

PORTSMOUTH TOWN COUNCIL MEETING
AUGUST 10, 2021 (TUESDAY)
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, Michael Buddemeyer, Keith E. Hamilton and Andrew V. Kelly

MEMBERS ABSENT: Daniela T. Abbott

Time: 7:00 PM

EMERGENCY EVACUATION PLAN

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT'S EXECUTIVE SUMMARY – There was not an Executive Session held.

CONSENT AGENDA – Motion to approve as presented made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 6-0.

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:

Black Dog Donuts LLC, 52 Woody Hill Rd, Exeter, 1 vehicle (# 1970)

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. Entertainment License:

Island Park Preservation Society, 21 Beach Street, for the Annual Island Park Picnic & Fireworks at 706 Park Ave, September 5, 2021 from 5:00 pm- 9:00 pm (#1879) – Motion to approve made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 6-0.

2. Peddler License – Mobile Food Establishment (MFE), New:

a. Daniel Armbruster d/b/a Papa Grande Comfort, 75 W School Street, Charlestown, MA, 1 vehicle (# 1977)

b. Group 21 LLC d/b/a Juice Junkie, PO Box 8569, Cranston, 1 vehicle (#1980) – Motion to approve both Peddler Licenses 2a and 2b made by Dr. Ryan, seconded by Ms. Ujifusa. Motion passed 6-0.

3. Victualler License – Annual, New:

Mello's Farm & Flower Center LLC, 444 Boyds Lane (#1979) – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

ADJOURN – Motion to adjourn made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0.

MINUTES – Motion to approve all minutes made by Dr. Ryan, seconded by Ms. Ujifusa. Motion passed 6-0.

7/26/21 & Exec.

TAX VOUCHERS

Request approval for Tax Vouchers #20210810-01 to #20210810-12. – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

TOWN ADMINISTRATOR’S REPORT

1. VIN check update – The Rhode Island Division of Motor Vehicles announced last week that municipal police departments will resume conducting vehicle identification number (VIN) checks beginning September 1st. VIN checks are a requirement of new registration applications for vehicles being transferred into, and registered in, Rhode Island. Applicants should bring the original title, or a copy of the title if there is a lien on the vehicle, along with the vehicle to the police department for this service. Additional information can be found at the RI DMV website.
2. American Rescue Plan update – We have received more information and guidance regarding the American Rescue Plan since our last meeting: The state has received the county funds for distribution to cities and towns. Treasury has put out new guidance on funds for non-governmental counties but the RI Pandemic Recovery Office (RIPRO) has requested more guidance regarding baseline revenue and the way RI municipalities should be calculating revenue loss since we do not have county-level revenues. County funds will be paid in two tranches, one year apart. The US Treasury Department will require periodic reports on how we use ARP funds and our first report will be due October 31st. I stated at the last meeting public engagement will be a required part of this program. We have a training session with RIPRO tomorrow and will learn more about how to best comply with this requirement. Additionally, we have been reminded cities and towns are accountable for the funds distributed to other parties to administer programs. A potential example of this could be if the Town decided to distribute ARP funds to Portsmouth Water and Fire as a sub-recipient. The state is reviewing several risk assessment models to help cities and towns evaluate sub-recipient fund management. And lastly, all cities and towns have again been cautioned not to use ARP funds to increase fund balances. However, since cities and towns may not expend all funds in the year they are received, RIPRO is looking into how to demonstrate that funds carried forward to another fiscal year are not an increase to the rainy-day fund, possibly through the use of designated/restricted accounts.
3. National Night Out – Last Tuesday, the Police Department held a National Night Out community event at Sandy Point Beach. The department hosted face painting, lawn games with prizes, along with pizza and popcorn donated by local businesses. The evening culminated with an outdoor movie and a great time was had by all. National Night Out is a nationwide initiative that brings the community and police together to promote positive police-community partnerships. The event is held yearly on the first Tuesday in August. Our Police Department has participated in National Night Out since 2014 with the exception of last year due to COVID-19.
4. Fire Department grant award – The Portsmouth Fire Department is extremely happy and appreciative for an award of a \$5,000 grant from the Portsmouth Prevention Coalition. These funds, combined with an earlier \$7,500 award from Enbridge, will assist in making our seniors safer in their homes. The Fire Department will:
 - o Purchase and install smoke and Carbon Monoxide alarms.
 - o Provide home assessment to identify and/or correct safety concerns.
 - o Provide literature that addresses senior living home safety.
 - o And, provide “Files for Life” – a place where current medication lists can be kept and accessed in the event of a medical emergency where the resident cannot convey to emergency response personnel what medication are being taken.Additionally, we received word from Senator Jake Reed and Congressman Cicilline last Friday that the Prudence Island Volunteer Fire grant application to receive funding for a new fire engine has

been approved. The grant will require a 5% match, which we anticipated and included in the Capital Improvement Plan you approved.

RESIGNATIONS AND APPOINTMENTS

1. Resignations:

- a. Design Review Board – Motion to accept with regret the resignations of Brendan Abbott and Cynthia Bogart made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0
- b. Juvenile Hearing Board – Motion to accept with regret Karen Gleason’s resignation made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.
- c. Solid Waste/Recycling Committee – Motion to accept with regret Carolyn Gillman’s resignation made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0.

2. Appointments:

- a. Prudence Island Planning Commission (Re-Appnt.) – Motion to re-appoint Christopher Brown and Frederick Stevenson Jr. made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0.

OLD BUSINESS (Discussion/Action)

- 1. CGA Architecture analysis of the Anne Hutchinson building. – No votes taken.
- 2. Church Community Housing Corporation Senior Center presentation. – No votes taken.
- 3. Request Council approval of a resolution for two questions to appear on the ballot of the November 2, 2021 Special Election:
 - a. School Construction and Renovation Projects Bonds and/or Notes not to Exceed \$21,439,299 (Local Act Number 075-Local Acts 2020) – Motion to approve made by Ms. Ujifusa, seconded by Dr. Ryan. Motion passed 6-0.

**TOWN OF PORTSMOUTH, RI
RESOLUTION # 2021-08-10A**

BE IT RESOLVED by the Town Council of the Town of Portsmouth that the following question shall appear on the ballot for the November 2, 2021 Special Election:

**SCHOOL CONSTRUCTION AND RENOVATION PROJECTS
BONDS AND/OR NOTES NOT TO EXCEED \$21,439,299
(Local Act Number 075 – Local Acts 2020)**

“Shall an act, passed at the 2020 session of the general assembly, entitled ‘AN ACT AUTHORIZING THE TOWN OF PORTSMOUTH TO ISSUE NOT TO EXCEED \$65,900,000 GENERAL OBLIGATION BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS TO FINANCE THE CONSTRUCTION, ADDITIONS, RENOVATION, IMPROVEMENT, ALTERATION, REPAIR, FURNISHING AND EQUIPPING OF SCHOOLS AND SCHOOL FACILITIES THROUGHOUT THE TOWN, SUBJECT TO APPROVAL OF STATE HOUSING AID AT A REIMBURSEMENT RATE OR STATE SHARE RATIO OF NOT LESS THAN 35% FOR EXPENDITURES ELIGIBLE FOR STATE AID AND PROVIDED THAT THE AUTHORIZATION SHALL BE REDUCED BY ANY GRANT RECEIVED FROM THE SCHOOL BUILDING AUTHORITY CAPITAL FUND’ be approved in 2021, in order to allow the Town to borrow an amount now not to exceed \$21,439,299 to finance the projects set forth in the Portsmouth School Department’s “RIDE Stage II Submission” to the Rhode Island Department of Education (“RIDE”), as approved by the Portsmouth Town Council and by RIDE?

BE IT FURTHER RESOLVED that the Registrar of Voters and the Board of Canvassers be and are hereby instructed to forward a true copy of said ballot questions to the Secretary of State in accordance with State law.

Adopted: August 10, 2021

ATTEST: _____
Jennifer M. West, Town Clerk

Kevin M. Aguiar, President,
Portsmouth Town Council

b. Approval of Property Transfer Pursuant to Section 912 of the Portsmouth Town Charter (Resolution of the Town Council adopted August 10, 2021) – Motion to approve made by Ms. Ujifusa, seconded by Dr. Ryan. Motion passed 6-0.

**TOWN OF PORTSMOUTH, RI
RESOLUTION # 2021-08-10B**

BE IT RESOLVED by the Town Council of the Town of Portsmouth that the following question shall appear on the ballot for the November 2, 2021 Special Election:

**APPROVAL OF PROPERTY TRANSFER
PURSUANT TO SECTION 912 OF THE PORTSMOUTH TOWN CHARTER
(Resolution of the Town Council adopted August 10, 2021)**

“Shall a transfer of a property interest in the so-called Anne Hutchinson School property at 110 Bristol Ferry Road, for the purposes of developing elderly affordable housing, a new Senior Center facility, and the possible redevelopment of the original Anne Hutchinson School building, be approved?”

BE IT FURTHER RESOLVED that the Registrar of Voters and the Board of Canvassers be and are hereby instructed to forward a true copy of said ballot questions to the Secretary of State in accordance with State law.

Adopted: August 10, 2021

ATTEST: _____
Jennifer M. West, Town Clerk

Kevin M. Aguiar, President,
Portsmouth Town Council

Motion to recess for 10 minutes made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.
Recessed Time: 9:19 PM
Resumed Time: 9:25 PM

4. Proposed MOU for basketball courts at the Seveney Sports Complex. – Motion to reconsider proposal in March 2022 when the Master Plan is completed, made by Ms. Ujifusa, seconded by Dr. Ryan. Motion failed 2-4. Mr. Buddemeyer, Mr. Hamilton, Mr. Kelly and Mr. Aguiar in dissent. Motion to enter into the MOU and amend the MOU to change the location to the east side parking area and request that all engineering studies and environmental studies be conducted before they are built, made by Mr. Hamilton, seconded by Mr. Buddemeyer. Motion passed 4-2. Ms. Ujifusa and Dr. Ryan in dissent.

NEW BUSINESS (Discussion/Action)

1. Expansion of the Parks and Recreation Committee from 7 to 15 members. – Motion to increase committee from 7 members to 9 members made by Mr. Kelly, seconded by Mr. Hamilton. Motion fails 3-3. Ms. Ujifusa, Mr. Buddemeyer and Dr. Ryan in dissent.
2. Complete rehabilitation of Town owned basketball courts at Island Park Playground and Redwood Farms/Frank Carson Memorial Playground, not to exceed \$65,000. – Mr. Kelly withdrew this item from the agenda. No motions made.
3. Request approval to close the Wind Turbine Generator Enterprise Fund effective June 30, 2021 using anticipated surplus funds up to \$387,418 to eliminate outstanding liability to the General Fund. – Motion to approve made by Ms. Ujifusa, seconded by Dr. Ryan. Motion passed 6-0.
4. Request to award the Town Hall Audio Visual Renovations contract. – Motion to award ADTECH Systems the Town Hall Audio Visual Renovations contract made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 6-0.

5. Request to award the Sandy Point Bath House Renovations contract. – Motion to award Nation Wide Construction Corp. the Sandy Point Bath House Renovations contract made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

CORRESPONDENCE – Motion to receive and place on file made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

1. Monthly RIRRC Report. / Rhode Island Resource Recovery Corp.
2. Thank you from the Dr. Martin Luther King Jr. Community Center. / H. Strout, Exec. Director
3. Congratulations on becoming a “Purple Heart Town.” / M. McCoy, State Adjutant, VFW RI

FUTURE MEETINGS

- Sep 13 7:00 PM – Town Council Meeting
Sep 18 12:00 PM – Town Council Meeting – Prudence Island (Saturday)
Sep 27 7:00 PM – Town Council Meeting
Oct 12 7:00 PM – Town Council Meeting (Tuesday)

ADJOURN – Motion to adjourn made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 5-1. Mr. Kelly in dissent.

Time: 11:45 PM

Jennifer M. West, Town Clerk