

PORTSMOUTH TOWN COUNCIL MEETING  
JULY 10, 2023  
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 – No Executive Session was held.

CONSENT AGENDA – Motion to receive and place on file made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed unanimously.

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. CRMC – Public Notice 2023-02-043

Ann Murphy, 52 Conant Road, Westwood, MA 02090 for a State of Rhode Island Assent to construct and maintain a residential boating facility consisting of a fixed pier, ramp and Float totaling 113.33’ in length. The facility is proposed to extend to 75’ beyond Mean Low Water (MLW) and 4+ feet of water, requiring a variance to Section 1.3.1(D)(11)(1)(2) – 50’ MLW Standard. Project Location: 50 Cliff Avenue.

3. CRMC – Public Notice 2023-05-053

Mark & Cheryl DeMello, 395 Park Avenue, Portsmouth for a State of Rhode Island Assent to construct and maintain a residential boating facility consisting of a total of 188’ in length, terminating at 50’ beyond Mean Low Water (MLW) and requiring a variance to the side Setback Standard Section 1.3.1(D)(11)(k). Project Location: 395 Park Avenue.

4. CRMC – Public Re-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 with a boat lift on the southern side of the fixed pier, 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. Boat lift in Type 2 Waters requires Category “B” review. Project Location: 48 Aquidneck Avenue.

MINUTES

6/12/23 & Exec. – Motion to approve 6/12/23 minutes made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed unanimously. Motion to approve 6/12/23 Exec. minutes made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0-1. Mr. Levesque abstained.

6/14/23 – Motion to approve 6/14/23 minutes made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed unanimously.

6/26/23 & Exec. – Motion to approve 6/26/23 minutes made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed unanimously. Motion to approve the 6/26/23 Exec. minutes as amended made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 6-0-1. Mr. Levesque abstained.

### TOWN ADMINISTRATOR'S REPORT

1. New Aquidneck Land Trust Director – The Aquidneck Land Trust has named Terry Sullivan their new Executive Director. Mr. Sullivan has an extensive background in conservation, planning, fundraising and policy development and will assume his responsibilities on September 18<sup>th</sup>.
2. Portsmouth Community Electricity update – The Program launched in May, so participants will have seen the program price appear on the bill received in June. There has been a 15% opt-out rate, which is comparable to the opt-out rates seen elsewhere at the launch of similar programs. This opt-out rate has no effect on the published price, which is good from the May through November meter reads. Anyone that did opt-out is welcome to join the program at any time. About 7,100 accounts are participating, with the majority (6,400 accounts) in the Residential rate class. Over 90% of the participants remained with the Portsmouth Standard product, which has 5% more renewable energy than required by the State. About 8% opted down to the "Basic" that just meets state minimum renewable energy standards, and less than 1% so far have opted-up to the 50% or 100% renewable product. The Portsmouth Standard Residential price offers a 10% savings compared to RI Energy. For a typical Portsmouth resident, this means they will save over \$30 through the end of September (the RI Energy rate is only known through the end of September). Savings will be higher for those that use a lot of AC or charge an electric vehicle. The additional renewable energy purchased by the Portsmouth program, from the Standard product as well as the residents who opted-up to 50% or 100% renewable energy, is expected to displace over 900 metric tons of carbon dioxide each year. Lastly, RI Energy has made a switch to allow Budget Billing if you are participating in the program.
3. Asst. Recreation Director status – We completed our search and interviews for an Assistant Recreation Director. Contingent upon a required satisfactory background check, we anticipate the selectee will start at the end of this month.
4. Learn365RI Grant update – Our Learn365RI Grant application was submitted on time on June 30<sup>th</sup>. This was a lengthy application and I appreciate the collaboration of our School Superintendent and his Deputy, and the CEO and Educational Program Manager of the Oliver Hazard Perry Rhode Island organization. We think we put together an exciting program proposal for our youth and look forward to a grant decision soon from the RI Department of Education.
5. Summer hires – We are still accepting applications for part-time summer employment in the Public Works and Recreation Departments. Applicants must be 18 years of age and possess a valid driver's license. Additionally, we are looking for lifeguards and have a full-time job opportunity in the Public Works Department. More information is on the Town Website.
6. FY23 Audit update – Initial work has already begun on the FY23 Audit. The Auditors were onsite last month and will return in early September for fieldwork.
7. Stonewall repair program – Our stone wall repair program will continue again this summer. This year's program will run from July 12<sup>th</sup> to September 8<sup>th</sup>. The Aquidneck Stone Wall Volunteer Corps invites new volunteers to learn the art of dry-stone walling and help preserve the stonewalls at Glen Farms. An information session was held via zoom on Wednesday June 28<sup>th</sup> at 6:00 PM. Details and information can be found in the News Section on the Town Website.

Additionally, the responses to the questions posted online at the May 25<sup>th</sup> workshop concerning the SouthCoast Wind project have been compiled and are posted on the Town Planning web page under the SouthCoast Wind Portsmouth Town Workshop heading.

RESIGNATIONS AND APPOINTMENTS

## 1. Resignation:

Parks and Recreation Committee – Motion to accept with regret the resignation of Maureen Greichen made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed unanimously.

OLD BUSINESS (Discussion/Action)

1. Correction of typos of the adopted [Budget Ordinance](#). – No votes taken.
2. Request the release of previously approved and allocated ARPA funds, not to exceed \$358,163, for the rehabilitation of the existing emergency interconnection with Stone Bridge Water in Tiverton (Sakonnet River Pipeline). The Portsmouth Water and Fire Department (PWFD) Administrative Board voted to award the project to Insituform Technologies LLC in the amount of \$783,000. – Motion to approve made by Mr. Hamilton, seconded by Mr. Katzman. Motion passed 6-0-1. Mr. Gleason recused.
3. Approval of \$50,000 for Portsmouth ‘Buy Local’ program from previously allocated American Rescue Plan Act (ARPA) Funds. – Motion to approve made by Mr. Katzman, seconded by Mr. Hamilton. Motion passed unanimously.
4. Request to change the streets to be included in the Island Park Walk, Bike & Dog Party on Saturday, September 9 from 8:30am-12:00pm benefitting the Island Park Preservation Society. – Motion to approve made by Ms. Abbott, seconded by Mr. Hamilton. Motion passed unanimously.

NEW BUSINESS (Discussion/Action) – Motion to move NB4 before NB3 made by Mr. Gleason, seconded by Mr. Hamilton. Motion passed unanimously.

1. [Portsmouth Parks, Recreation, and Open Space Master Plan Report](#). – Motion to accept as our guiding document for Parks and Recreation made by Ms. Abbott, seconded by Mr. Hamilton. Motion passed unanimously.
2. Request a resolution to name an unnamed stream in Melville Park. – Motion to approve the name Matapurcetti Brook made by Mr. Hamilton, seconded by Ms. Abbott. Motion passed unanimously.
4. Request that Council refer the question of addressing trash/litter/misuse of shoreline access to the Recreation Director and Parks and Recreation Committee to explore/recommend remediation. – Motion to refer to the Harbor Commission made by Mr. Levesque, seconded by Mr. Katzman. Motion passed unanimously.

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.

George Watson Esq., Robinson & Cole, Brian Kirkwood, The Narragansett Electric Company, Julie Porcaro, The Narragansett Electric Company and Sanvisna Kogelen, HDR, Inc. (Engineering Consultant) all spoke on behalf of The Narragansett Electric Company. Mr. Watson explained they’ve proposed new equipment, Smart Queen Storage Units. The proposed layout featuring new equipment is configured to be the most efficient, including reducing boil-off gas (BOG) venting. Gas Fired Vaporizers are designed to operate with all other storage units and vaporizers. Additional integrated automatic shutdown and isolation features over current equipment. Each unit is identical, increasing redundancy and reliability. Vaporizers are insulated with foam insulation to reduce sound and retain interior bath temperature longer. This increases the time before the unit is required to operate to reheat the interior bath. Smaller bath volume for greater efficiency. Lower maximum height (less noise). Ultra Low NOx Burners. Noise emitting conditions that exceed limits happen during vent boil-off gas (BOG). During the initial cooldown, new equipment is expected to have

reduced venting during cooldown as it can operate at a higher pressure and have a larger usable pressure range to utilize the BOG Recovery Manifold (must be over 55 PSIG to use). When receiving LNG trucks, the differential pressure flow is the easiest method to perform LNG transfer. Receiving vessel requires internal pressure to be lower than transport trailer. This requires venting as the transport trailer has a maximum working pressure of 60 PSIG and is too low to use the BOG Recovery Manifold. They can use a transfer pump to receive from LNG transport that does not require venting for LNG transfer. When transferring LNG between stored units the differential pressure flow is the easiest method to perform LNG transfer. Receiving vessel requires internal pressure to be lower than storage unit. New equipment will have submerged pumps, facilitating LNG transfer that will alleviate the requirement to lower pressure in the receiving unit. Transport trailers vent before leaving the site after the transfer is completed. It will be less if using transfer pump. Rare conditions that exceed the BOG recovery manifold's maximum rate (has not occurred to date). Noise emitting conditions that exceed limits are when vaporizing or injecting gas into distribution system. When the older vaporizer (650 MSCFH) is used, which are the existing conditions: larger blower motors (not VFD operated). High Exhaust Stacks which must be operated 1-6 times per day to maintain required bath temperature for operational readiness to vaporize for reliability impact to the gas system. Frequency depends on ambient outside conditions (temperature and windchill). This does not meet noise ordinance. There is a newer vaporizer (500 MSCFH) which is a proposed project. It meets day and evening noise ordinance with new layout and sound mitigation. 750 MSCFH is the proposed equipment to purchase and is expected to have similar sound levels. Improvements using a newer vaporizer in 2022/23, while not in standby or operating for gas system needs, the newer vaporizer only needed to be operated every few days, versus several times a day with the older vaporizer to maintain operational readiness. Newer vaporizer is inherently quieter due to newer design. The unit is insulated and has smaller burner blower. It features a variable speed frequency (VFD) drive motor to operate the burner blower at the required speed for efficient combustion. Older vaporizer does not have a VFD, and blower is either "on" or "off". It has shorter exhaust stacks. RI Energy did not receive noise complaints when operating the newer vaporizer this past winter season.

Dr. Ryan asked if there were any noise complaints. There were noise complaints on December 24<sup>th</sup>, 25<sup>th</sup> (which were the extremely cold days, and the equipment was tested) and February 3<sup>rd</sup> which was when the old equipment was in use because of an issue with the new equipment.

Mr. Levesque asked when the new equipment would be operational. It was said that it would depend on scheduling. The best-case scenario would be November 2024. The goal is to use their newer equipment as much as possible.

Mr. Aguiar asked if the abutters could be notified when there are to be deliveries.

Mr. Katzman stepped out of the room at 10:40 pm and returned at 10:42 pm.

Mr. Gleason was disturbed that TNEC could not provide a solution any sooner than two years. He asked if there could be better mitigation and if the wall could be improved aesthetically and better insulated to reduce the noise.

Steve Johnson, 44 Wapping Road, Stephen McDonald, 124 Old Mill Lane, Lawrence Silvia, 24 Old Mill Lane, Lori McDonald, 124 Old Mill Lane, and Michael Richardson, 162 Old Mill Lane were all opposed to the Council approving the Noise Variance. Mr. McDonald attributes his health issues to the noise of the LNG Facility.

Motion to close the public hearing made by Mr. Levesque, seconded by Mr. Gleason. Motion passed unanimously.

Motion to deny the application because we, as a Council, do not feel that the applicant has provided enough measures to control the noise to better protect our residents, made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed unanimously.

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

1. Monthly RIRRC Report. / Rhode Island Resource Recovery Corp.
2. Thank you. / PHS Post Prom Committee

FUTURE MEETINGS

Jul 24 7:00 PM – Town Council Meeting - Cancelled  
Aug 15 7:00 PM – Town Council Meeting (Tuesday)  
Aug 28 7:00 PM – Town Council Meeting  
Sep 11 7:00 PM – Town Council Meeting

ADJOURN – Motion to adjourn made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed unanimously.

Time: 11:42 pm

---

Jennifer M. West, CMC, Town Clerk