PORTSMOUTH TOWN COUNCIL MEETING
MARCH 25, 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, Andrew V. Kelly and Daniela T. Abbott

MEMBER ABSENT: Leonard B. Katzman

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

PRESENTATIONS/RECOGNITIONS
1. Proclamation of Appreciation in Recognition of Retirement of Deputy Police Chief Maryanne Perry

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

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. Entertainment License – Fee Waiver Requested:
   Portsmouth Youth Soccer Association, Scott Hubbell, PO Box 428, Portsmouth, for the Portsmouth Invitational Soccer Tournament, Gardner Seveney Sports Complex, June 14-16, 2019 (#1415) – Motion to approve with fee waiver by Mr. Kelly, seconded by Mr. Hamilton. Motion passed 6-0.

2. Peddler Licenses – Specific Event – Fee Waiver Requested:
   Portsmouth Youth Soccer Association, Scott Hubbell, PO Box 428, Portsmouth for the Portsmouth Invitational Soccer Tournament, Gardner Seveney Sports Complex, June 14-16, 2019 (#1415) – Motion to approve with fee waiver made by Dr. Ryan, seconded by Mr. Kelly. Motion passed 6-0.

3. Peddler License – Specific Event:
   Rugby Imports Ltd., 885 Warren Avenue, East Providence, RI for the Beast of the East Rugby Tournament, April 13-14, 2019 (#1421) – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.
4. Peddler Licenses – Annual:
   a. Hawaiian Jim's Shave Ice & Co. II d/b/a Hawaiian Jim's Shave Ice & Co., 144 Greystone Terrace, Portsmouth – 2 Vehicles (#1419) – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.
   b. Red Door Ventures Inc. d/b/a Wag Nation, 92 William St., Newport (#1420) – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

5. PUBLIC HEARING: Transfer of a Class D Alcoholic Beverage License (#1412)
   Application to transfer a Class D Alcoholic Beverage License from RI Abbey Golf Club Inc. d/b/a RI Abbey Gulf Club Inc. to ACC Beverage, Inc. d/b/a The Aquidneck Club, 125 Cory’s Lane, Portsmouth.
   a. Application for a Class D Alcoholic Beverage License
      ACC Beverage, Inc. d/b/a The Aquidneck Club, 125 Cory’s Lane, Portsmouth. President: Andrew Tuchler.
   b. Objection to the transfer of Class D Liquor License from RI Abbey Golf Club Inc. d/b/a RI Abbey Gulf Club Inc. to ACC Beverage, Inc. d/b/a The Aquidneck Club unless indebtedness is paid in full to Rhode Island Distributing Co. / G. Mancini, Sinapi Law Associates, Ltd.

Mr. Andrew Tuchler, President of The Aquidneck Club, 12 Carnegie Heights Drive, will make sure that any outstanding bills will be paid.

Motion to close the Public Hearing made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

Motion to approve the transfer with the condition that any outstanding bills are paid off made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed 6-0.

6. Victualler License – Annual:
   ACC Beverage, Inc. d/b/a The Aquidneck Club, 125 Cory’s Lane (#1412)

7. Holiday License – Annual:
   ACC Beverage, Inc. d/b/a The Aquidneck Club, 125 Cory’s Lane (#1412)
   Motion to approve both the annual Victualler License and the Annual Holiday License made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

**ADJOURN** – Motion to adjourn as the Board of License Commissioners made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0.

**MINUTES**
TCM 3/11/19 – Motion to approve made by Dr. Ryan, seconded by Ms. Ujifusa. Motion passed 6-0.

**TOWN ADMINISTRATOR’S REPORT**
1. Update on FEMA Hazard Mitigation Plan approval – The Federal Emergency Management Agency has approved the 2018 Hazard Mitigation Plan Update, effective through January 31, 2024.
With this plan approval, Portsmouth is eligible to apply to the RI Emergency Management Agency for mitigation grants administered by FEMA.

2. Gull Cove Fishing Area – DEM has evaluated the Gull Cove State Boat Ramp and determined it is no longer safe to maintain and operate. They plan to remove the ramp in July. The park will remain open to the public. DEM will execute a public information campaign beforehand to highlight the impending removal and direct boaters to a new ramp by the Sakonnet bridge on the Tiverton side.

3. SafeHome annual Safe Cities ranking – SafeHome organization publishes an annual ranking of safest communities and has named Portsmouth the safest community in Rhode Island and one of the safest in the Country. According to data collected, Portsmouth’s score ranks in the top fifth percentile in the U.S. The data used to calculate the score includes FBI crime statistics, the number of law enforcement officers in the city or town and crime trends.

4. Fire ambulance repair – Our back-up ambulance broke down recently and, unfortunately, it has been determined the engine needs to be rebuilt. I’d like to thank the Portsmouth Volunteer Fire organization for stepping forward with $23,000 for the cost of the repair - enabling us to return the vehicle to service with a minimum of down time. I’d like to offer an additional note of thanks for the organization’s donation of $8,800 dollars for the purchase of a new LUCAS CHEST COMPRESSION SYSTEM. Their volunteer spirit and dedication to the safety of our Town is commendable and something we can all be grateful for.

5. Rescheduled date for Municipal Budgeting Seminar – The RI League of Cities and Towns Municipal Budgeting Seminar for Town officials which was postponed earlier this month due to weather has been rescheduled. It will be held Saturday, April 6th, from 9:45 to 12:00 at the Jamestown Library.

Late Thursday/early Friday, a section of the north side of the Old Stone Bridge collapsed. DOT and DEM are aware. Lastly, the proposed banner program that was previously approved by the Council has been cancelled. There were not enough poles to put the banners on.

**OLD BUSINESS (Discussion/Action)**

1. Monthly finance report. – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

2. Approval of Short Term Rental Compliance recommendation. – Motion to approve Host Compliance made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

3. Monthly Police Station update. – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

**NEW BUSINESS (Discussion/Action)**

1. Summary of the function of the Newport County Prevention Coalition. – No motions made.

2. Request approval of proclamation declaring April 2019 Alcohol Awareness Month. – Motion to approve made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.
3. Proposed exemption to the Animal Ordinance regarding unleashed dogs in public parks (101-13). – Motion to approve made by Mr. Kelly, seconded by Mr. Hamilton. Motion fails 0-6.

4. Request Town Council support submission of RFR (Request for Response) to become a “Resilient Rhody Municipality.” – Motion to approve support of Portsmouth applying under the RFR to become a “Resilient Rhody Municipality,” to instruct the Town Administrator to send a letter expressing such support on behalf of the town council and outlining compliance with the RPR requirements through already initiated and planned staff and community partnership activities; and authorize a “steering committee” to oversee this effort, pursuant to the RFR requirement, composed of: Mr. Ray Perry, EMA Director; Mr. Gary Crosby, Town Planner; Mr. Rich Talipsky, Business Development Director and MED POD director; Ms. Linda Ujifusa, Town Council member; School Dept. or School Committee Representative TBD; and, Mr. John McDaid, Conservation Commission member made by Ms. Ujifusa, seconded by Mr. Hamilton. Motion to amend made by Mr. Hamilton, seconded by Mr. Kelly, to add Mr. Woodhead from DPW, Ms. Robin Weber from Prudence Island, and Mr. Tom Grieb from the Harbor Commission to the Committee. Motion failed 3-3. Ms. Ujifusa, Dr. Ryan and Ms. Abbott in dissent. Motion to amend made by Mr. Hamilton, seconded by Mr. Kelly to add Mr. Woodhead from DPW and Mr. Tom Grieb from the Harbor Commission to the Committee. Motion failed 3-3. Ms. Ujifusa, Dr. Ryan and Ms. Abbott in dissent. Motion to amend made by Ms. Ujifusa, seconded by Mr. Kelly to add Mr. Woodhead from DPW to the Committee. Motion passed 6-0. Main motion passed as amended 6-0. Mr. Hamilton stated for the record, that this is a hand-picked group made up of Ms. Ujifusa’s hand-picked people. Typically, when we do something like this we advertise for our committees, we don’t hand pick them.

5. Request Approval of Glen Farm Special Events Applications.
   a. Newport Spinnakers, RI Women’s Soccer League, Liz Parvo Brown, 9 Freeborn St., Newport, for use of Gardner Seveney Field on May 19 and June 9 from 9:30am-12pm
   b. John Tomlinson Soccer LLC, John Tomlinson, 1114 Middle Rd, Portsmouth, for use of Gardner Seveney Field for Soccer Camps, April 16-19, July 15-18, August 12-15 and August 19-22 – Motion to approve 5a and 5b made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.
   c. Portsmouth Music & Arts Festival to host the festival at the Leonard Brown House on Sunday, July 28 from 10am-4pm – Motion to postpone to a future date made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

6. Request support of Resolution in Opposition to H-5437 and S-0512 An Act Relating To Labor And Labor Relations – Arbitration – Continuance Of Contractual Provisions. – Motion to approve made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

7. Request support of Resolution in Support of Safe Schools Act of 2019 H-5762, Assault Weapon Ban 2019 H-5741 and High Capacity Magazine Ban H-5739. – Motion to approve made by Mr. Kelly, seconded by Dr. Ryan. Motion passed 6-0.

**CORRESPONDENCE**

1. Resolution supporting Gov. Raimondo’s Initiative to Invest in Staffing Operations, to Increase the Financial Sustainability and Economic Potential and Protect the Assets and Infrastructure of our State by Supporting the Beach Fees and Camping Fees Included in Gov. Raimondo’s
Proposed Budget for the Fiscal Year. – Motion to receive and place on file made by Mr. Kelly, seconded by Mr. Dr. Ryan. Motion passed 6-0.

**FUTURE MEETINGS**

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<td>Town Council Meeting</td>
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<tr>
<td>Apr 22</td>
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<td>Town Council Meeting: Budget – Overview and Discussion on Revenue</td>
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<tr>
<td>Apr 23</td>
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<td>Town Council Meeting: Budget – Discussion of Town and School Expenditures</td>
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<tr>
<td>Apr 24</td>
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<td>Town Council Meeting: Budget – Continuation of Budget Discussion as needed</td>
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<tr>
<td>Apr 25</td>
<td>7:00 PM</td>
<td>Town Council Meeting: Budget – Continuation of Budget Discussion as needed</td>
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Motion to go into Executive Session under RIGL 42-46-5(a)(5) made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

Time: 8:37 PM  
Break: 8:37 PM  
Time: 8:45 PM

**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 motion made, passed 5-1. Mr. Katzman absent.

**ADJOURN** – Motion to seal the minutes and adjourn to open session made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

Time: 8:50 PM

**RETURN TO OPEN SESSION**

**OPEN SESSION** – Mr. Aguiar stated that there was one vote taken during Executive Session.

**ADJOURN** – Motion to adjourn made by Ms. Abbott, seconded by Dr. Ryan. Motion passed 6-0.

Time: 8:52 PM

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Jennifer M. West, Town Clerk