



Portsmouth Concerned Citizens

NEWSLETTER

“Information is the currency of Democracy”

- Thomas Jefferson

www.portsmouthconcernedcitizens.org

Editor: Richard Kane

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From the President -- Larry Fitzmorris

The coming year will probably see the resolution of two of the PCC's long running campaigns: the Sewers and the Sakonnet Tolls. Our organization has led both efforts; often against considerable opposition. It promises to be an interesting year.

E-mail addresses are important to the PCC. We are asking members to please send us your updated e-mail address to LJFTIZ45@aol.com. PCC Members' e-mail addresses are critical to our operations. If you have stopped receiving PCC e-mail communications, we probably do not have your current address. If you have never received messages from us, please send a message to the address above. Help us keep you informed!

In This Issue:

The Battle Over the Tolls Goes On – The Governor recommended to the Assembly in 2012 that the new Sakonnet Bridge be tolled. The economic and social impact on the East Bay is expected to be substantial and the people of the region have risen up in opposition. This article addresses the elements of this decision and the path to its reversal.

Organizing Against the Tolls – The PCC helped organize what became the primary group opposing the Sakonnet Tolls; the STOP Committee. It has been a much longer campaign than we expected, but ultimate success remains in reach.

Wind Turbine Solutions – There is hardly anyone in Portsmouth, much less the rest of the State, that has not noticed the wind turbine turns no more. We provide the background on the hard choices ahead.

Sewers Go to Court – The long battle with DEM may be coming to a close. At long last the government of Portsmouth has entered Rhode Island Superior Court to put an end to the order to construct sewers in the Town's North end.

PCC Survey Results – The members of the PCC were surveyed in November and December to determine what they believed are Portsmouth Government's principal issues.

Portsmouth Budget – The current year budget anticipates an \$800,000 reduction in personal costs, most of which have yet to be achieved in the negotiations with the municipal unions. Two of the unions, Police and Public Works, are in arbitration with the Town.

The Battle over Tolls Goes On

The people of East Bay have made it as clear as possible to the Assembly and the Governor that we will never accept a toll on the Sakonnet Bridge. The idea of tolling the bridge began with Department of Transportation Director Michael Lewis and attracted the attention of Governor Chafee. That in turn led to an Assembly authorization to toll the Sakonnet Bridge in June of 2012. We in the PCC, and others in East Bay, quickly began an effort to oppose this very bad idea. That effort included a petition with 31,000 signatures. Simply put, the Assembly and the Governor, as they often have, thought we in East Bay were the easiest chicken to pluck. This time it was different.

Tolling a bridge that had to be replaced because the State failed to maintain it in the first place is galling. But the real reason for the toll is to produce revenue to conduct major repairs on the Newport Bridge in the near future. The toll on that bridge is already too high, and Senate President Paiva Weed, a resident of Newport, will not permit an increase.

The 2013 battle in the Assembly was hot and close. At one point, on June 25th, it looked like the battle was won and the toll was dead, but last minute maneuvering and political deal making reversed the decision on July 2nd. A ten cent toll was imposed until April 1st by the Assembly to retain the option to toll while ideas on removing the toll were explored. The June 25th budget bill also established a Joint Legislative Commission to study ways to eliminate the toll and the July 2 modification added the state wide transportation system to the study.

The STOP Committee, with the support of many others in East Bay, has won the public debate on the Tolls. A November WPRI/Providence Journal poll that showed the people of Rhode Island opposed a toll on the bridge by a 57% to 35% margin. The issue is also at the top of many of the media lists of problems to solve in this Legislative session.

The Town of Portsmouth joined the opposition to the tolls on April 22, 2013, with the Council filing a suit in Federal District Court against the Federal Highway Administration, Department of Transportation and the Turnpike Authority. The suit was later joined by Bristol and Tiverton Councils. The suit alleged that under Federal Highway regulations the DOT did not have authority to toll the bridge. The Trial Judge

is now awaiting a decision in the Assembly before continuing with the case.

The Joint Legislative Commission on the Tolls met, but its January 15 report contained no agreed upon recommendations, just recommendations from some of its members. While a solution to the deplorable condition of the State's roads and bridges was probably out of reach, a resolution of the Sakonnet Bridge tolls was not. The STOP Committee submitted a formal recommendation to the Joint Commission which advocated using transportation related fees and taxes that now go to the General Fund, for the transportation system itself. But in the end, the Commission took the easy way out and punted the decision back up to the Assembly's leadership.

Where we are now

We still have a good chance and retain broad public support and media interest, but the Assembly's leadership is the ones who will decide the matter. Senate President Teresa Paiva Weed and Speaker of the House Gordon Fox make all the important decisions in the Assembly, and they will make this one. Additional bills will be introduced by East Bay legislators to eliminate the tolls, but there will be no action on the legislation without the leadership's approval.

It has been reported to the PCC that Governor Chafee remains determined to veto any removal of the tolls on the bridge. The Governor is not running for re-election and that decision takes him beyond political backlash from East Bay voters. The answer to his intransigence is to incorporate a tolls solution in legislation he will not veto.

The STOP Committee is organizing demonstrations and rallies to keep the pressure up. We will also be asking our supporters to repeat our very successful letter and phone call efforts with the Assembly leaders at the appropriate time.

If we remain determined and keep the pressure up, success remains within our reach. The Assembly leadership and the Governor have imposed a tax on the East Bay that they would not inflict on their own constituents. That is something we will never accept.

Organizing Against the Tolls

The PCC launched a campaign in July of 2012 to oppose the Sakonnet tolls, following the Assembly's passage of legislation authorizing the State to toll the Sakonnet Bridge. As a local organization, we lacked the political weight and experience to effect matters in the Assembly, but knew that the Legislature was the only place the toll decision was going to be reversed.

Our approach was to organize the East Bay Taxpayer groups, those collecting petition signatures and business groups and join them with the statewide reform groups against the Sakonnet Bridge Toll. That organization became the STOP Committee and incorporated the effort to collect signatures opposing the decision to toll the bridge, which was already underway. It was this organization that revitalized the effort among our East Bay Legislators and made the issue a statewide concern.

In the STOP Committee, we combined our local expertise with two statewide advocacy/reform groups: Rhode Island Taxpayers and RI Tea Party in Action. This effort combined the taxpayer groups, who knew the local Council members and Legislators with organizations that had statewide information distribution capabilities that helped deliver our message. Those statewide organizations also had experience operating in the Assembly.

In the end, we won another look at the issue of the tolls, something that is very difficult to do once legislation is passed into law. Our success in winning the public argument was reflected in the November WPRI/Providence Journal poll that showed the people of Rhode Island opposed a toll on the bridge by a 57% to 35% margin.

YOU MAKE A DIFFERENCE!

**JOIN
PORTSMOUTH CONCERNED
CITIZENS**

HELP US HELP YOU

Call 683-6127

Or use the membership form in this Newsletter

Wind Turbine Solutions

The Turbine has a fundamental design flaw that causes the gearbox to fail at about three year intervals. That problem is the reason that this Council, and the last, are taking so long to resolve the problem. Redesign is financially out of reach.

The Town Council has been exploring its options on the Wind Turbine for some time. Those options included private/public partnerships, private ownership and potential repairs of the machine. These efforts are driven by the natural desire to see the machine in operating condition and earning money to pay for the bond; the 2014 payment for which will be \$222,681.

Unfortunately, the effort to attract a viable public/private partnership option did not result in workable proposals. The Governor has extended his desire to help with the Turbine, but an agreement, if feasible, has not yet been reached.

Repairing the turbine would cost an estimated \$700,000 and a new gearbox would probably only last three years because of the serious flaws in the turbine's design. Two such repairs would be required to complete the fifteen years of payments on the bond.

The turbine can be taken down for a cost of the value of the scrap. That is fast becoming the only viable option.

PCC E-Mail Addresses

The Portsmouth Concerned Citizens does most of its business via e-mail, with this newsletter being the primary exception. Simply put, we are an e-mail organization and that method of communication is important to our success. We are, after all,

in the information business and must have an efficient and economical method of communicating with our members.

We are therefore asking all of our members to keep their e-mail addresses current.

For our organization to communicate effectively with our members, and within our budget, we must use electronic communications and our web site. In our experience, the e-mail addresses of our members usually change within a matter of two or three years. While we all get more e-mails than we would ever desire, please keep your address up to date with the PCC. If you stop receiving messages from us, your e-mail is no longer current. We ask you to send a simple message to LJFITZ45@aol.com notifying us of your new address.

PCC Survey Results

The PCC conducted a survey of members in December, asking what our organization considered the primary issues in Portsmouth Government. The top five issues are below, ranked in order of importance.

Rank	Issue
1	Cost of Government in Portsmouth is too high
2	Continue to Resist Sewers in the North End
3	Council issuing Bonds without Voter Approval
4	Cost of Education is Too High
5	Wind Turbine Resolution – fix it or take it down

Sewers Go to Court

The long battle between the people and government of Portsmouth and the Department of Environmental Management over sewers in the North End has moved into the Courts. Sometime in November the Council, in Executive

Session, voted to enter RI Superior Court to seek dismissal of the Notice of Violation issued by DEM. That notice was issued over three years ago and included an order to construct a sewer system for Island Park and Portsmouth Park. While DEM has relented on the order to build a formal sewer system due to its cost impact on Portsmouth citizens, it is still insisting on cluster systems for some areas in Town. While preliminary motions have been filed, no trial date has been set by the Superior Court.

The Portsmouth Budget

The budget adopted in late June of 2013 contained a moderate property tax increase of 2.4% and had no significant increase in fees. It did however contain a number of flaws. It did not replenish the Fund Balance for the deficit of approximately \$300,000 in FY 12 – 13.

The major shortcoming, however, was the programmed \$800,000 reduction in labor costs anticipated from the re-negotiation of pension costs. While assumptions must be made in any budget of this size, those assumptions must be managed effectively to reduce the risk of that approach. The Firefighters bargained hard, but have been very understanding of the Town's financial situation and were sensitive to the economic conditions of our citizens. They agreed to restructure pensions to reduce costs. But the Police and Public Works unions have chosen arbitration. That leaves about \$500,000 in reductions still to be found in those two labor contracts. With the Police union, that arbitration is binding under State law, legislation that famously favors the labor unions. If those negotiations are not successful the budget will end approximately \$500,000 in deficit. Aggressive budget management, which the Council has not yet employed, can reduce that amount somewhat but not completely. The remainder will be taken from the Fund Balance; the second consecutive year that will have been done. This Council seems to be returning to the unfortunate practice of using the Fund Balance to correct bad budgetary practices. Taxpayers will eventually have to replace those funds with tax increases.

PCC has a number of fundamental goals: limited and moderate property tax increases, open, efficient and responsive town government, access to decision makers and the deliberative process and superior public schools.

BECOME A PCC MEMBER TODAY!

PORTSMOUTH CONCERNED CITIZENS MEMBERSHIP APPLICATION FORM

NAME _____ DATE _____

ADDRESS _____ CITY/TOWN _____

HOME PHONE _____ OFFICE PHONE _____ E-MAIL _____

ANNUAL DUES: \$20 (Single) \$25 (Family) \$100+ (Founder's Club)

Call: 683-6127, or mail this form and your contribution to: Portsmouth Concerned Citizens
50 Kristen Ct.
Portsmouth, RI 02871

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Portsmouth, Rhode Island 02871

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