

**PORTSMOUTH TOWN COUNCIL MEETING
MINUTES
JANUARY 9, 2017**

MEMBERS PRESENT: Keith E. Hamilton, Kevin M. Aguiar, David M. Gleason,
Elizabeth A. Pedro, J. Mark Ryan, Linda Ujifusa,
Paul F. Kesson arrived at 6:23 pm.

6:00PM – Town Council Chambers, Portsmouth Town Hall, 2200 East Main Road

EXECUTIVE SESSION

1. RIGL 42-46-5(a)(5) – Any discussions or considerations related to the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.
2. RIGL 42-46-5(a)(2) – Potential Litigation

A motion by Dr. Ryan, seconded by Ms. Ujifusa to go into Executive Session under RIGL 42-46-5(a)(5) –Motion passed 6-0, Mr. Kesson absent for vote.

Time In 6:00 PM

Time Out 6:53 PM Return to Open Session.

7:00 PM-Town Council Chambers, Portsmouth Town Hall, 2200 East Main Rd

Time In 7:01 PM

PLEDGE OF ALLEGIANCE

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

SITTING AS THE PORTSMOUTH TOWN COUNCIL

CONSENT AGENDA

1. NOTICE OF HEARINGS – Energy Facility Siting Board

The Narragansett Electric Company, d/b/a National Grid, Application to Construct the Aquidneck Island Reliability Project in Portsmouth and Middletown, RI. The Energy Facility Siting Board Will Conduct Public Hearings on January 31, 2017 in Middletown and February 8, 2017 at 6:30 PM in the Portsmouth Town Council Chambers.

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

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. Victualler License:

Jeffrey Gambrell d/b/a Patriot Nutrition, 3001 East Main Road

Motion by Ms. Pedro, seconded by Mr. Kesson to approve the request for the Victualler License. All voted in favor of the motion.

Motion by Mr. Gleason, seconded by Mr. Kesson to adjourn as the Board of License Commissioners. All voted in favor of the motion.

ADJOURN

PRESIDENT'S EXECUTIVE SUMMARY

1. Mr. Hamilton stated that there was a discussion of the extension the lease at Coggeshall School with the Aquidneck Island Christian Academy. The Council directed Mr. Rainer to gather further context behind the application. All voted in favor of the motion.

2. Potential Litigation was discussed and Mr. Rainer requested that it be passed on to our attorneys at the Trust. All voted in favor of the motion.

MINUTES

TCM 12/12/16

Motion by Mr. Kesson, seconded by Ms. Pedro to approve the minutes of 12/12/2016. All voted in favor of the motion.

BILLS

Prepaid Bill List – 12/27/16

Motion to approve and pay all just and due bills from 12/27/16 in the amount of \$331,874.89 by Mr. Aguiar, seconded by Mr. Kesson. All voted in favor of the motion.

Bill List 1/9/17

Motion by Mr. Aguiar, seconded by Mr. Kesson to pay all just and due bills from the 1/9/17 bill list in the amount of \$95,224.10. All voted in favor the motion.

TOWN ADMINISTRATOR'S REPORT

1. Update on Town Website Redesign - Website is being redesigned and should be up by January 26, 2017.
2. Update on Town Transfer Station Operator - JR Vinagro Corp. will not be renewing their contract which expires June 30, 2017. Liability concerns and their belief that the Town has outgrown the station are their primary reasons. A RFP is being worked on for a new company and the Town Administrator is reaching out to neighboring communities to research what other options may be available to us with respect to waste collection and disposal.
3. Report out on Quarterly Navy Community Leadership Meeting – The meeting was held on December 15, 2016 and major topics included an assessment study of the utilities along Defense Highway and encroachment issues. Last Year the Newport County Chamber of Commerce sponsored a study that identified the utility infrastructure along Defense Highway. Woodard & Curran was contracted to complete the report as part of an ongoing infrastructure realignment

assessment. The Chamber is now seeing a grant to fund a study that will assess the conditions of the infrastructure. With regards to the encroachment issues, there appears to be a small number of residential properties in the Redwood Sub-Division who may be encroaching on Navy property. The navy will correspond with those applicable.

4. Update on Town Clerk Office Manning-The Town Clerk's office has been short-handed for a while and particularly since the election. Ms. Kathy Viera-Beaudoin a former Town Clerk has been assisting part time. Two new clerks have been hired and the office will be at full strength by the end of the month.

OLD BUSINESS

1. Discussion/Action – Commercial Mooring Fees. / D. Gleason & T. Grieb (5) -

A request by Mr. Gleason and Mr. Grieb to increase the Commercial Mooring Fees from \$250.00 to \$300.00. The fee increase was overlooked last year when the other fees were being increased. A motion by Mr. Kesson, seconded by Mr. Gleason to approve the fee increase from \$250.00 to \$300.00. All voted in favor of the motion.

2. Discussion/Action – Town Administrator's Goals, Priorities and Initiatives. / R. Rainer (10) – Mr. Rainer went over the suggested list of staff priorities and goals and asked for the Council's input toward their priorities. The Council set forth some of their priorities as Road Paving; DPW Fleet replacement; Fixing rot and painting at the Town Hall; maintenance of Glen Farm Stables, the Town's playgrounds, Linden Lane Stone Wall; starting and completing the 3S property plan; and replacing the Fire Boat in the long term. Motion by Ms. Ujifusa, seconded by Mr. Aguiar to accept the Town Staff's Goals, Priorities, and Initiatives as set forth the in the Memorandum from Mr. Rainer and the Capital Improvement plan, as well as comments heard tonight as the Town Council guidance in forming our next budget, and that it is accepted as the Town Council's guidance. All voted in favor of the motion.

3. Request Contract Approval for Police Station Architectural Services. / R. Talipsky (10) – Mr. Talipsky informed the Council that there will be a Clerk of the Works for the project; who will be in constant contact with the architect throughout the project. There will be an RFP for the

Clerk of the Works. The current septic system was fully vetted and will be able to support the new building. Motion to accept the DRA Contract by Dr. Ryan, seconded by Mr. Aguiar. All voted in favor of the motion.

NEW BUSINESS

1. Discussion/Action – Portsmouth Town Council Legislative Priorities for 2017. / K. Hamilton (10) – Motion by Ms. Ujifusa, seconded by Mr. Kesson to forward the Town Council Legislative Priorities for 2017 to our Legislators prior to the meeting on January 28, 2017. All voted in favor of the motion.

2. Discussion/Action – RFP for Legal Services for Town. / K. Hamilton (5) – A motion by Ms. Ujifusa, seconded by Ms. Pedro to have the finance director and Mr. Rainer create a RFP for Legal Services.

A Motion to amend by Ms. Pedro, seconded by Mr. Kesson to have the Council review the RFP for Legal Services before it gets advertised. All voted in favor of the amendment. All voted in favor of the main motion as amended.

3. Discussion/Action - Notice of Rulemaking & Public Comment Hearing – State Planning Council. / K. Hamilton (5) Motion by Ms. Ujifusa, seconded by Mr. Kesson to have Mr. Rainer prepare a letter on behalf of the Town Council suggesting we oppose what appears to be a lessening of opportunity for the public to comment and review RIDOT proposed actions; all voted in favor of the motion.

4. Discussion/Action – Prudence Ferry Dock Repairs. / K. Hamilton (10) – A & R is requesting \$70,000 from Portsmouth to contribute towards repairs to the dock in Bristol. Motion by Mr. Kesson, seconded by Mr. Gleason to table the discussion until the next meeting. Mr. Anataya has been requested to provide design criteria for the weight loads. Ms. Staven stated that she has a copy of the lease agreement that she will forward to the Town Council, Town Administrator, Town Clerk, Town Finance Director, and the Town Solicitor. Council President will continue the discussion with the Town of Bristol. All voted in favor of the motion.

5. Discussion/Action – Bills to Pay from 12/12/2016 TC Meeting. / P. Kesson (10) – Motion made by Mr. Kesson, seconded by Ms. Pedro that all expenditures should be listed with the bills, such as backup all expenses to the town, salary amounts and pension amounts paid out by town should be shown.

Motion failed 2-5 with dissent by Dr. Ryan, Ms. Ujifusa, Mr. Aguiar, and Mr. Kesson. Motion made by Ms. Ujifusa, seconded by Dr. Ryan to allow the Finance Department to stop providing the bill listing instead have the Finance Department provide a monthly report and check register to allow the checking of expenses.

An amendment to the motion was made to continue to use the existing system but put the bills on the Consent Agenda so all bills will be paid in accordance to when they are due. If a Council Member feels the need to discuss an item, a vote may be taken to have the item off the Consent Agenda and move it to the regular agenda for discussion. Ms. Ujifusa moved the amendment, Dr. Ryan seconded the move.

Motion to accept the main motion as amended, motion passed 6-1, dissent by Mr. Kesson. Motion to accept the original motion with the approved amendment passed 5-2 with dissent by Mr. Kesson and Ms. Pedro.

6. Discussion/Action – Guidance for Financial Decisions Brought to the Town Council. / P. Kesson (10) – Motion by Mr. Kesson, seconded by Ms. Pedro to include a full report on financial findings, fund balance, surpluses, and revenue sources before the Council makes decisions specific to a particular agenda item. Motion passed 7-0.

7. Request Approval of Finance Director Candidate. / R. Rainer (5) – Mr. Rainer requested that the Council accept candidate A as the new finance director. Motion was made Ms. Ujifusa, seconded by Mr. Aguiar. Per the Charter change in 2012 interviews are not made by the Council but by an interview committee. The decision by the Council is an up and down vote on the person that the Town Administrator has put forth. Motion passed 5-2 dissent by Mr. Kesson and Ms. Pedro.

8. Request Approval to Purchase Boat Engines for Harbormaster Boat. / T. Lee (5) – Motion made by Mr. Kesson, seconded by Ms. Pedro to purchase boat engines in the amount of \$33,163.00 against the Mooring Fees surplus leaving a balance of \$22,518. Motion passed 7-0.

9. Discussion/Action – 2017-2018 Town Council Liaisons for Town Boards and Committees. /
K. Hamilton (10) No motions made.

a) Advisory for Tank Farm	J. Mark Ryan
b) Agriculture Committee	Elizabeth Pedro
c) Aquidneck Island Planning Commission	Linda Ujifusa (ad hoc member)
d) Bristol Ferry Town Common	Paul Kesson
e) Comprehensive Planning Committee	Paul Kesson
f) Conservation Commission	Elizabeth Pedro
g) Dog Park Planning Committee	Elizabeth Pedro
h) Economic Development Committee	Kevin Aguiar & J. Mark Ryan
i) Glen Manor House Authority	David Gleason & Linda Ujifusa
j) Glen Park Working Committee	David Gleason
k) Harbor Commission	David Gleason & Elizabeth Pedro
l) Lower Glen Farm Preservation Committee	David Gleason
m) Melville Park Committee	Kevin Aguiar & Keith Hamilton
n) Newport County Chamber of Commerce	Keith Hamilton
o) OPEB Commission	Paul Kesson & J. Mark Ryan
p) Portsmouth Senior Center	Linda Ujifusa
q) School Committee	Linda Ujifusa & Paul Kesson
r) Solid Waste/Recycling Study Committee	David Gleason & J. Mark Ryan
s) Tree Commission	Keith Hamilton

CORRESPONDENCE

1. Invitation to Attend the 32nd Annual Dr. Martin Luther King, Jr. Birthday Program, 9:30 AM January 16, 2017 at Thompson Middle School and the Luncheon Program at 12:00 PM at the Mainstay Hotel & Conference Center, Newport. / Victoria Johnson, Chair MLK Celebration Committee – Ms. Ujifusa stated she would accept the invitation.
2. Thank You Letter for Participating in the Ton of Love Food Drive. / E. Donovan-Boyle, Executive Director, Newport County Chamber of Commerce

Motion to receive and place on file by Mr. Kesson, seconded by Ms. Pedro. All voted in favor.

FUTURE MEETINGS

- January 23 7:00 PM – Town Council Meeting
January 28 9:00 AM - Town Council/School Committee Budget Strategy and Planning
Meeting Portsmouth High School Library (Saturday)
February 13 7:00 PM – Town Council Meeting
February 27 7:00 PM – Town Council Meeting

Motion to Adjourn by Mr. Kesson, seconded by Mr. Aguiar. All voted in favor.

Time Out 10:53 PM

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 1/5/17

Jennifer M. West Town Clerk