

PORTSMOUTH TOWN COUNCIL MEETING  
MARCH 16, 2020  
EMERGENCY SESSION MINUTES

PURSUANT TO RIGL SECTION 42-46-6(c) Written public notice shall include, but need not be limited to, posting a copy of the notice at the principal office of the public body holding the meeting, or if no principal office exists, at the building in which the meeting is to be held, and in at least one other prominent place within the governmental unit, and electronic filing of the notice with the secretary of state pursuant to subsection (f); however, nothing contained herein shall prevent a public body from holding an emergency meeting, upon an affirmative vote of the majority of the members of the body when the meeting is deemed necessary to address an unexpected occurrence that requires immediate action to protect the public. If an emergency meeting is called, a meeting notice and agenda shall be posted as soon as practicable and shall be electronically filed with the secretary of state pursuant to subsection (f) and, upon meeting, the public body shall state for the record and minutes why the matter must be addressed in less than forty-eight (48) hours in accordance with subsection (b) of this section and only discuss the issue or issues that created the need for an emergency meeting. Nothing contained herein shall be used in the circumvention of the spirit and requirements of this chapter.

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

Time: 6:00 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

OPEN SESSION – Motion to go into Open Session under RIGL SECTION 42-46-6(c) made by Mr. Katzman, seconded by Mr. Hamilton. Motion passed 7-0.

NEW BUSINESS (Discussion/Action)

1. Declaration of State of Emergency – Earlier in the day Mr. Aguiar as Town Council President declared a State of Emergency in the Town of Portsmouth due to the outbreak of COVID-19.

**EXECUTIVE ORDER**

**2020-1**

**March 16, 2020**

**Declaration of State of Emergency**

WHEREAS, on January 30, 2020 the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern;

WHEREAS, on January 31, 2020 the Rhode Island Department of Health established an Incident Command System response to COVID-19;

WHEREAS, on January 31, 2020 the United States Health and Human Services Secretary Alex M. Azar III declared a public health emergency for the entire United States to aid the nation’s healthcare community in responding to COVID-19;

WHEREAS, on March 9, 2020 the State of Rhode Island Governor Gina M. Raimondo issued Executive Order 20-02 declaring a state of emergency due to the outbreak of COVID-19;

WHEREAS, on March 11, 2020 the World Health Organization declared the outbreak of COVID-19 to be a Pandemic;

WHEREAS, on March 11, 2020 the President of the United States addressed the nation about the threat posed by the outbreak of COVID-19 and announced a restriction on international air travel from 26 European nations for a period of thirty days starting on March 12, 2020;

WHEREAS, on March 11, 2020 the United States State Department issued an extraordinary global health advisory;

WHEREAS, on March 15, 2020 the outbreak of COVID-19 has spread to every continent except Antarctica and infected more than 152,000 people, causing approximately 5,700 deaths;

WHEREAS, the number of countries that are experiencing community transmission of COVID-19 continues to grow;

WHEREAS, community transmission in the United States has occurred in over two dozen states and is an immediate public health threat to the elderly and those with underlying health conditions;

WHEREAS, cases of COVID-19 have been documented in the State of Rhode Island;

WHEREAS, the State of Rhode Island and various public health officials have reached out to the Town of Portsmouth to take steps to contain the spread of COVID-19;

WHEREAS, the Town of Portsmouth needs to take additional measure to limit the spread of COVID-19;

WHEREAS, Rhode Island General Laws §§ 30-15-12 and 30-15-13, as well as the Town of Portsmouth Emergency Operations Plan permits the Town Council President to declare a state of emergency for the purpose of, among other things: preparing for emergencies that require the exercise of extraordinary governmental functions and providing the town with the ability to respond rapidly and effectively to alleviate the suffering of people.

WHEREAS, Rhode Island General Laws §§ 30-15-9(4) and 30-15-12(b), as well as the Town of Portsmouth Emergency Operations Plan permit the Town Council President to suspend the provisions of any statute, regulation, or requirement prescribing the procedures for the conduct of city/town business, or the orders, rules, regulations of any city/town department, board, or agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with this emergency; and

WHEREAS, Rhode Island General Laws §§ 30-15-9(e)(3) and (7), and 30-15-12(b), as well as the Town of Portsmouth Emergency Operations Plan permit the Town Council President to transfer the direction, personnel, or functions of town/city departments and agencies or units thereof for the purpose of performing or facilitating emergency services; to control ingress and egress to and from high risk areas, the movement of persons within the area, and the occupancy of premises therein; and to take appropriate measures for the protection of health, safety, and welfare of the people of the town and to prevent or minimize the loss of life.

WHEREAS, through these actions, it is our hope that we minimize the spread of COVID-19 and its' impact upon public health, the economy and our security. The Town Officials and I are asking that all residents follow the health safety guidelines issued by the Rhode Island Department of Health. The aim of our whole community should be to protect our most vulnerable populations.

WHEREAS, the Town is urging residents to follow the Rhode Island Department of Health's instructions at <https://health.ri.gov/data/covid-19/> and seek local information on COVID-19 by visiting Portsmouth's Spotlight on Portsmouth at <https://www.portsmouthri.com>.

NOW, THEREFORE, I, Kevin M. Aguiar, by virtue of the authority vested in me as the Town Council President of the Town of Portsmouth, pursuant to the Rhode Island General Laws and the Town of Portsmouth Emergency Operations Plan, including but not limited to Title 30, Chapter 15 of the General Laws, do hereby order and direct the following:

1. A state of emergency is hereby declared for the Town of Portsmouth due to the dangers to health and life posed by COVID-19, and the Town's disaster emergency plan is hereby activated.
2. The Town Emergency Management Director is directed to activate the town's emergency operations center and all necessary town emergency response plans, policies, compacts, and agreements, to create and establish mobile support units, and to activate and deploy disaster response teams and disaster response workers to perform disaster response services.
3. All town departments, agencies, or quasi-municipal agencies and boards and commissions performing executive functions shall cooperate fully with the Rhode Island Emergency Management Agency (RIEMA) and the Town of Portsmouth EMA in all matters concerns this Order. Efforts to provide emergency disaster relief to the Town of Portsmouth should be coordinated by and through the Town of Portsmouth EMA.
4. All entertainment licenses and special event permits, whether for restaurants and bars, concerts, live music, or other events, are hereby revoked during the period of this state of emergency. The Town will not be issuing any entertainment licenses or special event permits during the period of this state of emergency.
5. Bars and restaurants within the borders of the Town shall discontinue dine-in service effective March 17, 2020. Bars and restaurants may continue to offer take-out service.
6. All residents and establishments are directed not to host or attend gatherings of 25 people or more.
7. Town officials are directed to cancel all non-essential official city/town meetings, limit the travel of town employees, and postpone all public events during the period of this state emergency.
8. All Town officers and departments may operate on a modified schedule and may restrict in-person business activities.

9. Pursuant to the emergency powers granted by the Rhode Island General Laws, and any other applicable provisions of state or local law, I shall from time to time issue additional directives, orders, and recommendations as circumstances require, either written or verbal.
10. Nothing in this Executive Order shall constrain duties and powers of the Town, the Town Administrator, the Town Council President, or the Portsmouth EMA Director authorized by Title 30, Chapter 15 of the General Laws, the Home Rule Charter of the Town of Portsmouth, Town of Portsmouth Code of Ordinances and the Town of Portsmouth Emergency Operations Plan.
11. This Executive Order shall take effect immediately and remain in full force and effect through April 1, 2020, and, with the consent of the Town Council.

ORDERED this 16th day of March 2020:

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Kevin M. Aguiar  
Town Council President  
Town of Portsmouth, RI

Mr. Ray Perry, the Director of the Portsmouth Emergency Management Agency, stated that the Town's Emergency Operations Center was reestablished at the Town Hall to accommodate construction at the Fire Department. As of March 16, 2020, there had been no reported cases of COVID19 in Portsmouth. The Town had three police officers in quarantine due to travel, but that quarantine has been lifted. COVID19 information can be found on the Town's website [www.portsmouthri.com](http://www.portsmouthri.com), scroll down to the Spotlight on Portsmouth and you will be able to stay informed. There are a number of links as well as important phone numbers.

EXECUTIVE SESSION – Was not held.

FUTURE MEETINGS – Motion to cancel the March 23, 2020 meeting made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

~~Mar 23 7:00 PM Town Council Meeting Canceled~~

Apr 6 7:00 PM - Town Council Meeting

Apr 20 7:00 PM - Town Council Meeting

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

Time: 6:50 PM

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Jennifer M. West, Town Clerk