

PORTSMOUTH TOWN COUNCIL MEETING
MAY 23, 2022
MINUTES

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

Time: 7:00 PM

MEMBERS PRESENT: Kevin M. Aguiar, Linda L. Ujifusa, Keith E. Hamilton, Leonard B. Katzman, Andrew V. Kelly and J. Mark Ryan

MEMBERS ABSENT: Daniela T. Abbott

EMERGENCY EVACUATION PLAN

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT’S EXECUTIVE SUMMARY – There was no Executive Session held prior to the Council meeting. New Business item 2 has been withdrawn.

PRESENTATIONS/RECOGNITIONS

1. Proclamation honoring Allen Shers

***TOWN OF PORTSMOUTH, RHODE ISLAND
PROCLAMATION***

WHEREAS: Allen James Shers of Portsmouth, Rhode Island, was born in Berwyn, Illinois, and attended public schools, and earned a bachelor’s degree in political science from Brown University, where he played varsity basketball;

WHEREAS: Allen became an active member of his community, working as a real estate broker, appraiser, and consultant for 40+ years, and was active in public service in many capacities, including:

A member of the Town of Portsmouth School Committee, where he was chair of the Capital Subcommittee, a member of the Personnel Subcommittee and the School Committee representative on the District Safety Committee,

An alternate member of the Portsmouth Zoning Board,

A member of the Portsmouth Juvenile Hearing Board,

Chairman of the Portsmouth Housing Committee for the Portsmouth RI Comprehensive Plan,

A member of the Portsmouth Citizens Interested in the Comprehensive Plan Committee,

A member of the Portsmouth West Side Development Advisory Committee,

Treasurer of the Portsmouth Water Board,

A board member of the Newport County Board of Realtors,

A past president of the Middletown Lions Club

WHEREAS: Allen was a fierce advocate of public education and not afraid to stand up for the best interests of students;

WHEREAS: Allen passed away on Friday, November 5, 2021, in Providence, Rhode Island.

NOW THEREFORE, BE IT PROCLAIMED that the Town Council of the Town of Portsmouth expresses our sincere appreciation and thanks to Allen Shers for his service to the Town, our schools and the larger community, and give our deepest condolences to his family.

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 ____ of May, 2022.

ATTEST:

*Kevin M. Aguiar, President
Portsmouth Town Council*

Jennifer M. West, Town Clerk

2. Proclamation of appreciation and thanks to the City of Portsmouth UK

The Town of Portsmouth,
in the State of Rhode Island of the United States of America takes pleasure in offering this
Proclamation of Appreciation and Thanks

WHEREAS:

The Town of Portsmouth, Rhode Island was founded on the compact of 1638, and

WHEREAS:

The Founders of the Town of Portsmouth, Rhode Island considered the connection with your honorable city to honor it with your name, and

WHEREAS:

That we wish to continue to build the strong bond we have formed with yours and other Portsmouth Atlantic Compact communities, and

WHEREAS:

We have been honored by many visits by representatives of your city to our beautiful town, which have included several visits by your Lord Mayors and Councilors, and

WHEREAS:

Their attendance and participation at the many events, that included the 375th anniversary celebration of our town have strengthened the common bonds and historical links between our two communities and offered an unique and personal sense of friendship, which has been deeply appreciated by the many citizens they have met, and

WHEREAS:

You have offered great hospitality and friendship to our citizens on their official visits and personal visits to the UK, that have encouraged continued and expanding relations between our two communities, and

WHEREAS:

On a national perspective, we honor the sacrifices of all the British people in their support of World War One and D-Day of World War Two that have been memorialized by your city in annual celebrations. We wish to convey our thanks to all British citizens, and in particular those of Portsmouth UK, for their efforts that were essential to victory, and

WHEREAS:

Our delegations have thoroughly enjoyed participating in mutual cooperation programs that have been supported by many trips to Portsmouth UK, that have included Government, Education, Religious, Military, and Cultural leaders throughout your fair city, and

WHEREAS:

Several of our Citizens attended last year's Lord Mayor making via zoom due to the Coronavirus pandemic. We are aware that your fair City recently celebrated the 828th anniversary of its founding. We are also aware that you have installed Portsmouth City Councilor Hugh Mason. He was one of the first Councilors we were engaged with prior to our 375th anniversary. We congratulate him and all the citizens of the City of Portsmouth.

WHEREAS:

The Town Council of Portsmouth, of the State of Rhode Island has charged our fellow citizen and elected Town Councilor Andrew Kelly to deliver this proclamation.

NOW THEREFORE BE IT RESOLVED: That I, Town Council President Kevin Aguiar of Portsmouth, Rhode Island do hereby announce and proclaim to all citizens, and set seal hereto, our special recognition and thanks to the City Council of Portsmouth, United Kingdom and its citizens. We look forward to our future continued superb relations.

_____ dated _____

Kevin Aguiar
President, Portsmouth Town Council

Attest: _____ Jennifer West, Town Clerk

CONSENT AGENDA – Motion to approve as presented made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

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. Peddler License – Mobile Food Establishment (MFE), Renewal:
 - a. Hawaiian Jim’s Shave Ice & Co, 144 Greystone Terr, Portsmouth (#2106)
 - b. Mark Bryson d/b/a Binge BBQ, 333 Main St, South Kingstown (#2113)

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 Licenses: – Motion to approve both Entertainment Licenses for newportFilm made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.
 - a. newportFilm, 174 Bellevue Avenue, Suite 314, Newport, for a film screening at Safe Harbor New England Boatworks, 1 Lagoon Road on July 14 from 6:00-10:30 PM (#2109)
 - b. newportFilm, 174 Bellevue Avenue, Suite 314, Newport, for a film screening at the International Polo Grounds, Linden Lane on July 21 from 6:00-10:30 PM (#2110)
2. Peddler License – Mobile Food Establishment (MFE), New:
 - a. J&W Ice Cream, Inc. d/b/a Clementine's Homemade Ice Cream, 62 Wave Avenue, Middletown (#2115) – Motion to approve made by Ms. Ujifusa, seconded by Mr. Hamilton, motion passed 6-0.
3. Request approval for a temporary seasonal expansion of the service area:

Localz, Inc., 657 Park Avenue, to allow food and alcohol service in an outside dining area from May 24, 2022 to December 31, 2022 – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.
4. PUBLIC HEARING: Liquor License Application, New: (#2116) (cont. fr. 5/9/22)
 - a. Application for a Class BV Alcoholic Beverage License from Narragansett Bay Club Amenity, LLC d/b/a The Narragansett Bay Club, 195 Newport Harbor Drive, Portsmouth
 - b. Request approval for the permanent expansion of the service area to allow food and alcohol service in the area of the pool building/pool facility and the surrounding fenced in pool area at 195 Newport Harbor Drive, Tax Assessor’s Map 17, Lot 8

Mr. Bryan Diggle, General Manager of the Narragansett Bay Club, wishes to reinstate the Class BV Alcoholic Beverage License, which was held under the former TNBC Beach Club. They would also like to have a permanent expansion of the service area outside of the surrounding pool area to extend to a portion of the beach.

Ms. Stacy Patterson, 2 Brant Road, wants to make sure that Pheasant Hill Road will not be used as a cut through, but only as an emergency access road. Mr. Diggle stated that there will be staff in the area and that they will make sure the area is clean.

Motion made by Mr. Hamilton, seconded by Mr. Katzman, to close the Public Hearing. Motion passed 6-0.

Motion to approve the Class BV Alcoholic Beverage license inside the pool area, not on the beach, for this year with the stipulation that a new map showing the highlighted pool area only is given to

the Town Clerk prior to the license being issued and the request will be reviewed again during the next annual license renewal period made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

5. Victualler License:

Narragansett Bay Club Amenity, LLC d/b/a The Narragansett Bay Club, 195 Newport Harbor Drive, Portsmouth (#2116) – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

ADJOURN – Motion to adjourn as the Board of License Commissioners made by Dr. Ryan, seconded by Mr. Katzman. Motion passed 6-0.

MINUTES – Motion to approve made by Mr. Katzman, seconded by Dr. Ryan. Motion passed 6-0.
4/25/22 Exec.
4/27/22
5/9/22

TOWN ADMINISTRATOR’S REPORT

1. RI DEM Grant Application update – We were informed last week that our 2022 Department of Environmental Management (DEM) Recreation Grant Application for Elmhurst Park Recreation Improvements was not selected. DEM received 53 applications requesting over \$14M to support recreation facilities around the state, and unfortunately, were only able to fund 16 projects this round.

2. Old Mill Lane update – The demobilization of the Old Mill Lane natural gas injection site is complete. National Grid did not have to inject into the system this season. There were a total of seven LNG truck deliveries in the initial setup and one additional truck delivery towards the middle of the season. National Grid is planning on fence work later this summer and will provide updates as plans develop.

3. Marye Taylor – Sadly, Marye Taylor of Portsmouth passed away on April 24th. Marye proudly carried the Boston Post Cane as the oldest resident in Portsmouth. The tradition of awarding the Boston Post Cane to a town’s oldest resident began in 1909. The Post reigned as the most popular newspaper in New England for a century until it folded in 1956. The newspaper distributed the cane to 700 towns in the Post’s circulation area in Maine, Massachusetts, New Hampshire and Rhode Island. They are made from ebony and topped with a 14-karat engraved gold knob. The canes are loaned by the Towns which coordinate their turnover to the next oldest resident. Our Town Clerk will manage this.

Additionally, just a polite reminder that we are accepting nominations for the annual Portsmouth Award. Details are posted on the Town website and nominations will be accepted until May 31st.

RESIGNATIONS AND APPOINTMENTS

1. Appointments:

a. Conservation Commission – Motion to appoint Johna Spencer made by Mr. Katzman, seconded by Mr. Hamilton. Motion passed 6-0.

b. Tax Assessment Board of Review – Motion to appoint Ellen Toner made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 6-0.

OLD BUSINESS (Discussion/Action)

1. Authorization to select an electricity supplier for the Community Electricity Aggregation Plan and approve a resolution. – Motion to approve made by Ms. Ujifusa, seconded by Mr. Katzman. Motion passed 6-0.

**TOWN OF PORTSMOUTH, RI
RESOLUTION # 2022-05-23**

**RESOLUTION OF THE TOWN OF PORTSMOUTH AUTHORIZING
THE SELECTION OF ELECTRICITY SUPPLIER FOR THE COMMUNITY
AGGREGATION PROGRAM**

WHEREAS, the Council has authorized the development of a community aggregation program, approved an aggregation plan following a public hearing, and had the plan approved by the Public Utilities Commission; and

WHEREAS, the Council seeks to provide to residents and businesses competitive electricity supply options including options to increase the amount of renewable energy used to generate electricity at more stable rates through the aggregation plan; and

WHEREAS, the estimated Last Resort Service offered by National Grid is currently the predominant supply for Portsmouth residents and businesses and is estimated by National Grid, via filings with the Public Utilities Commission, to reach unprecedented levels this winter; and

WHEREAS, Portsmouth is participating in a multi-municipal bidding process to select a supplier for its community electricity program; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council authorizes the Town Administrator to execute an Electricity Supply Agreement to provide electricity supply for Portsmouth's community aggregation program so long as the supply rate for the default supply option offered by the program is lower than the projected Last Resort Services rates, as provided by National Grid to the Public Utilities Commission, to go into effect October 1, 2022; and

BE IT FURTHER RESOLVED, that prior to the Town Administrator executing the contract, the Solicitor must review and confirm that the Electricity Services Agreement is consistent with the authorizing resolution, the aggregation plan as approved by the Council, and the criteria described in this resolution.

Adopted this 23rd day of May 2022.

Kevin M. Aguiar, President
Portsmouth Town Council

ATTEST: _____
Jennifer M. West, Town Clerk

2. Monthly Finance Report. – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

NEW BUSINESS (Discussion/Action)

Motion to move New Business 5 in front of New Business 1, so that Chief Peters could attend a meeting made by Ms. Ujifusa, seconded by Mr. Hamilton. Motion passed 6-0.

5. Request to purchase two patrol vehicles from the newly established Emergency Vehicle Apparatus Capital Program for the amount of \$140,977.66. – Motion to approve made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

1. Request to install a Little Free Library on the Bristol Ferry Town Common. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

2. Request to advertise for a Public Hearing for a Sound Variance for the annual Father's Day car show at 15 Mason Ave. on 6/18/22 from 10:00 am-3:00 pm (#2114 in Viewpoint). – Withdrawn
3. Town of Portsmouth Pension Plan 1st Quarter 2022 Summary. – Motion to receive and place on file made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.
4. Portsmouth School Department FY 2023 Proposed Facilities Capital Budget Request. – Motion to approve made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 6-0.

FUTURE MEETINGS

Jun 13 7:00 PM – Town Council Meeting

Jun 15 7:00 PM – Town Council Meeting – Budget Hearing (Wednesday) at the Portsmouth Middle School, 125 Jepson Lane

Jun 27 7:00 PM – Town Council Meeting

Jul 11 7:00 PM – Town Council Meeting

ADJOURN – Motion to adjourn made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0.

Time: 8:23 PM

Jennifer M. West, Town Clerk