

PORTSMOUTH TOWN COUNCIL MEETING  
JANUARY 14, 2019 MINUTES

6:30 PM – Town Council Chambers, Portsmouth Town Hall, 2200 East Main Road

Time: 6:33 PM

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

ALSO PRESENT: Richard Rainer, Kevin Gavin, Jennifer West

Mr. Katzman entered the room at 6:46 PM

**EXECUTIVE SESSION** – Motion to go into Executive Session under RIGL 42-46-5(a)(2) made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

1. RIGL 42-46-5(a)(2) – Potential Litigation – One vote taken. Motion passed 6-0-1. One recusal.

**ADJOURN** – Motion to seal the minutes and adjourn made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Time: 6:58 PM

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

Time: 7:04 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**

**CONSENT AGENDA**

1. Bills – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

**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. Victualler License – Annual

a. New China 5588 Inc. d/b/a New China, 3288 East Main Road (#1386) – Motion to approve made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

b. Sydney Providence LLC d/b/a Sydney Portsmouth, 8 Russo Road (#1391) – Motion to approve made by Dr. Ryan, seconded by Ms. Abbott. Motion passed 7-0.

**ADJOURN** – Motion to adjourn as the Board of License Commissioners made by Dr. Ryan, seconded by Mr. Kelly. Motion passed 7-0.

**MINUTES**

TCM 11/26/18 & Exec. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

TCM 12/8/18

TCM 12/10/18

TCM 12/19/18 – Motion to approve minutes from 12/8/18, 12/10/18 and 12/19/18 made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0-1. Mr. Kelly abstained.

**TAX VOUCHERS**

Request approval for Tax Voucher #20190114-01. – Motion to approve made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 7-0.

**TOWN ADMINISTRATOR’S REPORT**

1. Prudence Island water update – The PI Water District has been working with the RI DOH to resolve the water issue on Prudence since last fall. Water samples have since tested clean and the two parties are near an agreement on how to proceed. To date, the District: Has installed a Tank Mixing system to eliminate stratification of stored water; Increased the number of sampling sites; and, Increased checks for system leaks. Essentially, the water supply is at no more risk than it has been for the last 20 years. PIWD anticipates: RI DOH will mandate back flow preventers and expect 100% compliance by Aug 1, 2020; The Boil Water Advisory will therefore remain in effect until 100% compliance is reached. The Water District intends to start holding public meetings to inform the PI residents and work on ways and means to incentivize faster and easier compliance.
2. LED street light update – As previously reported, the RFP process for the LED Streetlight Conversion project is paused until the five towns (Portsmouth, Middletown, Jamestown, Lincoln, and Smithfield) can determine the best way to proceed in light of Johnston’s agreement with National Grid regarding paying for streetlights on State roads. All five towns, plus Newport, met last week and agreed to turn the matter over to our solicitors for further action. I’ll keep the Council notified as this matter plays out.
3. Linden Lane traffic light update – You are aware the Town’s request to the State Traffic Commission for a traffic signal at Linden Lane was approved at the end of last October. The approval stipulates the signal will be installed under a future STC contract as funding permits. The residents of Oakland Farm (directly across Linden Lane) recently met, amongst themselves, with legislative officials to discuss ways to mitigate traffic concerns in the meantime and potentially speed up the installation process. The State process going forward was explained to the residents and a general agreement was made that residents will communicate their desires in letters sent directly to RI DOT. Additionally, the town will work to ensure Details assigned to the intersection will be more vigilant in ensuring ease of access to and from the area during high traffic volume events.
4. IT Working Group update – In November the Council tasked me to form a working group to study ways to live stream Town Council meetings and to utilize technology in ways to better communicate with Town Residents. The working group has been formed and they’ve begun the work assigned. A proof of concept test run regarding live streaming was held last week and they will soon be working on a survey to solicit feedback on the Town’s website. I’ll keep the Council informed as work progresses and when recommendations are ready for your consideration.

5. Phelps House update – Work has progressed on a proposed Concessionaire’s agreement for operation of the building known as the Phelps House. The proposed contract is under review by both parties and we hope to bring this forward for your approval within the next month.
6. Coggeshall School update – The RFP for the use, operation and maintenance of the Coggeshall School Property has been released and a preproposal conference was held January 9th. The questions asked at the meeting have been answered and prepared for posting as an addendum to the solicitation. Proposals are due at 2:00 pm on January 30<sup>th</sup>.
7. Police construction update – The project is now approximately 85% complete and is on track to be occupied on March 1st. The new and old buildings will have simultaneous 911 emergency dispatch and communications capabilities during the move-in period to ensure no disruption in service to the public. Since last report: The building envelope is weathertight; Temporary heating is installed; Light fixtures are being installed and are due to be completed this week; Installation of a new Transformer Pad in progress and National Grid will have power to the building by the end of the month; Exterior Site Grading is underway; and, Installation of new Flooring is underway. There are no new Change Orders to report. No new applications for payment have been received since the last report so the budget status is unchanged. Our Owner’s Rep will be present at the next Council meeting to deliver his report.

### **REMOVALS, RESIGNATIONS AND APPOINTMENTS**

1. Request to separate out two applicants for the Charter Review Committee. – No motion made.
2. Removals:
  - a. Bristol Ferry Town Common Committee – Motion to remove Robert Vickers made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.
  - b. Glen Park Working Committee – Motion to remove Cyrus Gibson and Barbara Shamblin made by Dr. Ryan, seconded by Ms. Abbott. Motion passed 7-0.
  - c. Melville Park Committee – Motion to remove Grace Kinnunen and Donald Sly made by Mr. Katzman, seconded by Mr. Hamilton. Motion passed 7-0.
3. Resignations:
  - a. Design Review Board – Motion to accept H. Weber Wilson’s resignation with regret made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.
  - b. Dog Park Operating Committee – Motion to accept Kerry Freeborn’s resignation with regret made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.
  - c. Economic Development Committee – Motion to accept Benjamin Furriel’ s resignation with regret made by Ms. Abbott, seconded by Dr. Ryan. Motion passed 7-0.
  - d. Glen Manor House Authority – Motion to accept Andrew Kelly’s resignation with regret made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed 7-0.
  - e. Tax Assessment Board of Review – Motion to accept Ali Khorsand’s resignation with regret made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.
4. Appointments:
  - a. Aquidneck Island Planning Commission – Motion to approve Robert Andrews made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

b. Bristol Ferry Town Common Committee – Motion to approve Anne Dexter made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 7-0.

c. Charter Review Committee – Motion to approve all applicants (Joseph Baker, James Carreira, Donald Clukies, Terry Dickinson, Benjamin Furriel, Stephen Gaul, Nancy Grieb, Connie Harding, George Kassis, Paul Kesson, Jim Kitzmiller, Frederick Marano, John McDaid, Michelle McGaw, Rick Norton, Theodore Pietz, David Reise, David Souza, Jayme Souza, Roy Streit, Mark Thayer, Kathleen Wilson, Conley Zani and Nancy Zitka) made by Ms. Ujifusa, seconded by Ms. Abbott. Motion passed 7-0

d. Charter Review Committee – Motion to approve Mark Katzman and Jhodi Redlich made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed 6-0-1. Mr. Katzman recused.

e. Dog Park Operating Committee – Motion to approve Jennifer McGinley and Andrea Rounds made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

f. Glen Manor House Authority

g. Harbor Commission - Motion to approve David Gleason to both the Glen Manor House Authority and the Harbor Commission made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

h. Housing Authority – Motion to approve Allison Serina made by Dr. Ryan, seconded by Mr. Katzman. Motion passed 7-0.

i. Juvenile Hearing Board – Motion to approve Karen Vebber made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

j. Solid Waste and Recycling Committee – Motion to approve Carolyn Gillman, made by Ms. Abbott, seconded by Mr. Hamilton. Motion passed 7-0.

k. Bristol Ferry Town Common Committee (Re-Appt) – Motion to re-appoint H. Weber Wilson made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed 7-0.

l. Conservation Commission (Re-Appt) – Motion to re-appoint David Reise and Claudette Weissinger made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.

m. Planning Board (Re-Appt) – Motion to re-appoint Kate Wilson made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.

n. Prudence Island Planning Commission – Motion to re-appoint Henry Peter made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 7-0.

o. Tree Commission (Re-Appt) – Motion to re-appoint John Fitzgerald, Teresa Pinto and Scott Wheeler, made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed 7-0.

p. Tree Warden (Re-Appt) – Motion to re-appoint John Fitzgerald made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 7-0.

#### **OLD BUSINESS (Discussion/Action)**

1. Resolution authorizing the adoption of the 2018 Hazard Mitigation Plan Update.  
<https://www.portsmouthri.com/153/Town-Planning> (find under Quick Links on the right)

– Motion to approve made by Mr. Katzman, seconded by Ms. Ujjifusa. Motion passed 7-0.

**TOWN OF PORTSMOUTH, RI  
RESOLUTION # 2019-01-14**

**A RESOLUTION AUTHORIZING THE ADOPTION OF THE  
2018 PORTSMOUTH HAZARD MITIGATION PLAN UPDATE**

WHEREAS: The Town of Portsmouth recognizes exposure to natural hazards that increase the risk to life, property, environment, within our community; and

WHEREAS: Pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS: The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS: The 2018 Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Portsmouth from impacts of future hazards and disasters; and

WHEREAS: Adoption by the Town Council demonstrates their commitment to hazard mitigation and achieving goals outlined in the 2018 Portsmouth Hazard Mitigation Plan Update.

NOW, THEREFORE, BE IT RESOLVED that the Town of Portsmouth

- 1) Adopts in its entirety, the 2018 Portsmouth Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Hazard Mitigation Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan every five years.

Approved by Town Council Action  
January 14, 2019

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Kevin Aguiar, President  
Portsmouth Town Council

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

2. Monthly finance report. – Motion to receive and place on file made by made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 7-0.

**NEW BUSINESS (Discussion/Action)**

1. Proposed change of name and scope of responsibilities for the Tank Farm Development Advisory Committee. – Motion to approve the change of name to the West Side Development Advisory Committee made by Ms. Abbott, seconded by Mr. Katzman. Motion passed 7-0.

2. Request approval of Brown House Office Space Rental Fee Structure. – Motion to table until February 11, 2019 made by Ms. Abbott, seconded by Mr. Katzman. Motion passed 6-1. Mr. Kelly in dissent.

3. Request Council approval to submit an application to the van Beuren Charitable Foundation with

letter of support from Town Council for grant funding to support efforts to develop a new aquatics complex on Aquidneck Island. – Motion to approve made by Ms. Abbott, seconded by Mr. Kelly. Motion passed 7-0.

4. Request letter of support for a proposal to the van Beuren Charitable Foundation for “Strengthening Neighborhood Resilience Capacity: Taking Action in Common Fence Point.” – Motion to approve made by Ms. Ujifusa, seconded by Mr. Kelly. Motion passed 7-0.

### **CORRESPONDENCE**

1. Letter re: the maintenance and plowing of Mussel Bed Shoal Road. / Rhode Island Turnpike and Bridge Authority
2. Monthly RIRRC Report. / R. Antaya
3. Letter of “Decision and Order of Finding No Probable Cause” re: dual office holding. / D. Gleason
4. Water Quality Certificate – Town of Portsmouth Harbor Management Plan. / Rhode Island Depart. of Environmental Management

Motion to receive all correspondence and place on file made by Mr. Kelly, seconded by Mr. Katzman. Motion passed 7-0.

### **FUTURE MEETINGS**

Jan 28      7:00 PM - Town Council Meeting  
Feb 11      7:00 PM - Town Council Meeting  
Feb 25      7:00 PM - Town Council Meeting

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

Time: 8:40 PM

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Jennifer M. West, Town Clerk