

PORTSMOUTH TOWN COUNCIL MEETING
MAY 14, 2018 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, Linda L. Ujifusa, J. Mark Ryan

Time: 7:00 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 – There was not an Executive Session held.

CONSENT AGENDA

1. Bills – Motion to receive the Bills for April 27, 2018 and May 1, 2018 and place on file made by Dr. Ryan, seconded by Mr. Gleason. Motion passed 6-0-1. Mr. Kesson recused himself.

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

1. PUBLIC HEARING (Continued fr. 4/23/18): Liquor License Application
Class BV Liquor License: Salsas Burrito Grill LLC, 108 Chase Road

a. Petition to Stop the Issuance of any Liquor License. / Neighbors of Salsas Burrito Grill

Public Hearing – Hector Angel, owner of Salsas Burrito Grill, asked for the Council to grant his request for a liquor license. Mr. Angel would only be serving beer and margaritas, which were already premade. There would not be a full bar.

Mr. Hamilton summarized the concerns in the neighborhood. Concerned that the business is located with a neighborhood on a side street. People are concerned that it will turn more into a bar than a restaurant. The safety of the children of the neighborhood. There are school bus drop offs at the corner between 3-4 pm.

Mr. Hamilton wanted to know if they would be willing to work with restricted hours for serving alcohol. Mr. Angel said he could work with it.

Mr. Aguiar asked what are the hours that they are open. Mr. Angel responded 11am – 10pm.

Mr. Kesson asked if he is using the outside tables? Mr. Angel said that he was. Mr. Kesson asked if Mr. Angel would serve alcohol outside? Mr. Angel stated the he would if allowed. There are 4 picnic tables outside and 7 tables inside.

Gene Barone, 33 Founders Ave. is against a liquor license. Concerned about the liquor license and his daughter gets off the bus at 2pm and worried that serving alcohol there would morph into something else. There are children getting off the bus near there.

Mr. Kesson asked if they started to serve liquor at 3pm is that a problem. Mr. Barone said that he'd rather have none.

Ms. Ujifusa asked how many tables inside? There are only 7 tables, would that be a problem? Yes replied Mr. Barone. Ms. Ujifusa asked Mr. Gavin if they could "morph" from serving the seven tables to serving outside. Mr. Gavin stated that to change the license premises from what is on record with the Town Clerk's office they would have to come before the Council with the request. They could serve full liquor if they wished with the license since it is BV. They would have to sell food. If they wanted to change what food they served they would not have to come before the Council. When it comes to renewing, if there was some cause to deny them after due process then the license could be denied renewal. There is no limit as to the number of licenses in town. There are currently 16 BV licenses.

Mr. Gleason asked the solicitor if they could just serve one drink with the order. Mr. Hamilton asked if they could require them to serve food with a drink.

Mr. Aguiar ask if the area is zoned commercial? Since it is on East Main Road then he should be given the opportunity to server liquor.

Larry Fitzmorris, 50 Kristen Ct., is against the liquor license. Does not want to see a neighborhood combined into a residential/commercial neighborhood.

Mr. Kesson supports the license as long as it stays inside. He would support it for six months. If they come back after and ask for liquor outside he would not support it.

After asking three times if there were any more comments during the Public Hearing and hearing none; a motion to close the Public Hearing was made by Ms. Pedro, seconded by Dr. Ryan. Motion passed 7-0.

Going forward Ms. Ujifusa would like to look at who we give liquor licenses to in the future. Mr. Hamilton suggested that it might be a good time to look at that during the Comprehensive Comp Plan.

Mr. Hamilton would like it to stay inside. He would like to see the hours from 4-10pm. Mr. Angel would like to know about when school is out. Mr. Hamilton felt it would be too difficult for the police to keep track by changing hours when school is not in session.

Ms. Pedro will not be supporting it since the neighbors do not want a liquor establishment in their neighborhood.

Motion to grant the Liquor License with the restricted hours of Mon-Fri 4:00 to 9:30pm, Sat-Sun and holidays 12:00 to 9:30pm and alcohol limited to being served inside only, made by Mr. Gleason, seconded by Mr. Aguiar. Motion passed 5-2. Ms. Pedro and Mr. Kesson in dissent. Mr. Kesson voted against because of the weekend hours.

2. Peddler License – Annual:

Heather Souto d/b/a The Naughty Pony, 225 Harrison Avenue, Newport, RI – Motion to approve the Peddler License made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

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

MINUTES

TCM 4/23/18 & Exec – Motion to approve the 4/23/18 and 4/23/18 Executive minutes made by Dr. Ryan, seconded by Mr. Gleason. Motion passed 7-0.

TCM 4/24/18 – Motion to approve, with amendments reflecting Mr. Kesson’s reason why he voted against the DPW Snow Removal, made by Mr. Gleason, seconded by Dr. Ryan. Motion passed 7-0.

TOWN ADMINISTRATOR’S REPORT

1. Update on Supreme Courts Tax Appeal Case – As most are probably aware by now, the Supreme Court ruled in favor of the three residents who owned condos near Carnegie Abbey, who argued their tax assessments should have been based on a lower property value for tax years 2009 and 2010. The ruling was 3-2. Essentially, the plaintiffs argued their property tax bills should have been calculated using fair market value, which was lower than the assessed value that took effect December 31, 2007 – before the housing crash of 2008. The case is complicated because of conflicting statutory provisions regarding the valuation of property. As of June 2018, we estimate the total amount of the judgments, including prejudgment and post judgment interest, will be approximately \$74,000. Ultimately, the legislature will have to reconcile conflicts in current legislation.
2. 2nd Annual Congressman Cicilline Community Conversation for Veterans & their families – On Saturday, May 26th at 12:00 p.m. at the Slater Memorial Park Pavilion (825 Armistice Boulevard, Pawtucket, RI 02861) Congressman Cicilline is hosting his 2nd Annual Community Conversation and BBQ for Veterans and Their Families. The discussion will focus on issues impacting veterans and their families. I’ve forwarded the information to our Veterans Organizations and posted the announcement on our web site.
3. Hands-free becomes law on June 1st – The RI Hands Free Law goes into effect on June 1st. Starting then, police can pull over and issue \$100 tickets to drivers they see talking on hand-held phones. People can still use a phone while they drive, if they use hands-free equipment. Our Police Department has been announcing the impending law via their electronic sign and social media.
4. Report on Spring Break Recreation Camp – Our new Recreation Director held a Spring Break camp for vacationing students from April 16 to 20th. We had over 30 children signed up and brought in over \$2658 in revenue after expenses. We’ve received tremendous positive feedback for the event and Wendy will follow-up with another camp this summer. Registration for the next camp is already underway.
5. Report on Community Opioid Addiction and Mental Health Forum held in Town Hall – On Saturday, March 5th, former Congressman Patrick Kennedy and Governor Gina Raimondo hosted a community conversation on substance abuse here in Council Chambers. Senator Seveney helped set up the event which was facilitated by Tom Coderre, the Governor’s policy advisor. The panelists heard from people in recovery, parents who had lost children to substance abuse, drug prevention specialists and area activists. According to Mr. Coderre, the purpose of the discussion was to publicly commit to doing more to address the growing crisis.
6. Update on Country Store project at Glen Park – The Store has been completed and is now waiting on paint. Cy Gibson from the Glen Park Committee is working with a local painter to get this done next

week weather permitting. Budgeted \$7,171. Final cost without painting \$6,999. I believe the painting (\$980) will be coming from the Maintenance account in the Glen Park Budget account FY18.

8. Report on First Annual Portsmouth Farm to Farm bike ride – The inaugural Farm-to-Farm bike ride was also held on May 5th. Over 450 people took part in the event which was held on Middle Rd. I'd like to thank the Police Dept. for ensuring the event ran safely and smoothly and especially Escobar's Farm for their sponsorship and support.

7. Police Station construction update – MILESTONES THIS PERIOD: Steel superstructure is complete; Masonry walls are being constructed and spray fireproofing is underway. The project is still on budget and due to be substantially completed in October of this year. The project is approximately 20% complete.

Lastly, we are soliciting nominations for the Portsmouth Award, due by the end of the month. Fire Chief Mike Cranson and Portsmouth Prevention Coalition Coordinator Ray Davis have put in their resignations for the end of the fiscal year.

Motion to have an accountability of all bills for the Police Station, all current payments made against the station and have that distributed to the Council at the next meeting, made by Mr. Kesson, seconded by Ms. Pedro. Motion passed 7-0.

REMOVALS, RESIGNATIONS AND APPOINTMENTS

1. Removals:

a. Glen Manor House Authority – Motion to approve the removal of Mr. J. Lane McMahon and Ms. Beverly Dowty made by Ms. Pedro, seconded by Ms. Ujifusa. Motion passed 7-0.

2. Appointments:

a. Agriculture Committee – Motion to approve Mr. Philemon Hadley made by Mr. Kesson, seconded by Mr. Gleason. Motion passed 7-0.

b. Glen Manor House Authority – Motion to appoint Ms. Aldona Dowski made by Mr. Kesson, seconded by Ms. Ujifusa. Motion passed 7-0.

OLD BUSINESS

1. Discussion/Action – Potential Changes/Amendments/Additions to the 2018 Transfer Station Rules – Motion to table the discussion until the June 25th meeting made by Mr. Kesson, seconded by Dr. Ryan. Motion passed 7-0.

2. Discussion/Action – Corrections to the Provisional Budget – Motion to receive and place on file made by Ms. Pedro, seconded by Mr. Gleason. Motion passed 7-0.

NEW BUSINESS

1. Presentation of Senior Project, Pushing Back School Start Times – Presentation given by Mr. Jackson. No motions made.

2. Introduction of the Kate Grana Music and Arts Association and their Mission to Raise Money for the Renovation of the PHS Auditorium – Presentation given by Ms. Brennan. No motions made.

3. Discussion/Action – Request Support of the Clean Seas Pledge Resolution – Motion to approve upon amendment made by Ms. Ujifusa, seconded by Mr. Gleason. Motion passed 7-0.

**TOWN OF PORTSMOUTH, RI
RESOLUTION # 2018-05-14**

A Resolution in Support of a Clean Seas Pledge

WHEREAS: Aquidneck Island is a leader for environmental stewardship and has eliminated smoking from beaches, and have voted to eliminate single-use plastic bags to improve the health of terrestrial and marine habitat; and

WHEREAS: Aquidneck Island supports the global environmental battle against marine plastic litter and believes that citizens need to be aware, engaged and active in addressing the problem in their own lives and beyond; and

WHEREAS: Aquidneck Island understands that convenience must be balanced against the harms caused by single-use beverage containers on our environment; and

WHEREAS: Clean Ocean Access has removed 14,905 plastic bottles and 18,409 caps & lids from the shoreline during the period of 2013 to 2017; and

WHEREAS: Plastic never goes away and breaks down into micro plastics ingested by small fish and bioaccumulates in larger fish that are eaten by humans; and

WHEREAS: Aquidneck Island is the largest island in Narragansett Bay in the Ocean State and protecting the health of our oceans is imperative to our economy and well-being; and

WHEREAS: The Volvo Ocean Race, a premier sailing event, recognizes the need to advocate for the elimination of ocean plastic litter and will be holding an Ocean Summit in Newport, RI on May 18, 2018, at which it will recognize local communities who have made a Clean Seas Pledge to work to reduce and eliminate single-use beverage container use.

NOW, THEREFORE BE IT RESOLVED, that the Portsmouth Town Council agrees to adopt this Clean Seas Pledge to work to reduce and eliminate single-use beverage container use, and that as an initial symbolic step, shall pledge that Town Council members shall work to use reusable containers for beverages during Council meetings in Council Chambers.

Approved by Town Council Action
May 14, 2018

Keith E. Hamilton, President
Portsmouth Town Council

ATTEST: _____
Jennifer M. West, Town Clerk

4. Request a Proclamation Declaring May 20-26, 2018 Emergency Medical Services Week – Motion to approve made by Dr. Ryan, seconded by Mr. Aguiar. Motion passed 7-0.

5. Request Approval of Consultant to Assist in Drafting the Town’s Comprehensive Community Plan – Motion to approve Weston & Sampson Engineers, Inc. made by Ms. Ujifusa, seconded by Mr. Aguiar. Motion passed 7-0.

6. Discussion/Action – Request Approval of Ground Maintenance Service Contract – Motion to approve the contract for Daponte’s Landscaping Services with movement of money to happen later at the Public Hearing made by Ms. Ujifusa, seconded by Dr. Ryan. Motion passed 6-1. Ms. Pedro in dissent because the motion did not stipulate where the money would be moved from.

CORRESPONDENCE

1. Report and Update on AIPC Activities and Finances – Motion to move item to OB1 at the May 29, 2018 Town Council meeting made by Mr. Kesson, seconded by Ms. Ujifusa. Motion passed 7-0.

FUTURE MEETINGS

- May 29 7:00 PM - Town Council Meeting (Tuesday)
June 11 7:00 PM - Town Council Meeting
June 13 7:00 PM - Public Budget Hearing: Town Council Chambers or Portsmouth Middle School,
125 Jepson Lane (Wednesday)
June 25 7:00 PM - Town Council Meeting & Final Budget Adoption

ADJOURN – Motion to adjourn made by Ms. Pedro, seconded by Mr. Kesson. Motion passed 7-0.

Time: 8:56 PM

Jennifer M. West, Town Clerk