

PORTSMOUTH TOWN COUNCIL MEETING
MARCH 27, 2023
MINUTES

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

TIME: 6:00 PM

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

MEMBERS ABSENT: Daniela T. Abbott

EXECUTIVE SESSION

1. RIGL §42-46-5 (a)(2) Negotiations – DPW– Motion to go into Executive Session under RIGL §42-46-5 (a)(2) made by Mr. Hamilton, seconded by Mr. Gleason. Motion passed 6-0. Mr. Rainer updated the Council regarding contract negotiations with the Department of Public Works. – No votes taken.

ADJOURN – Motion to seal the minutes and return to open session made by Mr. Levesque, seconded by Mr. Hamilton. Motion passed 6-0.

Time: 6:42 PM

Time: 6:55 PM- Ms. Abbott enters the Chambers.

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

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 an Executive Session prior to the meeting regarding contract negotiations with the Department of Public Works. No votes were taken.

CONSENT AGENDA – Motion to approve as presented made by Mr. Hamilton, seconded by Dr. Ryan. 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. Request from the Armenian National Committee of Rhode Island to fly the Armenian Flag on April 24, 2023. / S. Elmasian
3. Peddler License – Mobile Food Establishment (MFE), Renewals:
 - a. Sportgraphics, Inc. d/b/a Shishkaberrys of New England, 87 Spring St, Shrewsbury, MA (#2301)

- b. WW Newport, LLC d/b/a Wally's Hot Dog Cart, 222 Bellevue Ave, Newport (# 2302)
 - c. Galley Wagon LLC d/b/a Village Greek, 21 Marcy St., Cranston, 1 truck (#2303)
4. CRMC – Public Notice 2023-02-033
Mackenzie Shea Trustee, 535 Harrison Avenue, Apt. A606, Boston, MA 02118, for a State of Rhode Island Assent to construct and maintain a residential boating facility consisting of a 4 x 114' fixed pier, a 3 x 20' ramp and an 8 x 18.75' float, extending to 73' beyond Mean Low Water (MLW), requesting a variance to 650-RICR-20-00-1.3.1(D)(11)(1)(2) – 50' beyond MLW Standard. The facility is proposed to be located 17' from the southern property line, requesting a variance to 650-RICR-20-00-1.3.1(D)(11)(k) – 25' to property line standard. Project Location: 48 Aquidneck Avenue.

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:
Chicked Out Nuggs, LLC, 150 James St, Warwick, (#2300) – Motion to approve made by Mr. Katzman, seconded by Mr. Hamilton. Motion passed 7-0.

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

MINUTES – Motion to approve made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.
3/13/23

TAX VOUCHERS

Request approval for Tax Voucher #20230327-01. – Motion to approve made by Mr. Levesque, seconded by Mr. Hamilton. Motion passed 7-0.

TOWN ADMINISTRATOR'S REPORT

1. Budget update – Final Town staff and School Committee budget meetings were held last week. I have received the proposed school department budget. My proposed budget will be finalized this week and distributed to the Council on Friday at which time it will also be posted electronically on the Finance Department web page.
2. Hybrid waste management white paper – Just a reminder that the white paper discussion of a hybrid waste management option to develop into a Request for Proposals (RFP) is posted on the Town website for public comment until April 14 (front page under “News” and the Transfer Station page). After the public comment period, we will revise the paper as needed and present it to the Council for discussion and decision.
3. Glen Farm Annual Easter Egg Hunt – The Glen Farm Annual Easter Egg Hunt, hosted by the Recreation Department, will be at 1:00pm on Sunday, April 2nd at the Leonard Brown House. This is a free event. We ask that children bring their own basket or bag. More information can be found on the Town website.
4. Summer lifeguards & camp counselors – As we gear up for the summer season, I would like to highlight that the Town is currently accepting applications for lifeguards and camp counselors. Applications will be accepted until the positions are filled. Additional information and employment applications can be found on the Human Resources web page.
5. Possible co-ed adult softball league – We are currently seeking input regarding interest in the establishment of an adult co-ed softball league. There is a survey accessible on the home page of the

Town web site, which will remain open through the end of April. If there is enough interest, the league is expected to run July 1st through August 13th.

6. Special election update – As most are aware, Congressman David Cicilline will resign from Congress this summer. According to state election law, the governor cannot call a special election until a House seat has actually been vacated. The Canvasser and Canvassing Authority will keep the Town informed as details regarding the timing and scheduling of the election and polling sites are determined. In the meantime, we have updated the proposed Canvassing budget request for FY24 to reflect the cost to administer the election and anticipated primaries.

7. Safety enhancement grant award – The RI Interlocal Trust has awarded a Safety Enhancement Grant for the purchase of silent alarm buttons to be installed in Town Hall. Thanks to the Safety Committee for their work in securing this match-free grant.

RESIGNATIONS AND APPOINTMENTS

1. Appointment:

Juvenile Hearing Board – Motion to reappoint Linda Nalle made by Mr. Katzman, seconded by Mr. Levesque. Motion passed 7-0.

OLD BUSINESS (Discussion/Action)

1. Request to award the Class 1 Survey to Pare Corp., the Stone Bridge Abutment Evaluation to GZA GeoEnvironmental, and the Phase 1 Environmental Study to VHB, along with a time frame extension for the purchase and sale agreement. – Motion to award the Class 1 Survey to Pare Corp. made by Mr. Hamilton, seconded by Mr. Gleason. Motion passed 7-0. Motion to approve the dollar amount not to exceed \$35,800 for the Stone Bridge Abutment Evaluation made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 7-0. Selection of company to be selected for the Stone Bridge Abutment Evaluation will take place at a future meeting. Motion to award the Phase 1 Environmental Study to VHB made by Mr. Hamilton, seconded by Mr. Gleason. Motion passed 7-0. The time frame extension will take place at a future meeting.

2. Request approval for the allocation and expenditure of American Rescue Plan Act (ARPA) Funds for the following:

- a. Fire Dispatch Console \$ 55,000 (Required due to increased costs)

Motion to approve the \$55,000 of ARPA funds to begin and finish the Fire Dispatch Console made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 7-0.

- b. Old Stone Bridge

- i. Class 1 Survey \$ 7,500
 - ii. Abutment Evaluation \$ 35,800
 - iii. Phase 1 Environmental Study \$ 3,750

Motion to approve the Class 1 Survey in the amount of \$7,500, the Abutment Evaluation not to exceed \$35,800 and the Phase 1 Environmental Study in the amount of \$ 3,750 made by Mr. Hamilton, seconded by Mr. Levesque. Motion passed 7-0.

- c. Turnpike Playground Renovation \$ 20,000

Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

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

NEW BUSINESS (Discussion/Action)

1. Appointment of Council member to the Black Regiment Monument Commission. – No vote taken.

2. Request approval of Capital Reserve Funds for Dog Park Grant Match in the amount of \$37,400 for the Dog Park parking lot expansion. – Motion to approve made by Mr. Katzman, seconded by Mr. Levesque. Motion passed 7-0.
3. Request the Council approve Matthew Kearns of Island Moorings be added to the approved “Mooring Vendor” list. – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.
4. Response to questions from Councilor David Gleason regarding Town Defined Benefit Pension Plan, and Fitzmorris v. Portsmouth Town Council Open Meetings Act complaint. – No votes taken.

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

1. Resolution in opposition to House Bill 2023 – H5461 which would authorize cities and towns, by ordinance, to allow residents of the municipality to vote in municipal elections for municipal officeholders regardless of their immigration status. / Burrillville Town Council
2. Resolution of the Town of Warren in support of Validating and Ratifying an amendment to the Home Rule Charter. / Warren Town Council
3. Resolution of the Town of Warren in support of Rhode Island League of Cities and Towns 2023 Legislative Priorities. / Warren Town Council
4. Resolution of the Town of Warren in support of Housing Development & Land Use. / Warren Town Council
5. Resolution of the Town of Warren in support of enabling legislation for a tax amnesty program for motor vehicles and tangible taxes. / Warren Town Council
6. Resolution in support of a periodic review of the BWRSD enabling legislation. / Warren Town Council
7. Resolution 2023-0006 supporting the housing and land use needs identified by the Rhode Island League of Cities and Towns. / Tiverton Town Council
8. Aquidneck Land Trust Annual Report FY 2022. / Aquidneck Land Trust
9. Letter disagreeing with moving any Canvassing personnel to the Town Clerk’s office or budget. / Portsmouth Board of Canvassers
10. Letter in opposition to the shoreline access bill. / N. Venancio

FUTURE MEETINGS

- Apr 10 7:00 PM – Town Council Meeting
- Apr 24 7:00 PM – Town Council Meeting & Budget Overview
- Apr 25 7:00 PM – Town Council Meeting – Budget
- Apr 26 7:00 PM – Town Council Meeting – Budget
- Apr 27 7:00 PM – Town Council Meeting – Budget if needed

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

Time: 8:23 PM

Jennifer M. West, CMC, Town Clerk