

PORTSMOUTH TOWN COUNCIL MEETING
MAY 13, 2019 MINUTES

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

MEMBERS PRESENT: Kevin M. Aguiar, Linda L. Ujifusa, J. Mark Ryan, Keith E. Hamilton, Leonard B. Katzman, Andrew V. Kelly and Daniela T. Abbott

ALSO PRESENT: Richard Rainer, Lisa Mills, Lisa Puglia, Paul Ford, Jennifer West and Michael Ursillo Esq.

Time: 6:06 PM

EXECUTIVE SESSION – Motion to go into Executive Session under RIGL 42-46-5(a)(2) made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

1. RIGL 42-46-5 (a)(2) Collective Bargaining – PMEA, Fire Department

ADJOURN – Motion to seal the minutes and adjourn into Open Session made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

Time: 6:50 PM

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

Time: 7:08 PM

EMERGENCY EVACUATION PLAN

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Boy Scout Troop 1 and 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 – Mr. Aguiar stated that there was an Executive Session prior to the Town Council meeting. One vote was taken.

PRESENTATIONS/RECOGNITIONS

1. Proclamation for National Mental Health Awareness Month – Mr. Aguiar read the proclamation.

CONSENT AGENDA

1. Bills
2. Peddler Licenses – Annual:
 - a. Blount Fine Foods, 630 Currant Rd., Fall River, MA (#1442)
 - b. Burgerworks LLC d/b/a Brunch Belly, 80 Paradise Ave., Middletown, 1 Veh. (#1444)
3. Request Donation for the 22nd Annual Post Prom Party. / PHS Post Prom Committee

Motion to approve the Consent Agenda made by Mr. Kelly, seconded by Ms. Ujifusa. Motion passed 6-0-1. Mr. Hamilton recused.

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. Request approval for a temporary seasonal expansion of the service area:

K.W. Nelson, Inc. d/b/a Karl's Park Ave Pub, 506 Park Avenue, to allow food and alcohol service in an outdoor fenced patio area that is 43' x 28', for a total of 1204 square feet

Motion to approve the temporary seasonal expansion for May 1, 2019 to October 31, 2019 was made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

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

MINUTES

TCM 4/22/19 & Exec.

TCM 4/23/19

TCM 4/24/19

TCM 4/29/19

Motion to approve the Minutes from 4/22/19 & Exec., 4/23/19 and 4/24/19 made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0. Motion to approve the Minutes from 4/29/19 made by Dr. Ryan, seconded by Mr. Katzman. Motion passed 6-0-1. Mr. Hamilton abstained.

TAX VOUCHERS

Request approval for Tax Voucher #20190513-01. – Motion to approve made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.

TOWN ADMINISTRATOR'S REPORT

1. Matt Helfand was the recipient of the 2019 Sherry Vermilya Award – I'm very pleased to announce that our Tax Assessor, Mr. Matt Helfand, was awarded the Northeastern Regional Association of Assessing Officers highest award for outstanding service to the assessment profession. Matt received this recognition, known as the "Sherry Vermilya Award", at the organization's conference on April 29th. Congratulations Matt, very well done!

2. Jennifer West and Paul Rodrigues completed the Supervisor's Management Institute Course for Managers as Leaders – Additionally, I'd like to recognize Jennifer West, our Town Clerk and Paul Rodrigues, our Deputy Director of DPW, for recently completing an intensive six week "Managers as Leaders" course conducted through a partnership between The Leadership Institute of Roger Williams University and The Rhode Island Interlocal Risk Management Trust. The Program is designed to provide management education in Leadership, Conflict Management, Effective Communication, Ethics, Performance Evaluation, Risk Management, Facility Safety and Change Management. Congratulations Jenn and Paul!

3. Rhode Island Municipal Resilience Program – Since our last meeting the Rhode Island Infrastructure Bank has announced five communities to participate in the first round of the Municipal Resilience Program (MRP): Barrington, Warren, Portsmouth, South Kingstown and Westerly. The program is an outcome of the state's Climate Resilience Action Strategy and aims to deepen municipalities' understanding of climate risk and assist them in developing resilient solutions. Upon completion of mandated workshops and reporting milestones, Portsmouth will become eligible for funding of resiliency projects.

4. Police construction – Since the last report: Contractor is in final stages of paving, sitework, and preparation for the grand opening on May 31st. We appreciate people’s patience as sidewalks are completed and foot traffic is diverted to alternate entrances. Weather permitting, site work will be completed by May 31st. As reported last meeting, no new change orders have been received but we know there is at least one CO still outstanding and under review. We are still working with our Owner’s Rep, the Builder and the Architect to reconcile remaining balances and clear outstanding punch list items and a final report will be prepared for the Council in June. Again, the dedication ceremony will be held at 9:00AM on Friday, May 31st. Lastly, the second annual Farm to Farm Bike Ride had over 650 people in attendance.

RESIGNATIONS AND APPOINTMENTS

1. Resignations:

- a. Charter Review Committee – Motion to accept with regret Mr. Pietz’s resignation made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
- b. Economic Development Committee – Motion to accept with regret Mr. Sungarian’s resignation made by Ms. Ujifusa, seconded by Ms. Abbott. Motion passed 7-0.

2. Appointments:

- a. Economic Development Committee (Re-Apppt) – Motion to re-appoint Emil Cipolla made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
- b. Harbor Commission (Re-Apppt) – Motion to re-appoint Patricia Rossi made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.
- c. Tree Commission (Re-Apppt) – Motion to re-appoint James Garman made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.
- d. Wastewater Appeals Board (Re-Apppt) – Motion to re-appoint John Vickers made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

OLD BUSINESS (Discussion/Action)

1. Setting the appropriate quorum for the West Side Development Advisory Committee. – Motion to approve a quorum as being a majority of the voting members in Article VI, Section 4 of the West Side Development Advisory Committee By-Laws and Rules of Procedure, made by Mr. Katzman, seconded by Ms. Ujifusa. Motion passed 7-0.

2. Proposed changes to the Provisional Budget.

- a) Motion to add \$10,000 to the Capital Improvement Plan budget for Sandy Point Beach House for site plans, drainage issues and 2 outdoor showers, made by Ms. Abbott, seconded by Mr. Hamilton. Motion to amend the main motion to have the \$10,000 taken from the Contingency Fund, made by Mr. Hamilton, seconded by Mr. Katzman. Motion to approve amendment passed 7-0. Motion to approve the main motion as amended passed 7-0.
- b) Motion to use \$1,000 to put back in the Post Prom line item as recommended by Mr. Rainer and take the money from the Contingency Fund made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
- c) Motion to approve \$2,000 to the IT Budget for funds allocated to livestreaming operation costs made by Ms. Abbott, seconded by Mr. Katzman. Motion to amend the motion to take the \$2,000 from the Contingency Fund so that we do not raise

taxes, made by Mr. Hamilton, seconded by Mr. Katzman. Motion to approve amendment passed 7-0. Motion to approve main motion as amended passed 7-0.

- d) Motion to approve \$15,000 for a Feasibility Study made by Ms. Abbott, seconded by Ms. Ujifusa. Motion passed 4-3. Mr. Hamilton, Mr. Katzman and Mr. Aguiar in dissent. Motion made by Ms. Abbott, seconded by Mr. Kelly to approve \$15,372 for a Feasibility Study. Motion passed 4-3. Mr. Hamilton, Mr. Katzman and Mr. Aguiar in dissent.

Motion to go out of order and move Civic Support changes ahead of the Recreation Department made by Ms. Ujifusa, seconded by Ms. Abbott. Motion passed 7-0.

- e) Motion to add \$5,273 to the Portsmouth Free Public Library proposed allocation made by Mr. Kelly, seconded by Ms. Abbott. Motion to amend the motion to take \$5,145 from the Contingency Fund rather than raising taxes made by Mr. Hamilton, seconded by Mr. Kelly. Motion to approve the amendment passed 7-0. Motion to approve the main motion as amended passed 7-0.
- f) Motion to move \$10,000 out of the Contingency Fund and move it to the Portsmouth Senior Center Line of Civic Support made by Mr. Kelly, seconded by Ms. Ujifusa. Motion passed 7-0.
- g) Motion to approve \$21,341 that was requested for the Common Fence Point Community Center made by Ms. Ujifusa, seconded by Mr. Katzman. Motion to approve passed 5-2. Mr. Hamilton and Mr. Aguiar in dissent.
- h) Motion to approve \$5,124 for Clean Ocean Access made by Ms. Ujifusa, seconded by Ms. Abbott. Motion to amend to give \$2,000, taken from the Contingency Fund made by Mr. Katzman, seconded by Mr. Kelly. Motion to approve the amendment passed 5-2. Mr. Hamilton and Mr. Aguiar in dissent. Motion to approve the main motion as amended passed 5-2. Mr. Hamilton and Mr. Aguiar in dissent.
- i) Motion to take \$1,000 from the Contingency Fund for the Eastern RI Conservation made by Ms. Abbott, seconded by Mr. Kelly. Motion passed 6-1. Mr. Hamilton in dissent.
- j) Motion by Ms. Abbott, seconded by Mr. Kelly, to make the Recreation Director full time and to increase the Recreation Director's salary to \$62,000 with a total ask of \$64,247 to add to the levy. Motion passed 5-2. Mr. Hamilton and Mr. Aguiar in dissent.

Motion to provisionally approve the budget at \$64,878,243 made by Dr. Ryan, seconded by Ms. Abbott. Motion passed 6-1. Mr. Hamilton in dissent.

NEW BUSINESS (Discussion/Action)

1. Request to advertise for a Public Hearing for a Sound Variance for three events to take place on the lawn at 706 Park Ave. on 6/29/19 from 1:00-7:00 pm (#1448 in Viewpoint), on 7/6/19 from 4:00-10:00 pm (#1443 in Viewpoint) and on 8/11/19 from 4:00-8:00 pm (#1434 in Viewpoint). Motion to approve a Public Hearing on May 28, 2019 made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
2. Requesting a letter of no objection to CRMC for the owner of 327 Riverside St. to modify an approved dock to add tie-off pilings within 25' of a property line extension that abuts a town right of way. – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

3. Termination of MOU between the Portsmouth Town Council, the Portsmouth School Department and The Prudence Island School Foundation (PISF) – asking to continue civic support to assist the Prudence Island children who attend the school. – No action taken.
4. Request a resolution in support of legislation to establish an Ocean State Climate Adaptation and Resilience Fund (OSCAR). – Motion to approve made by Ms. Abbott, seconded by Mr. Kelly. Motion passed 7-0.
5. Request a resolution in support of an amended “Plastic Waste Reduction Act.” – Motion to approve made by Ms. Abbott, seconded by Mr. Katzman. Motion passed 7-0.
6. Proclamation of appreciation and thanks to the City of Portsmouth UK. – Motion to approve made by Mr. Kelly, seconded by Mr. Katzman. Motion passed 7-0.

CORRESPONDENCE

1. Resolution Regarding SB 410 and HB 5671 on Plastic Bag Bans to Amend the Language to Exclude the Uniformity Clause. / Barrington Town Council
2. Resolution declaring the Town of Burrillville a “Second Amendment Sanctuary Town.” / Burrillville Town Council
3. Resolution on Career and Technical Education in Comprehensive High Schools. / Smithfield School Committee
4. Resolution in support of Financial Literacy. / Pawtucket School Committee
5. Letter requesting that any formal adoption of the Water Supply section of the Comprehensive Community Plan be delayed until Portsmouth Water and Fire District has received final approval of its Water Supply Management Plan Five Year Update from the Water Resource Board. Also, request to thoroughly vet any provisions of the Plan that affect PWFD. / P. Driscoll, Chair, Portsmouth Water and Fire District Administrative Board
6. Monthly RIRRC Report.

Motion to receive and place on file Correspondence 1,2,3,5 and 6 made by Ms. Abbott, seconded by Mr. Hamilton. Motion passed 7-0. Mr. Kelly requested Correspondence 4 be placed on the next agenda.

FUTURE MEETINGS

- May 28 7:00 PM - Town Council Meeting (Tuesday)
Jun 10 7:00 PM - Town Council Meeting
Jun 12 7:00 PM - Public Budget Hearing (Wednesday) – Will take place at Town Hall
Jun 24 7:00 PM - Town Council Meeting & Adoption of FY 2019-20 Budget

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

Time: 9:48 PM

Jennifer M. West, Town Clerk