

PORTSMOUTH TOWN COUNCIL MEETING
DECEMBER 12, 2022
MINUTES

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

MEMBERS PRESENT: Kevin M. Aguiar, Leonard B. Katzman, Daniela T. Abbott, David M. Gleason, Keith E. Hamilton, Charles J. Levesque and J. Mark Ryan

Time: 7:00 PM

EMERGENCY EVACUATION PLAN

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT’S EXECUTIVE SUMMARY

Time: 7:04 PM Ms. Abbott enters the room

PRESENTATIONS/RECOGNITIONS

1. Portsmouth Police Department Swearing-In Ceremony for Michael Morse
2. Proclamation of Appreciation in recognition of the Wilkinson’s retirement

TOWN OF PORTSMOUTH, RI

PROCLAMATION OF CONGRATULATIONS

The Town Council, on behalf of the citizens of the Town of Portsmouth, wishes to extend our thanks and appreciation to

CATHERINE AND DONALD WILKINSON

on the occasion of their retirement, following their many years of dedicated public service as the

MANAGERS OF THE GLEN MANOR HOUSE

The Town Council recognizes your many accomplishments and congratulates and thanks you for your untiring efforts on behalf of our community.

NOW THEREFORE, BE IT PROCLAIMED that the Town Council of the Town of Portsmouth, not only for itself, but on behalf of the citizens of this Community, **SALUTE**

CATHERINE AND DONALD WILKINSON

on the occasion of their retirement from public service and order this Proclamation presented on this Twelfth Day of December 2022.

In recognition whereof, I, as President of the Portsmouth Town Council, have hereby set my hand and caused the Seal of the Town of Portsmouth, Rhode Island, to be hereto affixed this Twelfth day of December 2022.

*Kevin M. Aguiar, President,
Portsmouth Town Council*

ATTEST: _____
Jennifer M. West, CMC, Town Clerk

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

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: Transfer of a Class BV Alcoholic Beverage License (#2237)

Application to Transfer a Class BV Alcoholic Beverage License from KJK LLC d/b/a Thriving Tree Coffee House to Sunset Cove Inc. d/b/a Thriving Tree Coffee House, 706 Park Ave, Portsmouth

a. Application for a Class BV Alcoholic Beverage License: Sunset Cove Inc. d/b/a Thriving Tree Coffee House, 706 Park Ave, Portsmouth. Michael Macfarlane, President.

b. Request approval to retain the permanent expansion of the service area to include a roped off 20' x 12' patio and a 100' x 70' lawn area, comprising an approximately 7240 sq. ft. area located on the west side of the building. ALSO, service hours from 10:00 am – 10:00 pm.

Motion to close the Public Hearing made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

Motion to approve both the BV Alcoholic Beverage License and to retain the permanent expansion and service hours made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

2. Victualler License:

Sunset Cove Inc. d/b/a Thriving Tree Coffee House, 706 Park Ave, Portsmouth (#2237)

3. Holiday License:

Sunset Cove Inc. d/b/a Thriving Tree Coffee House, 706 Park Ave, Portsmouth (#2237)

Motion to approve the Victualler and Holiday licenses for Sunset Cove Inc. d/b/a Thriving Tree Coffee House made by Mr. Katzman, seconded by Mr. Levesque. Motion passed 7-0.

ADJOURN – Motion to adjourn as the Board of License Commissioners made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 7-0.

MINUTES

11/14/22

11/28/22 – Motion to approve made by Dr. Ryan, seconded by Mr. Hamilton to approve the minutes for 11/14/22 and 11/28/22. Motion passed 5-0 for the 11/14/22 minutes with Mr. Gleason and Mr. Levesque abstaining and motion for the 11/28/22 minutes passed 7-0.

TOWN ADMINISTRATOR'S REPORT

1. Discover Newport grant awards – Earlier this year I announced Portsmouth received a community support grant from the Newport and Bristol County Convention and Visitors Bureau (known as Discover Newport), to be managed by our Director of Business Development and the Economic Development Committee. The grant of \$7,500 is for projects meant to enhance a visitor's

experience in our community. We received five applications that met the guidelines of the award. Each will receive \$1,500:

- o Portsmouth DPW for construction of a Mt. Hope Park sign
- o The 4 Hearts Foundation to support the purchasing of playground equipment
- o Aquidneck Land Trust for installation a bench at Spruce Acres Park
- o Portsmouth Recreation Dept. to support installation of a swing set at Glen Park, and
- o Island Park Preservation Society to support a 2023 fireworks display.

2. Comprehensive Community Plan update – We have received verbal approval from Statewide Planning Division of the Portsmouth Community Comprehensive Plan. This approval is conditioned on minor updates to bring some of the originally submitted data and maps up to date. We expect the official letter no later than January 12th.

3. Report on Open Space Master Plan workshop #2 – Thanks to everyone who came out for the second and final public workshop for the Parks and Recreation Master Plan. The presentation and summary of community input have been posted to the Recreation webpage where you can also find a summary of the online community survey. Our consultant will now consolidate and analyze the data collected through interviews, the survey, research, and these workshops and produce a report for the Council. We expect delivery of the report later this winter.

4. Ethics training – This is just a reminder, there will be a state required Ethics Training session on Monday, January 30th at 7:00 PM. The Town Clerk has notified Council, staff, and committee members required to attend.

RESIGNATIONS AND APPOINTMENTS

1. Resignations:

a. Harbor Commission – Motion to accept Mr. Gleason’s resignation with regret made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

b. Mooring Assignment Appeal Committee – Motion to accept Mr. Gleason’s resignation with regret made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

c. Prudence Island Planning Commission – Motion to accept Mr. Aldrich’s resignation with regret made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

d. Solid Waste and Recycling Committee – Motion to accept Ms. Haga’s resignation with regret made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

2. Appointments:

a. Harbor Commission – Motion to appoint Joshua Parks made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

b. Melville Park Committee – Motion to appoint Stephen Dunn made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

c. Prudence Island Planning Commission – Motion to appoint Irene St. Germain made by Mr. Hamilton, seconded by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

d. Prudence Island Planning Commission (Re-appt.) – Motion to reappoint Henry Peter and Raymond Naughton made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

OLD BUSINESS (Discussion/Action)

1. Request acceptance of Coddington Way as a public road and release of road bond conditioned on a one-year maintenance bond equal to 5% of the \$400,800 surety bond and recording the as-built plans.–Motion to approve made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 7-0

2. Request acceptance of the extension of Vanderbilt Lane as a public road and release of road bond conditioned on a one-year maintenance bond equal to 5% of the \$1,259,260 surety bond

and recording the as-built plans. – Motion to approve made by Mr. Katzman, seconded by Mr. Hamilton. Motion passed 7-0.

3. Monthly Finance Report. – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

NEW BUSINESS (Discussion/Action)

1. Request to advertise for a public hearing for a proposed amendment to Chapter 405 Zoning, Article V Use Regulations, Land Use Tables, Section A 14 Planned Resort Development and Article VIII Land Development Projects, Section D Planned unit developments 4(g) Planned Resort Development. – Motion to approve for public hearing January 9, 2023 made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

2. Request to advertise for a public hearing for a sound variance for noise that may be generated by the operation of portable liquefied natural gas equipment at 111 Old Mill Lane, Portsmouth. – Motion to approve for public hearing January 9, 2023 made by Mr. Levesque, seconded by Mr. Hamilton. Motion passed 7-0.

3. Request Town Council approval for three Rhode Island Energy easements to perform work on school property related to bond projects. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

4. Assignment of Town Council Liaisons to Town Committees.

Agriculture Committee	Keith Hamilton
Aquidneck Island Planning Commission	Len Katzman, Charles Levesque
Bristol Ferry Town Common	David Gleason
Conservation Commission	Daniela Abbott, David Gleason
Dog Park Committee	Keith Hamilton
Economic Development Committee	Kevin Aguiar, Len Katzman
Harbor Commission	David Gleason
Melville Park Committee	Kevin Aguiar, J. Mark Ryan
Newport Chamber of Commerce	Keith Hamilton
Parks & Recreation Committee	Daniela Abbott, Charles Levesque
Pension Investment Committee (2)	Keith Hamilton, Kevin Aguiar
Portsmouth Senior Center	David Gleason
School Committee	Keith Hamilton, Kevin Aguiar
Solid Waste/Recycling Study Committee	J. Mark Ryan
Tree Commission	J. Mark Ryan
West Side Development Advisory Committee	Len Katzman

5. Request to advertise for a public hearing for a proposed amendment to Chapter 364 Tobacco Products. – Motion to approve for public hearing January 9, 2023 made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

6. Request approval to reappoint Richard D’Addario, Esq as Municipal Court Judge. – Motion to approve to reappoint and increase annual salary to \$9,000 made by Mr. Levesque, seconded by Mr. Katzman. Motion passed 7-0.

7. Request approval to award on-call Miscellaneous Construction & Roadway Repairs to East Coast Landscaping & Construction. – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

8. Request to renew Potter League Contract. – Motion to approve made by Mr. Levesque, seconded by Dr. Ryan. Motion passed 7-0.

9. Request approval for a letter of support regarding the FY22 FEMA Building Resilient Infrastructure and Communities (BRIC) grant application for a Regional Hazard Mitigation Plan

for Aquidneck Island and to confirm that Portsmouth will contribute a 10 percent (\$7,500) match. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 7-0.

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

1. Monthly RIRRC Report. / Rhode Island Resource Recovery Corp.
2. Order from EFSB for Mayflower Wind to show cause why the proceedings should not be stayed until questions related to the economic and financial viability of the offshore wind project are satisfactorily resolved. / T. Bianco, Chief Economic and Policy Analyst, RI Public Utilities Commission
3. Mayflower Wind Energy LLC's Notice of Waiver of Show Cause Order Deadline and Request for Extension of Time for filing. / C. Capizzo, Partridge Snow & Hahn
4. Resolution urging the RI General Assembly to recognize June 19, Juneteenth National Independence Day, as an official RI state holiday. / Little Compton Town Council
5. Portsmouth Water and Fire District Quarterly Financial Report for the period ending October 31, 2022. / N. J. Larsen, Senior Accountant

FUTURE MEETINGS

Jan 9 7:00 PM – Town Council Meeting
Jan 23 7:00 PM – Town Council Meeting
Jan 30 7:00 PM – Ethics Training
Feb 13 7:00 PM – Town Council Meeting

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

Time: 7:55 PM

Jennifer M. West, CMC, Town Clerk