.

Chief Lee introduced the Town's new Animal Control Officer, Elizabeth Futoma.

NEW BUSINESS

NB 1 - Request Approval of Glen Farm Special Events Fields Applications. / T. Dunbar (5)

- a. BankNewport, Ryan Camara, 184 John Clarke Road, Middletown, RI for an Employee Soccer League 8/31/16, 9/7/16, 9/14/16, 9/21/16, 9/28/16, 10/5/16

Tim Dunbar, Recreation Director, corrected the amount on the bill as it will be six days for a total of \$300. He stated he has spoken with Soccer Manager Carlos Williams, and as BankNewport will be bringing in their own goals, they will be set up further down the field and will not disturb the Soccer people at all.

In response to Mr. Seveney, about a generalized scheduling mechanism for the leagues, Mr. Dunbar stated that the schedule is posted on the website under meetings and he looking for a computer program to set up the fields and a summer registration catalog.

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

- b. Fee Waiver Requested: Portsmouth Firefighters Local 1949, Steven Lynch, 2300 East Main Road, Portsmouth, RI for a 5K Road Race, September 25, 2016

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

NB 2 - Request Sponsorship for Portsmouth Public Education Foundation's Fall Social Fundraiser on October 1, 2016 at Carnegie Abbey Country Club. / K. Brockway, K. Updegrave, & K. Brandariz (5)

A motion by Mr. Seveney, seconded by Mr. Aguiar, to approve the \$500 donation with the funds coming from the Town Council Contingency Fund. All voted in favor of the motion.

A motion by Ms. Pedro, seconded by Mr. Gleason, to donate the ticket back so they can give it to a family or auction it off. All voted in favor of the motion.

NB 3 - Request Letter of Support for Newport County Prevention Coalition Grant. / R. Davis & M. Rayno, Portsmouth Prevention Coalition (5)

Mr. Davis requested a letter of support for a response for a funding proposal that has been issued by the Department of Behavioral Health, Developmental Disabilities and Hospitals. The intent is to regionalize the Prevention Coalitions in the state (34 are active). The coordinators of Newport County have asked that Newport County be made a region by itself.

A motion by Mr. Seveney, seconded by Mr. Gleason, to approve the letter and sign it and wish Ray and Maryann all the luck in getting the funding for the region. All voted in favor of the motion.

NB 4 - Discussion/Action – Removal of the Amphenol Cell Tower on Kirduglyn Road. / C. Clifford (10)

Geraldine Beebe, Carol Clifford and Diane Martin, residents/property owners on Kirduglyn Road addressed the Council concerning the noise emanating from an attachment placed last December on a utility pole situated between four houses on the private dirt road that they live on. They asked for the Council's assistance in seeking a remedy to this nuisance. They addressed concerns about the noise, the radio waves exposure being a health hazard and their quality of life being ruined.

President Hamilton suggested asking Senator Pagliarini and Representative Riley to write letters to National Grid inquiring under whose authority the item was attached to the pole.

A motion by Ms. Pedro, seconded by Mr. Seveney, to have the Town Administrator contact National Grid to ascertain who placed the device there and if it was done with proper approvals. All voted in favor of the motion.

NB 5 - Request to Advertise for a Public Hearing for a Sound Variance. / R. Lantz, Bill's Sales Firewood & A. Thayer, Sayer, Regan & Thayer (5)

A motion by Mr. Seveney, seconded by Mr. Gleason, to advertise for a Public Hearing on October 3rd at 7 PM. All voted in favor of the motion.

NB 6 - Discussion/Action - Mt Hope Bridge Improvement Project. / E. Offenber, Director of Engineering, RI Turnpike and Bridge Authority & G. Crosby (20)

Eric Offenber provided a power point on the planned painting, steel repairs and concrete repairs.

No action.

NB 7 - Discussion/Action – Town Council Approval of New Honor Roll Guidelines. / D. Crow (10)

David Crow requested the Town Council go back to the original rules for the Veterans Honor Roll. The Honor Roll was to "honor" those going into the military service from Portsmouth. He stated that names rolling on a television screen would be like seeing the credits after a movie.

President Hamilton stated that research would be done to see what criteria other towns use.

No action.

NB 8 - Request Town of Portsmouth Draft an Ordinance for the Elimination of Single-Use Carryout Check Out Bags. / D. McLaughlin, Clean Ocean Access (10)

President Hamilton suggested this be placed on an agenda in late October or early November.

NB 9 - Request Approval of the Bylaws of the Portsmouth Citizens Interested in the Comprehensive Community Planning Process Committee. / J. Staven, Chair (5)

A motion by Ms. Pedro, seconded by Mr. Seveney, to change Sec. 1-4 from “advise” to “provide comments and/or input”. All voted in favor of the change.

Mr. Seveney asked why the recording secretary was a paid position and requested an accounting of what has been spent.

Mr. Gleason suggested that a committee by-laws template be prepared and given to newly formed committees.

Chair Judith Staven stated she would present the Council’s suggestions to the Committee for discussion.

A motion by Mr. Seveney, seconded by Ms. Pedro, to table this item until after the committee can meet to discuss the Council’s proposed changes. All voted in favor of the motion.

NB 10 - Request to Participate and Purchase an Ad in the Newport Daily News Special Section on First Responders. / J. Seveney (5)

A motion by Mr. Seveney, seconded by Mr. Gleason, to spend \$399 to take out a ½ page ad recognizing our first responders.

Ms. Pedro stated that not everybody reads the Daily News.

The motion carried 4-0 with Ms. Pedro abstained.

NB 11 - Event Notification and Request Approval– Bike to the Beach for Autism, September 3, 2016. / R. Walsh, Autism Speaks (5)

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

CORRESPONDENCE

1. The Newport County Branch of the National Association for the Advancement of Colored People (NAACP) will Host a Ceremony at Patriots Park on August 28, 2016 at 3:00 PM Celebrating the 238th Anniversary of the Battle of Rhode Island in Honor of the First Rhode Island Regiment, “The Black Regiment”. / A. Triplett, Chairperson, Black Regiment Committee
2. Request to Purchase Ad Space in a Yearbook to Benefit the Adaptive Program and Special Olympics Teams. / D. Glenning, Newport County YMCA Special Olympics Booster Club
3. Request Resolution in Support of Senate Resolution 2016-S 3039 Commemorating the 226th Anniversary Celebration “Hope Day: Birth of Our Nation”. / L. Swistak, Newport City Clerk

4. Update on National Grid's Aquidneck Island Reliability Project, which has been Renamed OnIsland. / E. Gryniak, National Grid Stake Holder Relations
5. Invitation to the 2016 Housing Fact Book Luncheon Hosted by HousingWorks RI on September 14, 2016 at the Providence Hilton

A motion by Mr. Seveney, seconded by Mr. Gleason, to receive all and place on file. All voted in favor of the motion.

FUTURE MEETINGS

September 14 7:00 PM – Town Council Meeting (Wednesday)

Public Hearing Dog Ordinance (Dog park Rules)

September 26 7:00 PM – Town Council Meeting

October 3 7:00 PM - Special Town Council Meeting – Public Hearing – Sound Variance

October 11 7:00 PM – Town Council Meeting (Tuesday)

A motion by Mr. Seveney, seconded by Mr. Gleason, to return to Executive Session under RIGL 42-46-5(a)(2) – Litigation: A&R Marine Rate Change Application (R.I. Public Utilities Commission). All voted in favor of the motion.

TIME: 10:50 PM – Break

TIME: 11:00 PM – Return

President Hamilton announced that there was further discussion on the A & R Marine rate. No votes were taken.

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

ADJOURN

Time: 11:01 PM

Joanne M. Mower, Town Clerk