

PORTSMOUTH TOWN COUNCIL MEETING  
FEBRUARY 13, 2023  
MINUTES

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

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

MEMBERS ABSENT: Kevin M. Aguiar

Time: 7:00 PM

EMERGENCY EVACUATION PLAN

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT’S EXECUTIVE SUMMARY – There was no Executive Summary.

CONSENT AGENDA – Motion to receive as presented made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 5-0. Ms. Abbott not present.

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. Entertainment License:

Rhode Island Rugby Football Foundation, Beast of the East Collegiate Rugby Tournament, Gardner Seveney Sports Complex, April 22 & 23, 2023 (#2279) – Motion to approve made by Dr. Ryan, seconded by Mr. Levesque. Motion passed 5-0. Ms. Abbott not present.

Time: 7:02 PM Ms. Abbott arrives

ADJOURN – Motion to adjourn made by Dr. Ryan, seconded by Mr. Levesque. Motion passed 6-0.

TOWN ADMINISTRATOR’S REPORT

1. Safety Assessment Program (SAP) certification – Our Assistant Building Inspector, Matthew Kent, recently completed the SAFETY ASSESSMENT PROGRAM (SAP). He is now a certified Safety Assessment Evaluator. Should there be a disaster where Damage Assessments of buildings need to be performed and evaluated for occupancy safety, Matt is now qualified to perform this function nationally. What this means for the Town of Portsmouth is, in addition to Gareth Eames our Building Inspector, we now have two people trained and authorized to perform this function. Most municipalities in our area only have one person authorized to do this. Congratulations to Matt for the achievement of this significant milestone in his career.
2. Audit update – The Annual Comprehensive Financial Report for FY 22 has been submitted to the Auditor General. The Audit is posted on our website and a hardcopy is available for review in

the Town Clerk's office. Our Auditor will review the report for the Town Council at the February 27<sup>th</sup> Council Meeting.

3. Ethics training report – Required State Ethics Training was held on Monday, January 30<sup>th</sup>. Over 60 people participated in the training in-person and remotely on-line. A link to the training is available on the Town Clerk webpage for those who were unable to attend.

4. Impact fees update – As required by Rhode Island General Law, a review of the Town's Impact Fee structure and policy was conducted by the TichlerBise firm. The Impact Fee Study and recommended changes will be presented to the Council at the March 13<sup>th</sup> Town Council meeting.

5. Budget update – The Budget process is moving forward in accordance with the calendar approved by the Council late last year and will be submitted to the Council on March 31<sup>st</sup>. In addition to the review of CIVIC Support Requests tonight, the second round of Town Department reviews will begin this week and the first School Administration budget meeting will be held Wednesday evening.

Lastly, we sadly mourn the passing of Dave Faucher. Dave was our Finance Director for ten years from 2004 to 2014. He also previously served as Finance Director for the Towns of Middletown and East Greenwich and worked as the Director of Financial and Administrative Services for the Rhode Island Interlocal Trust. Prior to embarking on his career in Municipal Finance, Dave served in the United States Navy, retiring as a Commander in 1990. I know his passing deeply affects all who knew and worked with him. We offer our deepest sympathy to his wife and family, and all those who worked with, loved, and knew him.

#### RESIGNATIONS AND APPOINTMENTS

1. Appointments:

a. Dog Park Committee – Motion to appoint Joyce DeCosta made by Mr. Levesque, seconded by Mr. Hamilton. Motion passed 6-0.

b. Melville Park Committee (Re-App) – Motion to reappoint Jeffrey Richard made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0.

c. Tree Commission (Re-App) – Motion to reappoint James Jordan made by Mr. Levesque, seconded by Dr. Ryan. Motion passed 6-0.

#### NEW BUSINESS (Discussion/Action)

1. Melville Park Committee Bylaws Amendments. – Motion to approve made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 6-0.

2. Request to approve a proclamation stating March 5-19, 2023, as Wellness Weeks with Herren. – Motion to approve made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 6-0.

3. PUBLIC HEARING: Request approval for a sound variance to the Portsmouth Noise Ordinance by The Narragansett Electric Company for the Aquidneck Island Reliability Project for noise that may be generated by the operation of portable liquefied natural gas equipment at 111 Old Mill Lane, Portsmouth (Viewpoint #2270).

– Attorney George Watson, III, representing Robinson+Cole requested that the public hearing be continued with no specific date for reconvening. Mr. Gavin stated without a specific date the public hearing must be dismissed and a new public hearing would need to be requested and advertised. Motion to dismiss the Public Hearing made by Mr. Levesque, seconded Mr. Hamilton. Motion passed 6-0.

4. Aquidneck Island Regional Resilience update. – No votes taken.

5. Jamestown Town Council requests support of resolutions for South Gould Island Public Recreation Plan. – Motion to approve made by Mr. Levesque, seconded by Mr. Hamilton. Motion passed 6-0.

A RESOLUTION TO JOIN THE TOWN OF JAMESTOWN  
IN SUPPORT OF THE REQUEST TO RIDEM FOR  
THE SOUTH GOULD ISLAND PUBLIC RECREATION PLAN

WHEREAS, the Town Council of Portsmouth requests that the Rhode Island Department of Environmental Management develop a Plan to provide public recreation on the southernmost 16.9 acres of Gould Island, as described in the attached Jamestown Town Council Resolution 2022-14, dated November 7, 2022.

WHEREAS, the Rhode Island Federal Delegation has expressed willingness to seek Federal funding for development of public recreation on South Gould Island, subject to the development of an acceptable Plan from RIDEM and the Town of Jamestown and subject to the demonstration of public support for the Plan within Rhode Island.

NOW, THEREFORE, BE IT RESOLVED the Town Council of Portsmouth joins Jamestown in advocating for the use of 16.9 acres of Gould Island for public recreation.

BE IT FURTHER RESOLVED, that the Town Clerk submit a copy of this Resolution to the Town of Portsmouth’s State Senator and Representatives, the Speaker of the House of Representatives and the President of the Senate and every Rhode Island municipality.

Adopted this 13<sup>th</sup> day of February 2023.

\_\_\_\_\_  
Kevin M. Aguiar, President  
Portsmouth Town Council

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

6. Request approval of a resolution regarding the Restoration of General Revenue Sharing to Cities and Towns. – Motion to approve made by Ms. Abbott, seconded by Mr. Gleason. Motion passed 6-0.

TOWN OF PORTSMOUTH, RI  
RESOLUTION # 2023-02-13B

RESOLUTION OF THE TOWN OF PORTSMOUTH REGARDING THE  
RESTORATION OF GENERAL REVENUE SHARING TO CITIES AND TOWNS

WHEREAS, Cities and Town across Rhode Island have been struggling with the recent inflationary environment; and

WHEREAS, in 2009 the General Assembly discontinued revenue sharing due to the economic collapse; and

WHEREAS, the removal of the General Revenue sharing forced the Cities and Towns to increase property taxes to make up for this loss in revenue; and

WHEREAS, the State of Rhode has seen a very good rebound from the economic crisis brought on by the COVID Pandemic; and

WHEREAS, the past 2 fiscal years the State of Rhode Island has benefitted from the economic rebound with \$417 and \$878 million respectively and an anticipated \$600 million surplus for FY 2023.

NOW, THEREFORE, BE IT RESOLVED that the Town Council respectfully requests the Rhode Island General Assembly and Governor reinstate General Revenue Sharing for all 39 Cities and Towns to help reduce the impact of inflation of the citizens of Rhode Island; and

BE IT FURTHER RESOLVED, that the Town Council respectfully requests the respective City and Town Councils of Rhode Island join in our request to have the General Assembly restore general revenue in the upcoming FY 2024 budget.

Adopted this 13<sup>th</sup> day of February 2023.

\_\_\_\_\_  
Kevin M. Aguiar, President  
Portsmouth Town Council

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

7. Town Council review and approval of Civic Support requests. – Motion to approve each organizations proposed request for a total of \$1,027,601 for the time being made by Mr. Levesque, seconded by Dr. Ryan.

– Amendment to the motion request to level fund Clean Ocean Access to \$2,000 made by Mr. Hamilton, seconded by Mr. Gleason. Motion failed 2-4. Ms. Abbott, Mr. Levesque, Dr. Ryan and Mr. Katzman in dissent.

– Amendment to the motion request to level fund the Eastern Rhode Island Conservation District made by Mr. Hamilton, seconded by Mr. Gleason. Motion passed 4-2. Mr. Levesque and Mr. Katzman in dissent.

– Amendment to the motion request to grant the Arts Guild a \$500 bump up to \$2,000 instead of the \$10,000 asked for made by Mr. Hamilton, seconded by Mr. Gleason. Motion failed 3-3. Mr. Levesque, Dr. Ryan and Mr. Katzman in dissent.

– Amendment to the motion to give a \$1,500 increase to \$3,000 to the East Bay Community Action Program instead of the \$5,000 asked made by Mr. Hamilton, seconded by Mr. Gleason. Motion passed 4-2. Mr. Levesque and Mr. Katzman in dissent.

– Motion to approve the main motion as amended made by Mr. Levesque, seconded by Dr. Ryan. Motion passed 4-2. Mr. Gleason and Mr. Hamilton in dissent.

8. RI Energy proposes to install Pole 1 to supply electricity to 35 East Cory’s Ln. – Motion to approve made by Mr. Levesque, seconded by Mr. Hamilton. Motion passed 6-0.

CORRESPONDENCE – Motion to receive and place of file made by Mr. Levesque, seconded by Dr. Ryan. Motion passed 6-0.

1. Division of Statewide Planning approval of the Portsmouth Comprehensive Community Plan. / R. Groch, Assistant Chief, RI Department of Administration, Division of Statewide Planning
2. Resolution urging rejection of changes to the Rhode Island Enabling Act as proposed by the Rhode Island House of Representatives Land Use Commission dated November 10, 2022. / Foster Town Council
3. Motion to dismiss civil money penalty proceeding against Quaker Manor, LLC and the Portsmouth Housing Authority. / United States Dept. of Housing and Urban Development
4. Order granting partial motion to dismiss civil money penalty proceeding against Quaker Manor, LLC and the Portsmouth Housing Authority. / United States Dept. of Housing and Urban Development
5. Monthly RIRRC Report. / Rhode Island Resource Recovery Corp.
6. Letter pertaining to the transfer station increase. / S. & S. Bailey
7. Letter to the Public Utilities Commission & Division of Public Utilities and Carriers regarding the Prudence Island parking needs in Bristol, RI. / R. Weber

FUTURE MEETINGS

- Feb 27 7:00 PM – Town Council Meeting
- Mar 13 7:00 PM – Town Council Meeting
- Mar 27 7:00 PM – Town Council Meeting

ADJOURN – Motion to adjourn made by Dr. Ryan, seconded by Mr. Levesque. Motion passed 6-0.

Time: 8:54 PM

\_\_\_\_\_  
 Jennifer M. West, CMC, Town Clerk