

PORTSMOUTH TOWN COUNCIL MEETING  
APRIL 22, 2019 MINUTES

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

MEMBERS PRESENT: Kevin M. Aguiar, Linda L. Ujifusa, J. Mark Ryan, Keith E. Hamilton, Leonard B. Katzman, Andrew V. Kelly and Daniela T. Abbott

Time: 7:01 PM

**EMERGENCY EVACUATION PLAN**

**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**

**PRESIDENT’S EXECUTIVE SUMMARY**

**PRESENTATIONS/RECOGNITIONS**

1. Proclamation for Arbor Day, April 26, 2019
2. Proclamation for Small Business Week May 5-11, 2019

**CONSENT AGENDA**

1. Bills – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

**SITTING AS THE BOARD OF LICENSE COMMISSIONERS**

Directions to view licensing applications: 1) Click on [Viewpoint](#), 2) Click Records and then type in the record number which is listed on the agenda, 3) Click on the highlighted record to view the application

1. Peddler Licenses – Annual:
  - a. Macray’s Seafood II d/b/a Macray’s Seafood, 115 Stafford Rd, Tiverton, 1 Veh. (#1428)
  - b. Galley Wagon LLC d/b/a The Village Greek, 21 Marcy St., Cranston, 1 Vehicle (#1430)– Motion to approve both made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.
2. Request approval for a temporary seasonal expansion of the service area:  
Localz, Inc., 657 Park Avenue, to allow food and alcohol service in an outside dining area from April 1, 2019 to December 31, 2019  
– Motion to approve made by Dr. Ryan, seconded by Mr. Katzman. Motion passed 7-0.

**ADJOURN** – Motion to adjourn as the Board of License Commissioners made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

**MINUTES**

TCM 4/8/19 & Exec. – Motion to approve both made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

## **TOWN ADMINISTRATOR'S REPORT**

1. Oil collection at Hedley Transfer Station – The existing collection tank has developed a leak. Waste Oil collection at the Transfer Station will be suspended for the next two weeks due to a DEM required clean-up and repair notice. DPW will be working with the Station Operator to pump the waste oil, remove and replace the tank, and clean-up the containment area.
2. Paid part-time summer internship opportunity – The Portsmouth Canvassing Authority is offering an opportunity for one high school Junior to serve our community as a student member of the Board of Canvassers. The appointment includes a paid, part-time, summer internship with a modified winter schedule. Completed applications must be received by the Human Resources Office no later than 12:00 PM, Wednesday, May 1, 2019.
3. Status of Sakonnet River Bridge – Request to Rescind ROD – On April 11, the Town received a letter from the FHWA notifying us of their proposal to rescind the Revised ROD for the Sakonnet River Bridge. The letter was sent to all stakeholders in the project and have until May 7 to submit any comments they may have pertaining to the decision to rescind the ROD. Barring any comments to the contrary, the FHWA will rescind the ROD after the comment period.
4. Phelps House update – Since my last update, we have met with the proposed concessionaire for the Phelps House property. A draft agreement has been worked out and we expect a final draft will be ready for your review and approval in May.
5. Visit by Congressman Cicilline – On the 17<sup>th</sup>, members of Town and School staff met with Congressman Cicilline to discuss ways he could support Town and School priorities. In review of a few items from our meeting: the Congressman is working to include a funding stream available to support new community facilities in the new infrastructure bill; he and our DC legislative staff will continue their focus on funding for resiliency and hazard mitigation; we also discussed various USDA Rural Development Programs, some of which may be a good fit for projects on Prudence Island and Hog Island (wastewater, broadband, etc.).
6. Brown House update – The Newport County Prevention Coalition has committed to renting two offices starting May 1. Additionally, they will probably seek a third office starting in June. The SIREN group has decided not to seek office space but is working with the Recreation Director to prepare an MOU for the conduct of fee based adult learning workshops.
7. Dog licensing reminder – Just a reminder that dogs must be licensed by April 30 with a proof of rabies vaccination. The RI Veterinary Medical Assoc. is still conducting low-cost rabies clinics that can be taken advantage of. A link to the rabies clinics can be found on the Town's website.
8. Upcoming Police Awards ceremony – An additional reminder for the Council, the annual Police Awards Ceremony will be held at the Glen Manor House on Thursday, May 23rd at 5:30PM.
9. Request for Portsmouth Award nominations – In May, the Town will be seeking nominations for the annual "Portsmouth Award." The award is presented annually to an individual, business, or civic group who has consistently demonstrated excellence in community leadership producing significant results directly benefiting the community and its citizens. A press release will be issued this week and information will be available on our web-site. Nominations will be due by May 31st.
10. Police building construction report – Since the last report: Demolition of the old station was completed last Wednesday; Retaining walls are due to be completed this week; An unknown UST will be removed this week; Hydro seeding will commence this week; There will be several days over the next month where people will be diverted to an alternate entrance to the building due to paving and sidewalk construction; Weather permitting, site work will be completed by May 31<sup>st</sup>; No new change orders have been received since the last report, but we know there is at least one CO outstanding and under review. Over the next month we will be working with our Owner's Rep, the Builder and the Architect to reconcile remaining balances and clear outstanding punch list items. A final report will be presented to the Council in June. Again, the dedication ceremony will be held at 9:00AM on Friday, May 31st.

**OLD BUSINESS (Discussion/Action)**

1. Monthly finance report. – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
2. Request to reschedule Public Hearing for proposed Zoning Ordinance amendment to Article XIX for a “payment in lieu” option for low and moderate income housing requirements from May 13 to June 10, 2019. – Motion to reschedule the Public Hearing from May 13 to June 10, 2019 made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-1. Mr. Kelly in dissent.

**NEW BUSINESS (Discussion/Action)**

1. Request support with regards to the Aquidneck Land Trust 2019 Merritt Neighborhood Fund Grant. – Motion to approve made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed 7-0.
2. Reconsider the motion to increase the membership of the West Side Development Advisory Committee. – Motion to decrease the membership of the West Side Development Advisory Comm. from 11 members to 9 made by Mr. Katzman, seconded by Mr. Kelly. Motion passed 7-0.
3. Presentation and Submission for Review – Town Administrator’s Proposed Budget Fiscal Year July 1, 2019 – June 30, 2020 / R. Rainer (Proposed Budget is Available on the Town’s Website, [FY 20 Town Administrators Budget](#) ) – No action taken.

**CORRESPONDENCE**

1. Resolutions on Financial Literacy, Binding Arbitration and Education. / Smithfield School Dept.
2. Resolution in support of Additional State Funding for Education. / Foster Town Council
3. Resolution in support of amendment to RIGL Chapter 23-17-26 entitled “Comprehensive Discharge Planning.” / Westerly Town Council
4. Resolution in support of Legislation to Establish an Ocean State Climate Adaptation and Resilience Fund (OSCAR). / Charlestown Town Council
5. Monthly RIRRC Report. / R. Antaya
6. Invitation to Participate in the 36<sup>th</sup> Annual Aquidneck Island National Police Parade, Sunday May 5, 2019. / G. George, City of Newport
7. Invitation to Golf Tournament/request for sponsorship to benefit the Adaptive and Special Olympics programs. / M. Leonard, Special Olympics Director, Newport County YMCA
8. Sakonnet River Bridge – Rescission of 2013 Record of Decision (ROD). / C. Machado, Division Administrator, U.S. Dept. of Transportation, Federal Highway Administration

Motion to receive all correspondence and place on file made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 7-0.

**FUTURE MEETINGS**

- Apr 23 7:00 PM - Town Council Meeting: Budget – Discussion of Town and School Expenditures  
Apr 24 7:00 PM - Town Council Meeting: Budget – Continuation of Budget Discussion as needed  
Apr 25 7:00 PM - Town Council Meeting: Budget – Continuation of Budget Discussion as needed  
May 13 7:00 PM - Town Council Meeting & Provisional Budget

Motion 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 made by Mr. Kelly, seconded by Mr. Katzman. Motion passed 7-0.

Time: 7:41 PM

Break: 7:42 PM

Return from Break: 7:48

**EXECUTIVE SESSION**

1. 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.

One vote taken.

**ADJOURN** – Motion to seal the minutes and adjourn to open session made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

Time: 7:50 PM

**RETURN TO OPEN SESSION**

**OPEN SESSION** – Mr. Aguiar stated that there was one vote taken during Executive Session to decline an offer. Motion passed 7-0.

**ADJOURN** – Motion to adjourn made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Time: 7:51 PM

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Jennifer M. West, Town Clerk