

PORTSMOUTH TOWN COUNCIL MEETING
APRIL 23, 2018 MINUTES

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

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

ALSO, PRESENT: Richard Rainer, Lisa Higgins, Michael Ursillo, Esq.

Time: 6:00 PM

EXECUTIVE SESSION – Motion to go into Executive Session made by Mr. Gleason, seconded by Ms. Ujifusa. Motion passed 6-0.

1. RIGL §42-46-5 (a)(2) Sessions pertaining to collective bargaining: DPW

Time: 6:02 PM Kevin Aguiar enters

Time: 6:03 PM Jennifer West enters

ADJOURN – Motion to Adjourn and seal the minutes made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

Time: 6:10 PM – Break

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

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 – An Executive Session took place prior to tonight's meeting. There was a review of the new DPW Contract that goes into effect July 1, 2017. Motion to ratify the contract passed 7-0.

PRESENTATIONS/RECOGNITIONS

1. Proclamation for National Mental Health Awareness Month
 2. Proclamation for Arbor Day, April 27, 2018
- Mr. Hamilton read both proclamations.

CONSENT AGENDA

1. Bills – Motion to approve and place on file made by Dr. Ryan, seconded by Mr. Kesson. Motion passed 6-1. Mr. Kesson in dissent.

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. Peddler Licenses – Annual:

- a. Brew Dude, LLC d/b/a Tiki Jack’s Shack, 33 Tack Sisson Terrace, Tiverton
- b. Copper Todd LLC d/b/a Hometown Poke, 55 Cromwell Street, Providence

Motion to approve both licenses for Brew Dude and Copper Todd made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

c. Brunch Belly, 80 Paradise Avenue, Middletown – Motion to approve made by Mr. Gleason, seconded by Dr. Ryan. Motion passed 7-0.

2. PUBLIC HEARING: Liquor License Application

Class BV Liquor License: Salsas Burrito Grill LLC, 108 Chase Road

Judith Byron, 33 Founders Ave Apt 2, is against the Liquor License.

Gene Barone, 33 Founders Ave 1st Floor, is against the liquor license because there has never been one there. Kids ride their bikes nearby and is worried about what will happen when they leave.

Jeanine Barone, 33 Founders Ave 1st Floor, is against the liquor license because of the neighborhood children.

Mr. Hamilton asks three times if anyone else would like to comment, with no response he requests that the Public Hearing be closed. Motion to close the Public Hearing made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

Ms. Ujifusa asked if it is possible to make the license for a shorter period than November 30. Ms. Ujifusa made a motion to hold the decision until the 1st meeting in May, seconded by Ms. Pedro. Second withdrawn by Ms. Pedro. Motion withdrawn by Ms. Ujifusa.

Motion to reopen the Public Hearing made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0. Motion to continue the Public Hearing until May 14th made by Ms. Pedro, seconded by Ms. Ujifusa. Motion passed 7-0.

3. Request Approval for a Temporary Seasonal Expansion of the Service Area:

Localz, Inc., 657 Park Avenue, from April 1, 2018 to December 31, 2018 – Motion to approve the temporary seasonal expansion made by Ms. Pedro, seconded by Mr. Kesson. Motion passed 7-0.

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

MINUTES

TCM 4/9/18 – Motion to approve the minutes made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

TAX VOUCHERS

Request Approval for Tax Vouchers #20180423-01 to #20180423-05. – Motion to approve made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

TOWN ADMINISTRATOR’S REPORT

1. Announcement of new Deputy Police Chief – It’s my pleasure to announce the promotion of Maryanne Perry as our new Deputy Police Chief. Maryanne was promoted to Major and started in her new role last Monday. Maryanne has worked up through the ranks over an exemplary 20 years of service to the Police Force and her community, and we look forward to working with her in her new role as Deputy.
2. Portsmouth Police Officer chosen to be recognized with MADD Hero pin at the annual MADD Recognition Breakfast – Portsmouth Police Officer Michael Quinn has been chosen by the Mothers Against Drunk Driving Recognition Committee to receive a MADD Hero pin at the annual Recognition Breakfast on May 4. This recognition is well deserved and we all join Chief Lee in thanking Michael for all he does on behalf of the Town in keeping our roads safe.
3. Dog Park update – The repairs to the Dog Park have been completed so both the large dog and small dog areas are now open.
4. Report out on MEDS POD Exercise – Over 20 volunteers and staff held an exercise last Thursday inside Portsmouth High School to demonstrate how the town would distribute vaccines during a widespread medical emergency. I’d like to recognize Matt Murphy, Fire Chief Cranson and our Firefighters for their outstanding effort to make this a successful operation. The evaluator from RI DOH was pleased with the exercise – which completes all the required State DOH MEDS deliverables. We can now eligible for \$3400 in State MEDs funding this FY.
5. Status of trash compactor installation – The installation of the new compactor at the transfer station is complete and normal operations resumed this morning.
6. Announcement of Touch-a-Truck library fundraiser – The Portsmouth Library will be holding a Touch-a-Truck fundraiser at Glen Park on Saturday, May 5th from 10:00 AM to 2:00 PM. There will be construction trucks, motorcycles, a school bus, a fire engine, and more! In addition to the truck display, there will be various activities for children and food will be available for purchase from the Portsmouth Lions Club. Proceeds from the event will go toward Library purchases. Admission charge is \$3 per person for the day.

7. Police construction report – MILESTONES THIS PERIOD: Structural Steel has been erected; detailing is underway; and the ground floor slab is in place. We are still quantifying the cost associated with remediating unsuitable soils encountered during and after excavation work. The project is still on budget and due to be substantially completed in October of this year. The project is approximately 17% complete.

8. Portsmouth Conservation Commission "Conservation Days" events – The Portsmouth Conservation Commission is sponsoring two "Conservation Days" events: The first is a Community Trash Cleanup and Fair to be held next Saturday, April 28, 10 am - 12:30 pm. Volunteers are invited to meet at the Brown House at the Glen. Participants are eligible to win a \$125 gift certificate donated by Rail Explorers rail bike tours. Support and supplies will be provided by Clean Ocean Access. The second is a free slideshow and discussion exploring the challenges of climate change for Portsmouth to be held next Sunday, April 29th from 1:30 - 3:00 PM at the Portsmouth Library. Representative from the Narragansett Bay Research Reserve, the URI/Sea Grant PREP-RI (Providing Resilience Education for Planning) project, as well as, Portsmouth Town Planner, Gary Crosby will be present. Presentations will be followed by community discussion and Q&A. As an aside, there were over 200 volunteers who worked to clean-up Pheasant Drive beach for Earth Day yesterday. I'd like to thank the local Girl Scouts, volunteers, and Clean Ocean Access for making this happen.

9. Portsmouth Farm-to-Farm Bike Ride – On Saturday, May 5th from 2-4 PM, Bike Newport is sponsoring an inaugural Portsmouth Community Farm-to-Farm Bike Ride – walkers and strollers are also welcome. Check in will be at the School Administration Building parking lot prior to the event. Participants will pass six family farms on their way up and back Middle Rd: Escobar Farm, DeArruda Farm, Quonset View Farm, Portsmouth Nursery, BAW Farm, and DeCastro Farms. Parking and refreshments will be available at Escobar's Farmhouse Inn field.

Lastly, due to too many scheduling conflicts, the Resident meeting with Green Energy concerning the Turbine has been rescheduled to Wednesday, May 16 from 6:00-8:00 pm here in Council chambers. This will allow the maximum number of residents who had expressed a desire to attend the meeting to attend. A notice to all concerned was sent today.

REMOVALS, RESIGNATIONS AND APPOINTMENTS

1. Removal

a. Harbor Commission – Motion to accept removal of Mr. Wyatt with regret made by Mr. Kesson, seconded by Ms. Pedro. Motion passed 7-0.

2. Resignation

a. Harbor Commission – Motion to accept resignation of Mr. Coyle with regret made by Mr. Kesson, seconded by Dr. Ryan. Motion passed 7-0.

3. Appointment

a. Harbor Commission – Motion to appoint Mr. Donahue to the Harbor Commission made by Mr. Kesson, seconded by Mr. Aguiar. Motion passed 7-0.

OLD BUSINESS

1. Discussion/Action – Potential Changes/Amendments/Additions to the 2018 Transfer Station Rules – Jeanne Grimes, 41 Lambie Circle, explained that her husband was allowed to use the tarp that he brought with him the day that he went to the compactor but he was no longer going to be able to use it as it was against the rules of the compactor. She would like to have the rules amended to be able to use tarps. Mr. Roberts was also for the use of tarps. Alex, from Patriot, is against the use of tarps for safety reasons. Mr. Gleason would like a few of the rules, including the use of tarps, to be tweaked. Ms. Ujifusa made a motion to have Mr. Rainer, Mr. Antaya and the Solid Waste and Recycling Committee come up with some changes to the rules and come back in a month or so to discuss their solutions and recommendations, seconded by Ms. Pedro. Motion passed 7-0.
2. Monthly Finance Report – Motion to receive the Monthly Finance Report and place it on file made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

NEW BUSINESS

1. Discussion/Action – Request Approval to Replace and Reposition the Polo Scoreboard – Motion to approve replacing and repositioning the Polo scoreboard, made by Mr. Gleason, seconded by Dr. Ryan. Motion to amend the original motion made by Ms. Pedro, seconded by Mr. Gleason, to have Mr. Keating remove the scoreboard and electrical services when he leaves. Motion passed 6-1. Mr. Kesson in dissent. Main motion passed 6-1. Mr. Kesson in dissent.
2. Discussion/Approval – Proclamation of Appreciation and Thanks to the City of Portsmouth UK to be Hand Delivered by School Committee Member Andrew V. Kelly – Motion to approve made by Mr. Kesson, seconded by Dr. Ryan. Motion passed 7-0.
3. Discussion/Action – Resolution Urging Attorney General to Distribute Google Funds to the Portsmouth School Committee – Motion to approve the resolution and to send it out to our government officials and to other cities and towns for support made by Ms. Pedro, seconded by Mr. Gleason. Motion passed 7-0.

TOWN OF PORTSMOUTH
RESOLUTION # 2018-04-23 A

A RESOLUTION URGING RHODE ISLAND ATTORNEY GENERAL PETER KILMARTIN
TO DISTRIBUTE GOOGLE FUNDS TO THE PORTSMOUTH SCHOOL COMMITTEE

WHEREAS, the Office of Attorney General did reach a settlement agreement with Google Inc. in the amount of approximately \$230 million; and

WHEREAS, the terms of the settlement required the state of Rhode Island Office of Attorney General to use said settlement funds for general law enforcement purposes; and

WHEREAS, the Office of Attorney General has spent a significant sum of said settlement funds on items such as police pension plans, renovations of nine buildings in the control of the Attorney General and their ongoing utility bills, new police vehicles, hundreds of desktops, laptops, high end surface computers and accessories, tasers,

purchase of the opioid antidote known as NARCAN, a new firing range, two boxing rings, a trip for two to Las Vegas for a police convention, and multiple other purchases; and

WHEREAS, there remains approximately \$23 million in unspent Google Settlement funds; and

WHEREAS, the safety of school children should be the highest priority for all law enforcement; and

WHEREAS, there are 306 public schools in Rhode Island; and

WHEREAS, the Town of Portsmouth desires to upgrade its schools in order to provide for the safety of its school children by undertaking modifications and other capital improvement projects necessary to provide increased security at Portsmouth schools.

NOW, THEREFORE BE IT RESOLVED, that the Town of Portsmouth requests that Peter Kilmartin, in his capacity as Attorney General, develop a plan to distribute funds to the 306 schools in Rhode Island. By dividing the remaining \$23 million by the number of schools in Rhode Island, each school would receive \$75,163; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby instructed to submit a copy of this resolution to the Attorney General for the State of Rhode Island, the Governor, the Senate President, the Speaker of the House and the Town of Portsmouth's State Senator and State Representatives in the Rhode Island General Assembly for consideration of their support.

Approved by Town Council Action
April 23, 2018

4. PUBLIC HEARING: Discussion/Action/Resolution – Program Year 2017 Community Development Block Grant Program – Mr. Crosby introduced the purpose of the Public Hearing on the 2017 Community Development Block Grant, which is to obtain citizens views and comments concerning the activities and programs that are being put forth.

The Town may apply for 2017 Grants to use the money in 2018. The rules have changed and the Town may only apply for 3 Public Facility and 2 Public Service Grants per year. Mr. Crosby told the Council that just prior to the Council meeting he received a rough estimate of the cost for a fire sprinkler system for the Portsmouth Senior Center. It would be approximately \$411,000.

PUBLIC HEARING
TOWN OF PORTSMOUTH
2017 COMMUNITY DEVELOPMENT BLOCK GRANT

The Town of Portsmouth is preparing an application for a Community Development Block Grant to undertake the following activities and programs:

- 1) Public Facilities: Provide funding for \$30,000 price increase for 15,000-gallon cistern awarded funds last grant year and \$70,000 for an additional 15,000-gallon cistern to enhance water supply for firefighting operations on Prudence Island.
Amount: \$100,000
- 2) Public Facilities: Provide funding for a fire sprinkler system at the Portsmouth Seniors Center.
Amount: \$411,000
- 3) Public Facilities: Provide funding for roof, bathroom, and HVAC equipment to the Child & Family Services residential treatment home for foster children located in Portsmouth.
Amount: \$72,044
- 4) Public Services: Provide operating support for the Community Housing Resource Board / Housing Hotline of Newport County to provide housing counseling, referral services, and education and outreach to affirmatively further Fair Housing

in Newport County.
Amount: \$2,000

5) Public Services: Support for Women's Resource Center for housing and community services related to domestic violence.
Amount: \$5,000

6) Housing Development: Authorization for CCHC to apply for the CDBG Affordable Housing Set Aside Funds to acquire, rehabilitate, preserve, and develop properties for ownership and rental housing to benefit low and moderate-income households.
Amount: \$-0-

7) Administration: Town of Portsmouth Administration of Grant Programs
Amount: \$26,856

The Public Hearing was opened to the public.

Stephen Ostiguy, the Executive Director of Church Community Housing Resource Board, 50 Washington Square, Newport, spoke for the approval of the resolution. He stated that the funds from the grant would help to purchase and rehabilitate properties in Portsmouth which would help with low and moderate-income households. There are currently 22 houses in Portsmouth. If the resident sells the property it must also be sold to a low or moderate-income household. The Housing Development application would be filed by the CCHC and then distributed by Newport.

Mr. Hamilton asked 3 times if anyone else wished to comment. Hearing none, a motion was made by Dr. Ryan, seconded by Mr. Kesson to close the Public Hearing. Motion passed 7-0.

Mr. Hamilton asked if any of the Councilors wished to change the order of priority. Mr. Kesson asked if the Town was following the state guidelines or if the Senior Center building was grandfathered in; for not having a sprinkler system now? Chief Cranson said that if the Town is working on a plan to put in sprinklers they are in compliance. Mr. Gleason questioned Chief Cranson as to if the sprinkler system should move ahead of the cisterns on Prudence Island. The Chief said that one is not more important than another, but there is always an issue with water on Prudence Island. No changes were made to the order listed. Motion to approve the resolution was made by Dr. Ryan, seconded by Mr. Aguiar. Motion passed 6-1. Ms. Pedro in dissent.

TOWN OF PORTSMOUTH
RESOLUTION # 2018-04-23 B

Resolution Relating to the Program Year 2017 Rhode Island Community Development Block Grant Program

WHEREAS: funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and,

WHEREAS: the Governor of the State of Rhode Island has authorized the Director of said department to disburse such funds; and,

WHEREAS: it is in the interest of the citizens of the Town of Portsmouth that application be made to undertake a local Community Development Block Grant Program.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PORTSMOUTH: That the filing of this application for the amount of \$616,900 to implement the activities proposed herein hereby authorized and that the Town Administrator is hereby authorized and directed to file this application with the Office of Housing and Community Development, to provide any additional information or documents required by said office, to make

any assurances required in connection with this program, to execute an agreement with the State of Rhode Island, and to otherwise act as the Representative of the Town of Portsmouth in all matters relating to this application and any award which may be based upon this application.

APPROVED BY TOWN COUNCIL
ACTION April 23, 2018

5. Discussion – National Grid Pipe Line Maintenance Information – Motion to receive and place on file made by Mr. Kesson, seconded by Ms. Pedro. Motion passed 7-0.
6. Request Approval of Finance Director Candidate – Motion to approve Ms. Lisa Mills, made by Dr. Ryan, seconded by Ms. Ujifusa. Motion passed 6-1. Mr. Kesson in dissent.
7. Presentation and Submission for Review – Town Administrator’s Proposed Budget Fiscal Year July 1, 2018 – June 30, 2019 (Proposed Budget is Available on the Town’s Website) – Motion to receive and place on file by Ms. Pedro, seconded by Dr. Ryan. Motion passed 7-0.

CORRESPONDENCE

1. Prudence Island Water District’s Annual Report to the Electors FY Ending Sept. 30, 2017.
2. Clean Ocean Access Quarterly Report

Motion to receive all correspondence and place on file made by Mr. Gleason, seconded by Mr. Kesson. Motion passed 7-0.

FUTURE MEETINGS

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| Apr 24 | 7:00 PM - Town Council Meeting: Budget – Town and School Expenditures |
| Apr 25 | 7:00 PM - Town Council Meeting: Budget – Continuation as needed |
| Apr 26 | 7:00 PM - Town Council Meeting: Budget – Continuation as needed |
| May 14 | 7:00 PM - Town Council Meeting & Provisional Budget |
| May 29 | 7:00 PM - Town Council Meeting (Tuesday) |
| June 11 | 7:00 PM - Town Council Meeting |

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

Time: 8:55 PM

Jennifer M. West, Town Clerk