

PORTSMOUTH TOWN COUNCIL MEETING
MARCH 13, 2017
MINUTES

7:00 PM – Town Council Chambers, Portsmouth Town Hall, 2200 East Main Road

MEMBERS PRESENT: Keith E. Hamilton, Kevin M. Aguiar, David M. Gleason, Paul F. Kesson, Elizabeth A. Pedro, J. Mark Ryan and Linda L. Ujifusa

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

CONSENT AGENDA

1. Bills – Motion by Mr. Gleason, seconded by Mr. Aguiar to receive bills and place on file. Motion passed 7-0.

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. Request to Advertise for a Public Hearing:

Application to Transfer a Class BV Beverage License from Jonathan Martins, Inc. d/b/a Jonathans Scampi to Localz, Inc., 657 Park Ave., Portsmouth, RI - Motion to advertise made Ms. Pedro, seconded by Mr. Kesson. Motion passed 7-0.

2. Request to Advertise for a Public Hearing:

Request for a Permanent Expansion of the Service Area for The Gulf Stream Bar & Grille, 1 Lagoon Road, Portsmouth, RI – Motion to advertise made by Mr. Kesson, seconded by Ms. Pedro. Motion passed 7-0.

3. Entertainment License:

Rhode Island Rugby Football Foundation, Beast of the East Collegiate Rugby Tournament, Gardner Seveney Sports Complex, April 22 & 23, 2017- Motion to approve by Mr. Gleason, seconded by Mr. Kesson. Motion passed 7-0.

4. Entertainment License:

St. Barnabas Church, Annual Festival and Carnival, 1697 East Main Road, June 23- 25, 2017- Motion to approve by Mr. Kesson, seconded by Ms. Pedro. Motion passed 7-0.

5. Class F Daily Liquor License:

St. Barnabas Church, Annual Festival and Carnival, 1697 East Main Road, June 23-25, 2017 – Motion to approve by Mr. Kesson, seconded by Dr. Ryan. Motion passed 7-0.

6. Victualler License – Specific Event with Fee Waiver Request:

St. Barnabas Church, Annual Festival and Carnival, 1697 East Main Road, June 23-25, 2017 – Motion to approve by Mr. Aguiar, seconded by Dr. Ryan. Motion passed 7-0.

Motion to adjourn as the Board of License Commissioners made by Mr. Kesson, seconded by Ms. Pedro. Motion passed 7-0

ADJOURN

PRESIDENT’S EXECUTIVE SUMMARY

There was no Executive Session prior to the meeting. Mr. Hamilton and Mr. Rainer met with the Fire Department, Police Department, Public Safety, Emergency Management, and the DPW. Everyone is ready for the storm.

MINUTES

TCM 1/9/17 – Motion by Mr. Gleason, seconded by Dr. Ryan to approve. Motion passed 7-0.

TCM 1/23/17 – Motion to approve by Mr. Gleason, seconded by Dr. Ryan to approve. Mr. Gleason withdrew the motion to approve the minutes. Motion by Dr. Ryan, seconded by Mr. Gleason to table the approval of minutes to the next meeting. Motion passed 7-0.

TOWN ADMINISTRATOR’S REPORT

1. Update on Town’s Working Relationship with the Potter League

- The Staff has been working with Ms. Connie Howard, the new Director of the Potter League for Animals to revise our current cooperative agreement.
- The Potter League works with the Town to hold and care for animals turned over by the Animal Control officer. The current cost of this service is approximately \$56,000 per year.
- Ms. Howard is reviewing current operating procedures at the League and agrees to a flat fee which will reduce our annual fee to \$45,000 per year.

2. Comprehensive Plan Update

- A Draft of the Housing Element of the Comprehensive Plan was released a week ago. There are thirteen required elements. As of today, three elements are ready for review, input, and comment. With ten elements to go, we are about ¼ of the way through.
- The process has been slower than originally envisioned and several steps the Planning Board Chair and Gary have undertaken to refine and speed up progress.
 - First- The original attempt was to produce product that was more than just draft form – they were essentially “camera ready”.
 - So, starting with the latest release, elements will not be drafted in a “final form.” They will be presented more as an outline and contain bulletized format where possible. This will speed up the process and encourage more work and input by engaged and interested stakeholders.
 - Second, the Planning Department will dedicate more time to the process. Starting next week, Gary and Mike will dedicate their sole focus to the Comprehensive Plan from Wednesday afternoon through Friday close of business.
 - And third, we will request funding in the next budget for consultation services to help guide public engagement after the draft elements are ready for public input.
- An updated Planning Board Comprehensive Plan Workshop schedule has been posted to our website and will be updated monthly.

3. Fire Department Update Regarding RI Trust Grant and Portsmouth Volunteer Fire Department Donation –

- Next, I’m pleased to announce the Fire Department received a \$1,000 grant to reposition the cameras at the transfer station to better monitor the potential of slips, trips, and falls by employees and residents.
- Additionally, the Portsmouth Volunteer Fire Department (a non-profit 501C3 organization) has donated \$10,000 to the Portsmouth Fire Department to help off-set the costs associated with new mandated RI Emergency Medical Services Protocols. The new

mandates amount to \$20,000 in unanticipated expenses and this organization deserves to be recognized for this contribution.

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4. Report on Meeting with Norman Birenbaum, Principal Policy & Economic Analyst RI Dept. of Business Regulation –
 - Last week key members of the staff including the Chief of Police met with Mr. Norman Birenbaum, Principle Policy and Economic Analyst for the Medical Marijuana Program at the RI Department of Business Regulation.
 - Mr. Birenbaum briefed us on regulatory and policy changes with respect to the medical marijuana program.
 - The biggest change affects residential growers – those growing marijuana for personal medical use or for compassion centers.
 - Their plants will require tags licensed by the Department of Business Regulation.
 - They will also be limited to no more than 24 mature plants and seedlings or 10 ounces of dried usable product.
 - Coop cultivators will be highly regulated and their licenses will require municipal approval.
 - New regulations go into effect April 1st.

RESIGNATIONS AND APPOINTMENTS

1. Appointments:
 - a. Economic Development Committee – Motion by Mr. Kesson, seconded by Mr. Gleason to appoint Mr. Ben Furriel to the committee. Motion passed 7-0.
 - b. Design Review Board (Re-Appt.) – Motion by Mr. Kesson, seconded by Mr. Aguiar to re-appoint Ms. Costa to the board. Motion passed 7-0.
 - c. Melville Park Committee (Unlimited Membership) – Motion by Mr. Kesson, seconded by Mr. Aguiar to re-appoint Mr. Wesner to the committee. Motion passed 7-0.
 - d. Zoning Board of Review (1 Vacancy as 2nd Alternate) – Motion by Mr. Kesson, seconded by Ms. Pedro to appoint Ms. Fiore to the board as 2nd Alternate. Motion failed 3-4 with dissent by Mr. Aguiar, Mr. Hamilton, Dr. Ryan, and Ms. Ujifusa.

Motion by Mr. Kesson, seconded by Mr. Aguiar to appoint Mr. Furriel to the board.
Motion passed 5-2 with dissent by Ms. Pedro and Mr. Gleason.

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OLD BUSINESS

Motion by Mr. Kesson, seconded by Ms. Pedro to Open a Public Hearing. Motion passed 7-0.

1. PUBLIC HEARING: Proposed Amendment to Chapter 352 of the Portsmouth Town Code – Taxation §352-47, 48, 49, 50, 51, 52 Historical Cemetery Preservation Property Tax Abatement.

Mr. Gleason is in favor of the ordinance. Needs more clarification with regards to maintenance. Mr. Kesson wishes to have all the cemeteries listed in the ordinance. Ms. Pedro would like to have what constitutes maintenance spelled out in the ordinance.

Ms. Davis, 362 West Main Road has a cemetery in her front yard. She is happy to see that this ordinance is coming in front of the Council. Her husband has done work on the cemetery, but does not know if it should or should not have been done. He has tried to get clarification as to who owns the cemetery and has found online an example of Do's and Don'ts for historical cemetery maintenance. A copy was passed on to the Council.

Mr. Jim Garman, 14 Sandy Point Ave, is the President of the Portsmouth Historical Society and the Town's Historian.

In 1993, 13 people from the town volunteered to survey the cemeteries in the community. A survey form was created and filled in by the volunteers and a book was created. Unfortunately, the surveys were handwritten and difficult to read.

The Historical Society is starting an initiative this Spring to again survey the cemeteries. They are looking for volunteers outside of their board. Gary Crosby is chairing this committee to create and update the survey. At this moment in time the Historical Society does not feel that the Council needs to create a Historical Commission or to go forward with the Ordinance until the survey by the Historical Society has been completed.

Motion by Ms. Pedro, seconded by Dr. Ryan to close the Public Hearing. Motion passed 7-0.

Motion by Ms. Pedro, seconded by Mr. Gleason to have the Town Solicitor review the state document and incorporate it into the ordinance; as well as to have maintenance defined as mowing, weeding, and light trimming in subsection (a). Motion passed 7-0

Motion by Mr. Kesson, seconded by Ms. Pedro to Open a Public Hearing. Motion passed 7-0.

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2. PUBLIC HEARING: Proposed Amendment to the Portsmouth Zoning Ordinance – Article V USE REGULATIONS, Section B INSTITUTIONAL, RECREATIONAL AND EDUCATIONAL USES, Subsection. 9 “Day Care Center”.

Attorney Cort Chappell requests that the Town Council approve the proposed amendment to the Portsmouth Zoning Ordinance. Mr. Chappell stated that the amendment change is for private day cares only.

Motion made by Dr. Ryan, seconded by Mr. Kesson to close the Public Hearing. Motion passed 7-0.

Motion to approve the amendment as presented by Ms. Pedro, seconded by Mr. Aguiar. Motion passed 7-0.

3. Request Approval for Bid for Spring Paving. Motion by Dr. Ryan, seconded by Mr. Aguiar to approve contract for Cardi Corporation. Motion passed 7-0.

4. Request Approval to Collaborate with Narragansett Bay National Estuarine Research Reserve (NBNERR) to Seek Federal Emergency Management Agency (FEMA) Funding for Coastal Hazard Mitigation on Prudence Island, Mill Creek Restoration.

Motion by Mr. Kesson, seconded by Ms. Pedro to apply for the grant. Motion passed 7-0.

NEW BUSINESS

1. Request for Donation to Further High School Experience. No Motions made.
2. Request Town Council Permission to Change the Name of the Upper Melville Pond to the “Thurston Gray Pond” in Honor of Mr. Gray. Motion by Mr. Kesson, seconded by Ms. Pedro to change the name on Melville’s Pond One to the Thurston Gray Pond. Motion passed 7-0.
3. Presentation of the Plan for the Rail Explorers. No motions made.
4. Request Approval of Glen Farm Special Events Fields Applications.

a. UK Elite Soccer, Adam Corlett, 62 Main Street, Kingston, MA, for Youth Soccer Camp/Program July 31 - August 4, 2017 - Motion by Mr. Gleason, seconded by Mr. Kesson to approve the application. Motion passed 7-0.

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b. John Tomlinson Soccer LLC, John Tomlinson, 1114 Middle Road, Portsmouth, RI for Soccer Camp April 17-20, July 10-13 and August 14-17, 2017 – Motion by Mr. Gleason, seconded by Mr. Kesson to approve the application. Motion passed 7-0.

CORRESPONDENCE

1. Invitation to Attend the Upcoming Restoration Advisory Board on Wednesday, March 15, 2017, at 6:30 PM, at the Courtyard by Marriot – Newport Middletown for a Presentation Regarding the Navy’s Fence Removal Project at Tank Farm 4. – Motion by Mr. Kesson, seconded by Mr. Gleason to receive and place on file. Motion passed 7-0.

FUTURE MEETINGS

March 27 7:00 PM – Town Council Meeting
April 10 7:00 PM – Town Council Meeting
April 24 7:00 PM – Town Council Meeting: Budget Overview and Discussion on Revenue
April 25 7:00 PM – Town Council Meeting: Budget –Town Hall, Police, Fire, Public Works
April 26 7:00 PM – Town Council Meeting: Budget –All Other Departments
April 27 7:00 PM – Town Council Meeting: Budget – If Needed

Motion to adjourn by Ms. Pedro, seconded by Mr. Aguiar. Motion passed 7-0.

ADJOURN

Time: 8:46 PM

Jennifer M. West, Town Clerk