

PORTSMOUTH TOWN COUNCIL MEETING  
MARCH 8, 2021  
MINUTES

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

MEMBERS PRESENT: Kevin M. Aguiar and Andrew V. Kelly in Town Council Chambers

MEMBERS PRESENT BY ZOOM: Linda L. Ujifusa, Daniela T. Abbott, Michael Buddemeyer, Keith E. Hamilton and J. Mark Ryan

Time: 7:00 PM

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT’S EXECUTIVE SUMMARY – There was no Executive Session held.

PRESENTATIONS/RECOGNITIONS

1. Proclamation of Appreciation in recognition of Kathleen Pavlakis’ service to the Zoning Board
2. Meals on Wheels Proclamation

CONSENT AGENDA – Motion to approve as presented made by Mr. Kelly, seconded by Dr. Ryan. Motion passed 7-0.

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. Bills
2. Peddler License – Mobile Food Establishment (MFE), Renewal:
  - a. Baby Duck LLC d/b/a HG80, 78 Harrison St Floor 2, Providence (#1894)
3. CRMC – Public Notice 2018-09-033  
Daniel Torre, 152 Winter Street, Wakefield, RI 02879 – for a State of Rhode Island Modification of Assent to: add quahogs, bay scallops, and surf clams to the species cultivated on the existing aquaculture farm. Project Location: Sakonnet River, Portsmouth

MINUTES – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.  
2/22/21

TAX VOUCHERS – Motion to approve made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.  
Request approval for Tax Vouchers #20210309-01

TOWN ADMINISTRATOR’S REPORT

1. Covid-19 Update
  - I hope everyone is doing well. Rhode Island’s COVID-19 positivity rate continues to remain low at 2.1% for last week, and over a ¼ million vaccinations have been administered statewide.
  - Locally, we are in our fourth week of administering vaccinations to Portsmouth residents 75 and older. We will start administering second doses to that population starting next week.
  - Additionally, Governor McKee and the RIDOH have directed that all teachers and school personnel have the opportunity to get vaccinations by the end of March.

- We are working with the State, RIEMA and the School Administration to open our vaccination center to teachers as soon as possible.
  - The State run vaccination center planned to open at the site of the former Benny's on West Main Road will open in the next two weeks and that site will take responsibility for vaccinations of the remaining population.
  - Direction on how to register for vaccinations at the State run sites, regional centers, and local pharmacies are available online via the RI DOH and Portsmouth websites.
  - The spread of the virus and particularly its variants of the virus remain a concern. The CDC and RI DOH are encouraging everyone to get tested regularly. Rapid and PCR testing appointments are available at various locations throughout the state via the portal.ri.gov website.
  - Beginning this past weekend, capacity limits in restaurants have increased from 50% to 66% and Gyms and fitness centers can increase capacity from one person per 125 square feet to one person per 100 square feet.
  - Please continue to wear masks, limit large gatherings, and maintain social distance.
2. Budget Update
- The Budget process is slightly ahead of the schedule approved by the Council last December. Staff budget proposals have been reviewed and challenged and the School Administration will present their second draft to the School Committee tomorrow evening.
  - There remains more work to do and we are forced to make some assumptions while awaiting a State Budget proposal – however, we are on track to submit a budget proposal for your review at the end of the month.

#### RESIGNATIONS AND APPOINTMENTS

1. Appointments:
  - a. Economic Development – Motion to appoint Ted Pietz made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.
  - b. Tax Assessors Board of Review – Motion to reappoint Norbert Rattay and Brad Finnegan made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

#### OLD BUSINESS (Discussion/Action) – None

#### NEW BUSINESS (Discussion/Action)

1. Proposed Basketball Courts at the Seveney Field Complex. – Motion to advance the Memorandum of Understanding (MOU) and the development of plans for basketball courts at the Seveney Field Complex made by Ms. Ujifusa, seconded by Ms. Abbott. Motion passed 7-0.
2. Presentation of FY 20 Audit. – Motion to move to the end of New Business made by Dr. Ryan seconded by Ms. Ujifusa. Motion passed 7-0.
3. Alternative Portsmouth locations for Senior Center activities. – Motion made by Mr. Kelly, seconded by Mr. Hamilton to table the discussion. Motion passed 7-0.
4. Request to allow the Friends of the Senior Center and the Senior Center to make the necessary repairs to resolve the fire code violations. – Motion to have the Friends of the Senior Center present a Memorandum of Understanding (MOU) detailing expectations and a schedule between the Friends of the Senior Center, The Senior Center and the Town made by Ms. Ujifusa, seconded by Mr. Hamilton. Motion passed 7-0. Motion to table until MOU has been presented made by Ms. Ujifusa, seconded by Mr. Hamilton. Motion passed 7-0.
5. Melville Park Committee Bylaws Amendments. – Motion to approve changes made by Dr. Ryan seconded by Mr. Hamilton. Motion passed 7-0.
6. Amendment to Charter sections 209 and 703 regarding Vacancies. – Motion to approve made by Mr. Kelly, seconded by Ms. Abbott. Motion failed 3-4. Ms. Ujifusa, Mr. Hamilton, Dr. Ryan and Mr. Aguiar in dissent.

- 7. Automated School-Zone-Speed-Enforcement System at Melville Elementary School Pursuant to RI Gen. Law 31-41.3.3 (2016) – Motion to start the process to place an “automated school-zone-speed-enforcement system” at Melville Elementary School made by Mr. Kelly, seconded by Ms. Ujifusa. Motion passed 6-1. Ms. Abbott in dissent.
- 8. Resolution in Support of 2021-H 5113 An Act Related to Miniature Alcoholic Beverage Container Deposit Recycling. – Motion to approve made by Mr. Kelly, seconded by Ms. Ujifusa. Motion passed 7-0.

TOWN OF PORTSMOUTH, RI  
RESOLUTION #2021-03-08 A

RESOLUTION IN SUPPORT OF 2021- H 5113  
AN ACT RELATED TO MINIATURE ALCOHOLIC BEVERAGE CONTAINER DEPOSIT RECYCLING

WHEREAS, the prevalence of roadside litter of miniature alcoholic beverage containers, commonly referred to a "nips," is undesirable and unhealthy; and

WHEREAS, many states have determined that nominal refundable deposits when purchasing these nips has reduced roadside litter of these containers between 30 to 60 percent and significantly increased recycling rates; and

WHEREAS, requiring refundable deposits upon purchase of these containers will place the obligation to return the used container upon the purchaser and not require the public to undertake the continued clean-up of these containers when discarded along roadsides; and

WHEREAS, increasing recycling of these products will help to extend the life-span of Rhode Island's central landfill; and

WHEREAS, uncollected deposits will be converted to fund environmental programs.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Portsmouth hereby requests that the General Assembly act favorably and pass 2021 — H 5113; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to provide a copy of this resolution to the Town of Portsmouth's representatives in the R.I. General Assembly and all other Rhode Island cities and towns.

Adopted: March 8, 2021

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Kevin Aguiar, President  
Portsmouth Town Council

ATTEST: \_\_\_\_\_  
Jennifer M. West, Town Clerk

- 9. Resolution of the Portsmouth Town Council to Pass the Act on Climate Bills in the Rhode Island General Assembly. – Motion to approve made by Mr. Kelly, seconded by Dr. Ryan. Motion passed 6-1. Mr. Hamilton in dissent.

TOWN OF PORTSMOUTH, RI  
RESOLUTION #2021-03-08 B

RESOLUTION TO PASS THE ACT ON CLIMATE BILLS IN THE  
RHODE ISLAND GENERAL ASSEMBLY

WHEREAS, the Town of Portsmouth places energy efficiency, carbon emissions reduction, and renewable energy choices among its top priorities; and

WHEREAS, the consensus opinion of the scientific community attributes the decades-long climate change trends to human-driven increases of the "greenhouse effect;" and

WHEREAS, current Rhode Island state law, the Resilient Rhode Island Act of 2014, set aspirational goals for reducing our carbon pollution, which increases the greenhouse effect: 45% by 2035 and 80% by 2050, relative to 1990 levels; and

WHEREAS, more rapid reductions in emissions are needed, in Rhode Island and everywhere, to prevent catastrophic heating of the planet by 2.7° F or more; and

WHEREAS, the 2014 law provides no means of accountability or enforcement if the state fails to meet these goals; and

WHEREAS, the 2021 Act On Climate bill (S0078 and H5445) fixes these problems with an amendment to the 2014 law. The legislation provides for:

1. Faster emission reductions, consistent with climate science recommendations: 45% cut by 2030; 80% cut by 2040; and 100% cut (net zero emissions) by 2050.
2. Accountability and transparency: emission reduction targets will become legally binding. The state will have to publish plans, metrics, and a dashboard.
3. Attention to job creation and a just transition: the state’s plans must include input from vulnerable communities, address public health and environmental inequities, and develop a diverse, well-paid, clean-energy workforce.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Portsmouth calls on the General Assembly to promptly pass these bills, and for the Governor to sign and implement them; and

BE IT FURTHER RESOLVED, that copies of this Resolution be distributed to Portsmouth’s members of the General Assembly, its leadership, the Governor and Lt. Governor of Rhode Island and the Clerks of all municipalities in Rhode Island.

Adopted: March 8, 2021

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Kevin Aguiar, President  
Portsmouth Town Council

ATTEST: \_\_\_\_\_  
Jennifer M. West, Town Clerk

\*NB2. Presentation of FY 20 Audit. – Motion to receive and place on file made by Mr. Hamilton, Seconded by Dr. Ryan. Motion passed 7-0.

CORRESPONDENCE – Motion to receive and place on file made by Dr. Ryan, seconded Mr. Hamilton. Motion passed 7-0.

1. A Resolution in support of RIGL 44-25-2 Maximum Levy. / Coventry Town Council
2. A Resolution requesting the Governor and General Assembly Support Afterschool and Summer Programs for Rhode Island’s Youth. / Central Falls City Council
3. A Resolution urging the General Assembly to Pass the Civics Literacy Act HB-5028. / Central Falls City Council
4. A Resolution urging the General Assembly to Pass Misdemeanor Reclassification – SB – 118 – for the Protection of Immigrant Families. / Central Falls City Council
5. Resolution of the Town of Burrillville Disposition of Zambarano Hospital. / Burrillville Town Council

FUTURE MEETINGS

- Mar 22 7:00 PM – Town Council Meeting
- Apr 12 7:00 PM – Town Council Meeting
- Apr 26 7:00 PM – Town Council Meeting & Budget Overview
- Apr 27 7:00 PM – Town Council Meeting - Budget
- Apr 28 7:00 PM – Town Council Meeting - Budget
- Apr 29 7:00 PM – Town Council Meeting - Budget if needed

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

Time: 9:50 PM

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Jennifer M. West, Town Clerk