

Friends of Portsmouth Senior Center  
21 Massachusetts Boulevard  
Portsmouth, Rhode Island 02871  
(857) 204-7445

March 15, 2021

Kevin Aguiar, President  
Portsmouth Town Council  
Town Hall  
Portsmouth, RI 02871

Re: Friends of Portsmouth Senior Center


Dear President Aguiar:

Pursuant to the March 8, 2021 town council meeting, Friends of Portsmouth Senior Center (FPSC); submits the attached Memorandum of Understanding ("MOU") for the March 22, 2021 town council agenda for discussion and action on the same.

By way of background, FPSC was created by members of the community concerned over the potential closure of the Portsmouth Multipurpose Senior Center's ("PMSC") current location, the Anne Hutchinson's School ("Building") due to fire safety code violations not cured by June 30, 2021. PMSC wants to cure these violations, pursuant to Paragraph 14 of their lease agreement with the Town. Due to COVID-19, PMSC has not been able to fundraise in their normal course to raise the funds needed to cure the violations. In addition, seniors are finding it difficult to participate in discussions regarding the Building during recent town council meetings – many do not have access to the required technology to join remotely. Thereby, PMSC leadership has agreed to FPSC advocating and working on their behalf. (see attached MOU between FPSC and PMSC) . FPSC proposes to make the improvements and/or repairs necessary in order for the Building to be in compliance for obtaining occupancy permit. This will allow the Building to be used as "place of assembly", and PMSC may continue their entire operations and functions at the Building.

We appreciate the opportunity to present this proposal for your consideration. Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,

  
Mary Ellen Martin, Director  
Friends of Portsmouth Senior Center

RECEIVED  
PORTSMOUTH, R.I.  
2021 MAR 15 | A 11: 59  
JENNIFER M. WEST  
TOWN CLERK

**MEMORANDUM OF UNDERSTANDING BETWEEN PORTSMOUTH  
MULTIPURPOSE SENIOR CENTER, INC. AND FRIENDS OF  
PORTSMOUTH SENIOR CENTER**

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**Parties**

The purpose of this Memorandum of Understanding (“MOU”) is to establish a relationship between Portsmouth Multipurpose Senior Center, Inc. d/b/a Portsmouth Multipurpose Senior Center (“PMSC”), a domestic non-profit corporation and Friends of Portsmouth Senior Center (“FPSC”), a domestic non-profit corporation.

WHEREAS, the FPSC is a non-profit 501 (c) (3) and its mission is awareness, advocacy and fundraising for the Portsmouth Senior Center.

WHEREAS, the PMSC is a non-profit 501 (c) (3) and its mission is providing services for seniors and persons with disabilities.

BOTH PARTIES HEREBY enter into this MOU for the following purpose:

1. PMSC grants permission to FPSC to advocate on their behalf.
2. Such advocacy shall include permission to raise funds on behalf of PMSC., said funds having been raised by FPSC shall be used exclusively for the sole benefit of PMSC.
3. FPSC advocacy shall include communicating and working directly with the Town of Portsmouth on behalf of PMSC regarding discussions, negotiations and performance of any improvements and/or repairs to be made to the Anne Hutchinson School, located at 110 Bristol Ferry Rd., Portsmouth, RI, for the purposes of obtaining occupancy permit so that it may be legally used as a "place of assembly".

**Duration**

This MOU is for the time period of February 26, 2021 through February 26, 2026.

**Termination**

Either party may terminate this MOU at any time, without cause, with 30-day written notice to the other party. This agreement may be amended by mutual consent of the parties. All amendments must be in writing and signed by both parties.

**Hold Harmless/Indemnity**

Each party to this MOU agrees to indemnify and hold harmless the other for and from any claims, causes of action, or any other proceeding of any type or kind that is made against the other by any third-party where such claim, cause of action or other proceeding arises from the conduct, act, omission, or commission by the other party pursuant to, or in furtherance of, this MOU.

IN WITNESS THEREOF, the parties to this agreement have duly executed it on the day, month and year set forth below.

By: Helen M. Mathieu Dated: 3-11-21  
Helen Mathieu  
Chairperson – Board of Directors  
Portsmouth Multipurpose Senior Center

By: MEMAULT Dated: 3/11/21  
Mary Ellen Martin  
Director  
Friends of Portsmouth Senior Center

**MEMORANDUM OF UNDERSTANDING BETWEEN TOWN OF PORTSMOUTH  
AND FRIENDS OF PORTSMOUTH SENIOR CENTER**

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**Parties**

This Memorandum of Understanding (“MOU”) is entered into as of this \_\_\_ day of March, 2021 between Town of Portsmouth (“Town”) and Friends of Portsmouth Senior Center (“FPSC”) a domestic non-profit corporation, collectively hereafter referred to as the “Parties”.

WHEREAS, the FPSC is a non-profit 501 (c) (3) and its mission is awareness, advocacy and fundraising for the Portsmouth Multipurpose Senior Center, Inc. FPSC has entered into its own MOU with Portsmouth Multipurpose Senior Center, same is hereby provided establishing FPSC’s authority to enter into this MOU.

BOTH PARTIES HEREBY enter into this MOU for the following purpose:

1. Town grants FPSC permission to make repairs, restoration, and/or improvements necessary to the Anne Hutchinson School (“Building”), located at 110 Bristol Ferry Rd., Portsmouth, RI, in efforts to comply with any and necessary safety/fire codes to obtain an occupancy permit on behalf of the Portsmouth Multipurpose Senior Center, Inc. for a place of assembly.
2. FPSC may communicate and work directly with the any and all contractors, subcontractors, individuals, and the like regarding discussions, negotiations and performance of any repairs, restoration, and/or improvements relative to the purposes of obtaining an occupancy permit on behalf of the Portsmouth Multipurpose Senior Center, Inc. for a place of assembly.
3. The Parties further agree they each will cooperate with regards to the matters set forth above.

**Duration**

This MOU is for the time period of February 26, 2021 through February 26, 2026.

**Hold Harmless/Indemnity**

Each party to this MOU agrees to indemnify and hold harmless the other for and from any claims, causes of action, or any other proceeding of any type or kind that is made against the other by any third-party where such claim, cause of action or other proceeding arises from the conduct, act, omission, or commission by the other party pursuant to, or in furtherance of, this MOU.

IN WITNESS THEREOF, the parties to this agreement have duly executed it on the day, month and year set forth above.

Town of Portsmouth

By: \_\_\_\_\_  
Name:  
Title:

Friends of Portsmouth Senior Center

By: \_\_\_\_\_  
Name: Mary Ellen Martin  
Title: Director