

PORTSMOUTH TOWN COUNCIL MEETING
AUGUST 11, 2020 (Tuesday)
MINUTES

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

MEMBERS PRESENT: Kevin M. Aguiar in Town Council Chambers

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

EXECUTIVE SESSION – Postponed to August 24, 2020

1. RIGL 42-46-5(a)(1) Personnel: Town Administrator – With regards to your review with the Town of Portsmouth, please be advised that RIGL 42-46-5(a)(1) requires that any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.

ADJOURN

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

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT’S EXECUTIVE SUMMARY – There was no Executive Session held prior to the meeting.

CONSENT AGENDA – Motion to approve as presented made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

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:
Brittany Rosenberg d/b/a Sweet B’s Donuts, 102 Connell Highway, Newport (#1748)

3. CRMC – Public Notice
The application of Jordan Viera, 18 Wilson Street, Bristol, RI for a State of RI Assent to construct and maintain: a two-acre oyster farm using submerged cages and bottom plant.
Project Location: The Cove.

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. Peddler License – Mobile Food Establishment (MFE), New:
Park & Cove Ice Cream Company, 458 Park Ave, Ice Cream Cart (#1750) – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

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

MINUTES – Motion to approve as presented made by Dr. Ryan, seconded by Ms. Ujifusa. Motion passed 7-0.

TCM 7/27/20 & Exec.

TAX VOUCHERS - Request approval for Tax Vouchers #20200811-01 to #20200811-02. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

TOWN ADMINISTRATOR’S REPORT

1. Covid-19 update

- Rhode Island is seeing an uptick in the number of COVID-19 cases. Fortunately, this uptick can be managed with your help.
 - All gatherings must be limited to 15 people or less;
 - Violations are punishable by a fine of up to \$500 per person.
 - Limit your circle of contacts to 15 people or less;
 - All social distancing and mask wearing guidelines must be adhered to.
- Governor Raimondo outlined additional information for travelers coming to Rhode Island, and Rhode Islanders traveling to other states.
 - If you are planning to travel to a state that requires a COVID-19 test in order to avoid extended quarantine, you can schedule a test through portal.ri.gov. Individuals will receive their results within 24-48 hours.
 - Rhode Islanders who travel to or from the states with a positivity rate greater than 5% must quarantine for 14 days upon arrival in Rhode Island and schedule an asymptomatic test.
 - Travelers coming to Rhode Island from a with a COVID-19 positivity rate of higher than 5%, must quarantine for 14 days and self-monitor for symptoms.
 - As an exception, you may provide proof of a negative test for COVID-19 that was taken within 72 hours prior to arrival in Rhode Island.
- We remind local businesses to familiarize themselves with all Phase III guidelines. The R.I. Department of Health will continue enforcement of restaurant/bar/business COVID regulations. Beginning last Friday, bars are required to close at 11pm.
- Lastly, emergency financial grants for Rhode Island's small businesses are now open.

All this information and more is available at our website by clicking on the COVID-19 Information link located in the top banner of the homepage

2. Open Government Summit

- This year’s Open Government Summit, hosted by the Office of the Attorney General and the Roger Williams University Law Alumni Association, was held on Friday, July 13th.
- Due to the current pandemic, this year’s summit was presented livestream.
- For Staff, Council, Committee Board members, and interested general public who were unable to participate but still need or want to, you can access the training at the Training and Certification page of the Attorney General’s website.

RESIGNATIONS AND APPOINTMENTS – Motion to accept with regrets made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

1. Resignation:
 - a. Veteran’s Honor Roll Committee – M. Nott

OLD BUSINESS (Discussion/Action)

1. Request approval of the American Broadband contract. – Motion to continue Old Business 1 and Old Business 2 to the August 24, 2020 meeting made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.
2. Presentation of East Main Road Safety Assessment.
3. PUBLIC HEARING: Community Electricity Aggregation Plan is to give an recap of the presentation from the July 27th Town Council Meeting, allow for questions and comments from the Community and a vote by the Town Council as to whether or not to move forward in submitting our Town Plan to the PUC.

The implementations steps are as follows:

1. Pass Article at Council – (Which has been done)
2. Develop draft aggregation plan and solicit public input
3. Secure local approval for plan
4. Submit to Public Utilities Commission (PUC)
5. PUC issues order approving aggregation plan
6. Issue RFP for competitive supplier and award bid to winning supplier
7. Public education and opt out campaign for eligible residents and businesses
8. Eligible accounts that have not opted-out are automatically enrolled on next meter read, electricity flows at new rate.

The Town Council previously approved the Standard product for automatic enrollment. The goal is to provide some savings while also including extra renewable energy. Likely 10% extra renewable energy.

Frequently asked questions can be found at the following link on the Town’s website
<https://www.portsmouthri.com/1623/Energy-Aggregation-FAQs>

Paul Fredette, 213 Ethel Drive asked what is the cost to the Town and is there a management fee? There is no direct cost to the town. The consultant, Good Energy, will be compensated at a rate of \$0.001/kWh, to be paid by the chosen electricity supplier directly to the consultant. The Town may terminate its agreement with the consultant at any time without penalty.

Larry Fitzmorris, 50 Kristen Court has concerns with the Town entering into another energy plan. He does not believe the Town should get involved. He also believes that the Town Administrator should not sign the contract with Good Energy. It should be the Town Council President. He also has concerns on having to sign a contract within 1 hour of opening the bids.

David Howard, 36 Marial Rose Drive if you opt out and opt back in at a later day will you be given the same rate? Suppliers have the option of charging a higher to keep the volatility down. In practice they always charge the market rate. It is more difficult to keep track of a number of different rates. Have any of your clients in MA or RI had to bring in any additional staff to help? Not to Patrick’s knowledge has anyone had to bring in extra staff.

Tom Grieb, 110 Thayer Drive, how did Portsmouth enter into an employment contract with Good Energy? Providence, Barrington, Central Falls and South Kingstown issued a joint RFP in November 2019. All bid documents, including competitive proposals, were made available to aid in

the consideration of a consultant. This included the Professional Services Agreement signed with Providence. There is no direct cost to the Town for these consultant services and no obligation or termination fee if the Town determines not to continue this relationship until the Program signs an agreement with a Competitive Supplier. The RPF allowed other cities and towns to join in on the RFP and not have to go out to bid individually.

Ted Pietz, 85 Glen Road would this impact any payments or incentives I get for solar panels on my house? No, incentives for solar panels, like net metering or the Renewable Energy Growth program, will continue unchanged.

Scott Field, 130 Hargraves Drive would we be using C1 renewable energy and will customers have their choice to purchase from suppliers generating class 1 renewable energy certificates? They are looking to source it as locally as possible from within Rhode Island and MA.

Motion to close the Public Hearing made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0. Motion to approve our local plan and submit it to the Public Utilities Commission made by Ms. Abbott, seconded by Ms. Ujifusa. Motion passed 5-2. Mr. Hamilton and Mr. Aguiar in dissent.

NEW BUSINESS (Discussion/Action)

1. Request for support and funding match for a revised grant application to the Van Buren Charitable Foundation in support of a Parks & Recreation Facilities Master Plan. – Motion to request up to \$25,000 match from the Town to be included with the grant application, made by Ms. Abbott, seconded by Ms. Ujifusa. Motion passed 7-0.
2. Request to approve the Sandy Point Emergency dock repairs. – Motion to approve and award \$164,780 to Reagan Construction Corp., made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
3. Discussion and approval of the Town Council FY 20-21 Goals for the Town Administrator. – No motions made.

CORRESPONDENCE – Motion to receive and place on file made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

1. Monthly RIRRC Report. / R. Antaya
2. Resolution urging the continued appropriation of state & local revenues to support public education. / North Smithfield Town Council
3. Resolution opposing transfer of RI Turnpike and Bridge Authority (RITBA) revenue and management authority to the Rhode Island Department of Transportation (RIDOT). / Newport City Council
4. Thank you from the Dr. Martin Luther King Jr. Community Center. / H. Hole Strout
5. Thank you from the Newport Mental Health. / J. Lehane III
6. Resolution to amend Article 1, entitled Declaration of Certain Constitutional Riches and Principles. / North Smithfield Public Schools
7. Solid Waste Recycling official correspondence. / T. Pietz

FUTURE MEETINGS

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| Aug 24 | 7:00 PM - Town Council Meeting |
| Sep 14 | 7:00 PM - Town Council Meeting |
| Sep 16 | 7:00 PM - Town Council Complete Streets Workshop (Wednesday) |
| Sep 28 | 7:00 PM - Town Council Meeting |

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

Time: 9:16 PM

Jennifer M. West, Town Clerk