

PORTSMOUTH TOWN COUNCIL MEETING  
MARCH 9, 2020 MINUTES

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

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

MEMBER ABSENT: Kevin M. Aguiar

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 – Mr. Aguiar will not be in attendance. Vice-President Ujifusa is presiding over the Council Meeting in his place. There was no Executive Session held. Mr. Hamilton congratulated the Portsmouth Boys Varsity Basketball team on winning the State Championship.

CONSENT AGENDA

1. Bills

2. CRMC – PUBLIC NOTICE:

An Application of Jessica House, 175 Narragansett Blvd, Portsmouth, RI for a State of RI Assent to construct and maintain a hybrid shoreline protection facility. Armor stone will be installed up the first 6’ (+/-) of the existing bluff. The remainder of the bluff above the 6’ will be stabilized with native vegetation. Project Location: 175 Narragansett Blvd.

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. PUBLIC HEARING: Permanent Expansion of Service Area (#1570)

Request approval for the permanent expansion of the service area for CJ’s Pub, 568 Park Avenue, Allen Mason, President, to allow food and alcohol service in a fenced outdoor area to include a maximum 25’ x 30’ patio, comprising approximately 750 sq. ft. area located on the West side of the building, weekdays until 10pm and weekend and holiday eves until 11pm, year round. Also to include a 328 sq. ft. L-shaped wood deck located on the street side of the building, weekdays until 9pm and weekend and holiday eves until 10pm, March 15 to December 15, weather permitting.

Present are Mr. Allen Mason, owner of CJs Pub, and his Attorney John McElroy. Mr. Allen has revised the original plans as recommended previously by the Council. He has had repairs signed off with the Building Inspector and the last thing needed to do is put up the seven (7) foot fence around

the back to minimize the noise on Blue Bill Way. He did not want to put it up until the expansion was approved, as it is very costly.

Chief Peters has concerns. He is concerned about the hours of operation for both the upstairs deck and the patio. There have been similar situations with another bar in the past on Park Avenue regarding noise complaints. The upstairs deck because if there is not sit down service, he is concerned with both overcrowding and noise on the deck. He would like to see the hours requested decreased for both the deck and the patio.

Ms. Ujifusa asked Chief Peters for his recommendations.

Chief Peters would decrease the hours on a trial basis and not in favor of drinking on the upstairs deck, if no table service. On the deck, it would be 8pm on weekdays and 9pm on weekends and holidays and on the patio, it would be 9pm on weekdays and 10pm on weekends and holidays.

Mr. Hamilton recommends a trial basis through the end of the licensing period. If there is a problem then Chief Peters may bring it in front of the Council if need be.

Karen Duval, 38 Blue Bill Way, is against the petition because of the following concerns:

1. Effects on youths with drinking and smoking outside
2. Quality of life will decrease, more issues with noise, littering, vomit, etc.
3. Allowing this year round would be detrimental to the neighbors and there is no security to the deck, so who would be in charge of the security. Mr. Mason has not communicated with neighbors.

Gene Duval, 38 Blue Bill Way, is against the petition because of the noise it will generate. It is a bar not a restaurant so people stay and get louder the more they drink. Does not think the bushes or the fence will stop the noise. Mr. Mason has not attempted to have discussions with the neighbors and considers him to not be a good neighbor.

Debbie Schoen-Cruz, 576 Park Ave, has seen an improvement since the last meeting. One way or the other would like to see the fence go up. She is fine with the hours the Police Chief recommended, a six-month probation is a long time, but maybe 90 days in case it does not go well.

Allen Mason – was not aware that he could not serve outside when he purchased the pub. Did speak to some neighbors, but not all. He is the security, has locks for the fence gate, cameras on the deck, motion sensors so they will go off if someone goes up there.

John McElroy, it has been a lounge for a long time, he has addressed the issues, it is a commercial zone, could become a vacant building quickly, would not be good for the town or for Island Park.

Chief Peters went down there today and if passed it would not be operational tomorrow. In the back, there is cement in the grass that he has concerns with, he recommends the Building Inspector take a look at and the fence would need to be in place.

Mr. Hamilton drove by and noticed that things have been cleaned up but there is still equipment in the back behind the storage shed that is an eyesore, is that going to be cleaned up? He is ok with the trial period until the end of the licensing period, but the Chief and his detectives can come back anytime if there are any issues. If it passes, make it contingent on the building inspection, fence up properly and Chief to inspect the security. Mr. Mason it is your responsibility to make sure the noise is kept in control.

Mr. Kelly had no comments.

Ms. Abbott had no comments.

Mr. Katzman asked if smoking is allowed outdoors. Mr. Hamilton replied yes but there needs to be proper receptacles. Mr. Katzman mentioned that going through the entire summer might be a burden to the neighbors if he is not living up to his commitments. Mr. Hamilton said that you would be seeing Chief Peters back before the Council if they were not living up to their commitments.

Ms. Ujifusa asked Mr. Gavin if there has ever been probationary conditions set on any establishment before. Mr. Hamilton said that there have been in the past. Ms. Ujifusa asked if our burden of proof is higher? Mr. Gavin said that you have more discretion if there is a trial period rather than granted conditionally. Ms. Ujifusa asked if there is difference to the Chief, if the review is in 3 months or at the end of the licensing period. Chief Peters said no. Ms. Ujifusa asked if in 3 months, would it automatically come back to the Council for review? Mr. Gavin said that you could set a date to put it on the agenda. Ms. Ujifusa said that the fence cost is a risk, but we have legitimate concerns. It is a reasonable way to proceed with the fence and we set up a review as the Chief suggested.

Mr. McElroy asks for the 6 months at renewal time since Mr. Allen still needs to put the fence up. It will not go up until the end of April or the beginning of May due to concerns with the weather currently.

Ms. Ujifusa asked for the times. On the deck, it would be 8pm on weekdays and 9pm on weekends and holidays and on the patio, it would be 9pm on weekdays and 10pm on weekends and holidays.

Mr. Crosby asked that there be a condition regarding a zoning ordinance violation regarding the open lot storage in the back and that it needs to be cleaned up.

Ms. Ujifusa read an email from Donna Woishek who has concerns that the trees are not adequate.

Mr. Mason said that the trees are planted and fence that will be put in is a 7ft high hurricane fence.

Motion to close the Public Hearing made by Mr. Kelly, seconded by Mr. Hamilton. Motion passed 6-0. Motion to temporarily approve the outside permit with the patio hours 9pm weekdays, 10pm weekends and holidays, 8pm weekdays and 9pm weekends and holidays for the deck, table service only on the deck, must have the fence up and building inspector approval prior to issuing the license with a review at the first meeting in November, made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

2. Daily Liquor License, Class F1:

Community String Project, 220 High Street, Bristol, for a gala at Glen Manor House, 3 Frank Coelho Drive on April 4, 2020 from 5:00-10:00 pm (#1683)

Motion to approve 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. Katzman. Motion passed 6-0.

MINUTES

TCM 2/24/20 & Exec. – Motion to approve made by Dr. Ryan, seconded by Mr. Katzman. Motion passed 6-0.

TAX VOUCHERS

Request approval for Tax Vouchers #20200309-01 to #20200309-27. – Motion to approve made by Dr. Ryan, seconded by Mr. Kelly. Motion passed 6-0.

TOWN ADMINISTRATOR'S REPORT

1. Audit update – The FY19 Comprehensive Annual Financial Report was completed last month. It has since been filed with the Auditor General and posted on our web site. Hard copies were distributed to the Council and School Department and there is a copy available for review in the Town Clerk's office.
2. Budget update – With respect to the FY21 Budget, we are on track with the timeline submitted to you last November. I've completed a draft and it is under review by the Finance Department. Key staff will be invited to review and challenge the budget over the next two weeks, and I will submit a finalized proposed Budget to the Council on Tuesday, March 31st.
3. Update National Grid Old Mill Lane, Portsmouth LNG facility – A letter to residents in the vicinity of the LNG Facility at Old Mill Lane references an upcoming National Grid Open House on Aquidneck Island. That information has been finalized. The Open House will be held: Monday, March 30 from 4-8 pm at Middletown High School (130 Valley Rd, Middletown, RI 02842). The open house will be expo style with kiosks for guests to visit and have their energy interests and questions addressed. Examples of kiosks with subject matter experts include LNG Operations (Old Mill Lane), Emergency Planning and Public Safety (local Fire officials will also be present), Demand side management programs, and energy reliability efforts. There isn't a formal program or agenda, so guests can visit at any time during the open house. Formal notifications for the event will be shared via media outlets starting next week. This information is also posted on our web site.
4. Grant awards – I am pleased to report the RI Department of Environment Management has approved an application submitted by the Town for a grant award in the amount of \$35,700 for the septic system replacement at the Portsmouth DPW garage. I am also pleased to report the RI DOT has selected the Portsmouth Police Department to receive a grant for a new Police Interceptor Utility Vehicle. The grant provides reimbursement of up to \$60,000 for the purchase of the vehicle which will be used solely for DUI enforcement. We will include this in our FY21 Capital Plan.
5. Ethics training – I just want to announce again that the RI Ethics Commission will conduct ethics training this Wednesday, May 13th, at 7:00 PM in the Council Chamber. All Committee and Commission chairs have been invited.

**Additionally:** We are all now aware of the spreading Coronavirus. It has been emphasized to all of us the threat of infection remains low – however it seems prudent to think of how Town operations will continue if the threat becomes elevated. I have been closely involved with our emergency responders in monitoring the spread of the respiratory illness known as COVID-19. The threat of infection remains low. The Chiefs of the Fire and Police Departments, the Emergency Management Director, the MEDs Director, the HR Director, and I are participating in regular communications sessions with the RI Department of Health (RIDOH) and will keep you informed as best we can. Additionally, information bulletins highlighting personal protective measures have been posted around our buildings; wall mounted hand sanitizers have been filled, personal hand sanitizers have been distributed to those in regular contact with the public and our building cleaning service has been contacted and asked to ensure they are using effective cleansers.

For now:

- Stay Informed – I people to regularly visit the links on the front page of the Town’s website to stay abreast of latest developments. These links go to the RIDOH COVID-19 web page and the Center for Disease Control and Prevention (CDC) page.
- While the symptoms of COVID-19 include fever, coughing and sneezing as well as shortness of breath, having these symptoms does not mean you have COVID-19. There are many respiratory illnesses with similar symptoms. You would be at a higher risk for COVID-19 if you have symptoms and have traveled to an area with ongoing community spread of the disease or have had contact with a person with a confirmed case.
- Should you have symptoms of COVID-19, authorities recommend you call your healthcare provider for further direction rather than going to the facility, unless you are experiencing a medical emergency.

I’ve also directed Department Heads and office managers to plan for the possibility of increased staff absenteeism. At a minimum, I have asked them to pre-plan for the effect of extended illness on their operations. I’ve asked them to assess the essential services they and their people provide and plan for how essential services can continue should staff be significantly reduced. I will make every effort to keep you informed as this situation develops.

### RESIGNATIONS AND APPOINTMENTS

#### 1. Appointment:

a. Board of Canvassers (1 Vacancy for Republican Alternate) – Ms. Ujifusa nominates Conrad Donahue as the Republican Alternate for the Board of Canvassers, nomination seconded by Mr. Hamilton. Nomination passed 5-1. Mr. Kelly opposed.

### OLD BUSINESS (Discussion/Action)

1. Three year paving plan. – Motion to receive and place on file made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

### NEW BUSINESS (Discussion/Action)

1. Symmetry Partners Report. – No action taken.

2. Consideration and approval of the installation of two volleyball sand courts at Glen Park. – Motion to approve made by Ms. Abbott, seconded by Mr. Hamilton. Motion passed 6-0.

3. Portsmouth School Bond Memorializing Resolution. – Motion to approve made by Dr. Ryan, seconded by Mr. Katzman. Motion passed 6-0.

#### TOWN OF PORTSMOUTH, RI RESOLUTION #2020-03-09 A

RESOLUTION MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT LEGISLATION AUTHORIZING THE TOWN OF PORTSMOUTH, WITH THE APPROVAL OF THE QUALIFIED ELECTORS, 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

WHEREAS, The Town Council of the Town of Portsmouth endorses and supports the construction, additions, renovation, improvement, alteration, repair furnishing and equipping of schools and school facilities in the Town and all costs related thereto (the “Project”); and

WHEREAS, In order to undertake and complete the Project, there would be a need to issue bonds and/or notes in an amount not

to exceed \$65,900,000.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the town of Portsmouth, as follows and described herein:

SECTION 1: That the Town of Portsmouth hereby memorializes the General Assembly to enact legislation authorizing the Town, with the approval of the qualified electors, to issue bonds and notes in an amount not to exceed Sixty-Five Million Nine Hundred Thousand Dollars (\$65,900,000) for the above purposes.

SECTION 2: That the question of the approval of this act shall be submitted to the electors of the Town at the election to be held on November 3, 2020 or at a special election (other than a primary), on a date as shall be designated by the town council. The question shall be submitted in the form set forth in the legislation.

SECTION 3: That the Town Solicitor, working with Bond Counsel for the Town of Portsmouth, ensure that the appropriate legislation in substantially the form attached hereto is submitted in a timely manner to the Rhode Island General Assembly to ensure that all requirements are met to ensure consideration of this question by the electors.

SECTION 4: That this resolution is an affirmative action of the Town Council of the Town of Portsmouth toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This resolution constitutes the Town’s declaration of official intent, pursuant to Treasury Regulation Section 1.150(2), to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this resolution but prior to the issuance of the bonds or notes. Such amounts to be reimbursed shall not exceed \$65,900,000 and shall be reimbursed not later than eighteen (18) months after the earlier of (a) the date on which the expenditure is paid, or (b) the date the Project is placed in service or abandoned, but in no event later than three (3) years after the date the expenditure is paid.

SECTION 5: That this resolution shall become effective immediately upon passage by the Town Council.

Adopted: March 9, 2020

\_\_\_\_\_  
Kevin Aguiar, President  
Portsmouth Town Council

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

**4. PUBLIC HEARING: Proposed Amendment to Chapter 392 of the Portsmouth Town Code – Wastewater Management District §392-6 B(2)(b) OWTS inspection and maintenance**

Mr. Crosby wants to insert an 18-word amendment that will make a huge impact on the ordinance. In the 2014 Memorandum of Agreement, DEM insisted we lump cesspool and septic together. Unpermitted systems became a problem early on, as there were a significant number with no documentation. Why put the burden on the homeowner for something that was not of their doing. The Town went back and forth with DEM for years because people were required to replace perfectly good systems because there was not documentation. DEM says how about we require the homeowner to get a functional inspection. The Memorandum of Agreement is making a change to separate cesspools and undocumented systems.

Motion to close the Public Hearing made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0. Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

TOWN OF PORTSMOUTH, RI  
ORDINANCE # 2020-03-09

AN ORDINANCE AMENDING CHAPTER 392  
OF THE PORTSMOUTH CODE OF ORDINANCES

It is hereby ordained by the Town Council of the Town of Portsmouth, Rhode Island:

Section 1. The Town Code, Chapter 392, entitled “Wastewater Management District,” Section 6, Paragraph B(2) is hereby amended to read as follows:

A Functional Inspection shall be conducted instead of a First Maintenance Inspection for each OWTS within the District:

- (a) At the Point of Sale or transfer if prior to the inspection phasing schedule referenced in § 392-6B(4); or
- (b) If the system is unpermitted and is located outside the neighborhoods of Island Park and Portsmouth Park; or
- (c) As needed at the discretion of the inspector or Wastewater Manager at the time of inspection.

Section 2. This amendment shall take effect upon passage.

APPROVED BY TOWN COUNCIL  
ACTION ON MARCH 9, 2020.

---

Jennifer M. West,  
Town Clerk

5. Resolution requesting and supporting legislation to amend the Rhode Island Zoning Enabling Act of 1991. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

TOWN OF PORTSMOUTH, RI  
RESOLUTION #2020-03-09 B

RESOLUTION REQUESTING AND SUPPORTING LEGISLATION  
TO AMEND THE RHODE ISLAND ZONING ENABLING ACT OF 1991

WHEREAS: In 1991, the R.I. General Assembly enacted the Rhode Island Zoning Enabling Act of 1991 (P.L. 1991, ch. 307, § 1), R.I. Gen. Laws § 45-24-27 *et seq.*, (the “Act”), which required each city and town to review its zoning ordinance and make amendments or revisions as necessary to bring its zoning ordinance into conformance with the Act by December 31, 1994; and

WHEREAS: Portsmouth adopted a new Zoning Ordinance effective July 1, 1994; and

WHEREAS: In accordance with § 45-24-37 the Act (“General provisions – Permitted uses”), Article V of the Portsmouth Zoning Ordinance (“Use Regulations”) specifies uses that are permitted as a matter of right within the zoning districts of the Town; and

WHEREAS: In accordance with § 45-24-42 the Act (“General provisions – Special use permits”), Article V of the Portsmouth Zoning Ordinance specifies uses that require a special-use permit in each zoning district; and

WHEREAS: Article V(1) of the Zoning Ordinance provides as follows:

Except as otherwise provided in this Ordinance, in each district no building, structure, or land shall be used or occupied except for the purposes permitted in the accompanying Table of Use Regulations, Section B.

Proposed uses not so listed may be presented to the Zoning Board of Review by the property owner. Such uses shall be evaluated by the Zoning Board of Review according to the most similar use(s) that is (are) listed, as well as the purposes and uses generally permitted in the subject use district. The Zoning Board of Review may approve the proposed use as permitted, or deny the proposed use as not permitted, or allow the proposed use subject to a Special Use Permit.

(The second paragraph of Art. V(1) is referred to as the “Non-Listed Uses Provision.”); and

WHEREAS: Several other Rhode Island municipalities have zoning ordinances which contain similar provisions setting forth a procedure whereby a municipal board or official may consider and evaluate proposed land uses that are not expressly listed in the table of uses; and

WHEREAS: On July 27, 2018, in the case of *Fontaine vs. Edwards, et al.* (C.A. No. NC-2017-0261), the Newport County Superior Court (Van Couyghen, J. presiding) issued a written decision in which the Superior Court ruled, in part, that the Non-Listed Uses Provision in Portsmouth’s Zoning Ordinance is legally invalid and prohibited under the Zoning Enabling Act; and

WHEREAS: By invalidating the Non-Listed Uses Provision, the Newport Superior Court in effect created a town-wide prohibition and exclusion of any proposed land use that is not specifically listed in the table of uses—no matter how legitimate, benign or beneficial the proposed use may be; and

WHEREAS: By virtue of the Newport Superior Court’s decision and ruling, any property owner wishing to engage in a land use which is not specifically listed will now be forced to petition the Town Council to adopt an amendment to the Zoning Ordinance to add the specific new land use to the table of uses, a process which is lengthy, expensive and fraught with uncertainty; and

WHEREAS: The Town filed a petition to the R.I. Supreme Court for a writ of certiorari (Case No. SU-2018-0278-M.P.) requesting that the R.I. Supreme Court review the Newport Superior Court’s decision and ruling which invalidated Portsmouth’s Non-Listed Uses Provision; and

WHEREAS: The Supreme Court declined to exercise its discretion to review the Newport Superior Court’s decision and ruling; and

WHEREAS: The decision and ruling of the Newport Superior Court which invalidated Portsmouth’s Non-Listed Uses Provision remains in effect; and

WHEREAS: Senate Bill S 2468 has been introduced in the 2020 Session of the R.I. General Assembly; and

WHEREAS: Senate Bill S 2468 would amend § 45-24-37 of the Act to add the following clarifying language: “The ordinance may provide for a procedure under which a proposed land use that is not specifically listed may be presented by the property owner to the zoning board of review or to a local official or agency charged with administration and enforcement of the ordinance for an evaluation and determination of whether the proposed use is of a similar type, character and intensity as a listed permitted use. Upon such determination, the proposed use may be considered to be a permitted use.”; and

WHEREAS: Senate Bill S 2468 would amend § 45-24-42 of the Act to add the following clarifying language: “The ordinance may provide for a procedure under which a proposed land use that is not specifically listed may be presented by the property owner to the zoning board of review or to a local official or agency charged with administration and enforcement of the ordinance for an evaluation and determination of whether the proposed use is of a similar type, character and intensity as a listed use requiring a special-use permit. Upon such determination, the proposed use may be considered to be a use requiring a special-use permit.”

NOW, THEREFORE, BE IT RESOLVED, that the Portsmouth Town Council hereby requests and urges the Rhode Island General Assembly to pass and enact Senate Bill S 2468 and any companion legislation that may be introduced in the House of Representatives, to amend § 45-24-37 and § 45-24-42 of the Zoning Enabling Act as necessary to validate the legality and efficacy of Portsmouth’s Non-Listed Uses Provision and similar provisions contained in the zoning ordinances of other municipalities; and

BE IT FURTHER RESOLVED, that the Town Clerk submit a copy of this Resolution to the Town of Portsmouth’s State Senator and Representatives, the Speaker of the House of Representatives, the President of the Senate, the Rhode Island Governor, and every Rhode Island municipality.

Adopted this 9<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Kevin M. Aguiar, President  
Portsmouth Town Council

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

**6. Resolution in support of participation in the 2020 Census. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.**

**TOWN OF PORTSMOUTH, RI  
RESOLUTION #2020-03-09 C**

Every Rhode Islander Should Be Counted in 2020 Census  
“I COUNT. YOU COUNT. WE ALL COUNT.”

WHEREAS, Article I, Section 2 of the United States Constitution requires that the Census be conducted every ten years to count the population; and

WHEREAS, households will be invited to complete the 2020 Census questionnaire beginning on March 12, 2020; and

WHEREAS, an incomplete count of Rhode Island’s population in the 2020 Census will likely result in the loss of a congressional seat in the United States House of Representatives, which would leave the State with only one congressional delegate for the first time since 1789; and

WHEREAS, population data collected during the 2020 Census will help determine the allocation of more than \$680 billion dollars in federal funds among the states each year for the next ten years; and

WHEREAS, Rhode Island receives approximately \$3.8 billion in federal funds each year, comprising more than one-third of the State’s annual budget; and

WHEREAS, these federal dollars represent funding for education, health care, transportation, public safety, small businesses, housing, clean water, waste disposal and other community programs and services; and



WHEREAS, local jurisdictions across Rhode Island use Census data to make decisions concerning the need for infrastructure projects, economic development programs, job training, health care services, and other community resources; and

WHEREAS, a lack of public awareness about the purpose of the Census and its importance for our communities, exacerbated by widespread misinformation about the Census, may result in a disproportionate undercount of historically marginalized communities, particularly among immigrants and individuals with limited English proficiency; and

WHEREAS, for the first time in United States history the Census will be conducted primarily online, creating potential barriers for communities with limited internet access; and

WHEREAS, one-quarter of Rhode Island’s population lives in “hard-to-count” Census tracts where obtaining a fair and accurate count has historically proven to be difficult, including such communities as Woonsocket, Central Falls, Pawtucket, Providence, West Warwick, South Kingstown, and Newport; and

WHEREAS, it will require the united action of all Rhode Island towns and cities to ensure a complete and accurate count in the State and, furthermore, it will be vitally important for city and town governments to be active in supporting local census outreach and education efforts through a variety of means, including presentations, websites, electronic newsletters, social media posts, and mailings.

NOW, THEREFORE, BE IT RESOLVED that this Council recognizes the critical importance of a complete and accurate Census count in 2020 and actively encourages all residents to participate in the 2020 Census beginning on March 12, 2020, and to become involved in peer education and outreach about the Census; and

BE IT FURTHER RESOLVED, that every council member will promote participation in the Census by signing up for the pledge tool by texting Pledge to (401) 205-3434; that every council member will consider other ways to promote Census participation, including integrating messages into regular constituent communications, and that every council member will help increase the count by using the resources and materials developed by the Rhode Island Complete Count Committee in their Census promotion efforts.

Adopted this 9<sup>th</sup> day of March, 2020

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

\_\_\_\_\_  
Kevin M. Aguiar, President  
Portsmouth Town Council

CORRESPONDENCE

1. Portsmouth Water and Fire District’s Quarterly Financial Reports for the period ending January 31, 2020. / N. Larsen, Senior Accountant, Portsmouth Water and Fire District
  2. The Office of Water Resources requesting FY2021 Project Priority List for water pollution abatement projects. / J. Manning, P.E., Rhode Island Department of Environmental Management
  3. Invitation to participate in the 64<sup>th</sup> Annual St. Patrick’s Day Parade, Saturday March 14, 2020. / J. Bova, Mayor, City of Newport
  4. Letter regarding the current leadership transition at AIPC. / S. Churgin, Chair of the Board
  5. Overview of "A Roadmap to Fiber Optics Internet in Portsmouth" and a case study of a successful municipal deployment in Islesboro, ME. / T. Pietz and A. Gonzalez, Aquidneck Light
- Motion to receive and place on file made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

FUTURE MEETINGS

- Mar 23 7:00 PM - Town Council Meeting
- Apr 6 7:00 PM - Town Council Meeting
- Apr 20 7:00 PM - Town Council Meeting

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

Time: 9:23 PM

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