

**CITY OF EAST PROVIDENCE
RHODE ISLAND
JOURNAL OF REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 5, 2004**

The City Council meets in the Council Chamber on Tuesday, October 5, 2004, and is called to order at 7:30 P.M. by Mayor Rolland R. Grant.

Present: Mayor Rolland R. Grant) Council Members

Patrick A. Rogers)

Norman J. Miranda)

Daniel F. Harrington)

Dr. Isadore S. Ramos)

William J. Fazioli) City Manager

William J. Conley, Jr.) City Solicitor

John M. O'Hare) City Clerk

Lori Merolla Carole, Merandi Reporting, is present to record the proceedings of the public hearings.

The Mayor yields to the City Solicitor regarding the Wild Animal Ordinance. Because DEM is reviewing and revising the definition of wild animals he recommends deferral of a vote on the ordinance. The current definition is part of

the proposed municipal ordinance.

Motion to defer by Mr. Miranda, seconded by Mr. Harrington, it is unanimously voted to defer.

The invocation is given by Mr. Harrington. The salute to the flag is led by Mr. Rogers.

CONSENT CALENDAR

APPROVAL OF COUNCIL JOURNALS

Town of Glocester/Town of Narragansett-Resolution requesting support of the \$70 million

Open Space and Recreation Bond that will appear on the November 2, 2004 ballot.

Alcoholic Beverage Licenses-Class F-1-October 23, 2004, St. Francis Xavier, 81 North Carpenter Street, East Providence, R.I. 02914.

CANCELLATIONS/ABATEMENTS-By Tax Assessor

YEAR	AMOUNT
2004	\$ 32,080.13
2003	549.82
2002	124.65
TOTAL	\$ 32, 754.60

**Motion to approve is made by Mr. Miranda, seconded by
Dr. Ramos, it is unanimously voted to approve.**

APPOINTMENTS

(By Mayor Rolland R. Grant)

ZONING BOARD

**Christopher M. Smith 26 Brookfield Road, East
Providence, R.I. 02915**

(Replacing Clark Richardson)

**Motion by Mr. Harrington, seconded by Mr. Miranda, it is
unanimously voted to approve.**

**Mayor Grant praises Mr. Richardson for his many years
of service.**

CITY COUNCIL SITTING AS LICENSING COMMISSIONERS

LICENSES REQUIRING PUBLIC HEARING

**SECONDHAND/AUTOS & TRUCKS-(Advt. E.P. Post, Sept.
16, 2004)**

**David J. Enos, 44 Orlo Avenue, East Providence, R.I.
02914**

dba: David's Automotive, 149 Cadorna Street, East

Providence, R.I. 02914

Mr. Enos is sworn in by the City Solicitor. Mr. Enos is questioned by Dr. Ramos whether his neighbors have any problems with his business. He answers no. Mr. Miranda asks if he will do any engine or transmission work. He answers no again.

Motion by Dr. Ramos, seconded by Mr. Miranda, it is unanimously voted to approve, subject to approvals by the Police Chief, Building Inspector, and the Zoning Officer.

SECONDHAND/AUTOS & TRUCKS-(Advt. E.P. Post, Sept. 23, 2004)

**Thomas D. Gammino, 2188 Tower Hill Road,
Saunderstown, R.I. Lucien' Auto Center,
30 Veterans Parkway, East Providence, Rhode Island
02914.**

Mr. Joshua Teverow is sworn in as the representative of the applicant, Mr. Gammino. Mr. Gammino is also sworn in by the City Solicitor.

Mr. Teverow states that the business purpose is for the sale and restoration of classic cars only.

Motion by Mr. Miranda, seconded by Dr. Ramos, it is

unanimously voted to approve, subject to approvals by the Police Chief, Building Inspector, and the Zoning Officer.

**LICENSING COMMISSIONERS RESUME SITTING AS
CITY COUNCIL**

ORDINANCES-FINAL PASSAGE

(BUDGET)

**AN ORDINANCE APPROPRIATION
\$119,660,346 FOR THE SUPPORT OF THE CITY
GOVERNMENT FOR THE FISCAL YEAR ENDING OCTOBER 31, 2005.**

**(Advertised in the Providence
Journal-September 24, 2004)**

The City Manager gives an overview of the Budget as presented on September 15, 2004. He points out the cumulative deficits in the School Department and the Wastewater Fund

which totals over \$4,000,000.

He also points out that the Police and Fire Pension Fund is underfunded by approximately \$16,183,000.

The reserve fund of \$4,100,000 is slim and our flexibility has been diminished over the over the past few years compared with other comparable cities.

There are significant capital needs that we can no longer defer such as the bridge collapse on Crescent

View Avenue.

Mr. Fazioli refers to the credit rating being lowered twice in the last two years. Further deficits could lead to more downgrades. He is concerned about a lower bond rating. This could lead to higher borrowing costs and higher interest. The amount paid in interest could be used to provide more services.

Mr. Fazioli discusses the main budget drivers:

School Transfer \$ 2,330,000

Debt Service 840,000

Employee Health Insurance 550,000

Retiree Health Insurance 75,000

Fire Department Overtime

163,000

School Crossing Guards 117,000

We have eight positions on the Fire Department which we hope to fill. This will help to decrease the cost of overtime for the department.

On the revenue side the picture is not that good either. In fact, the city has to replace \$1,000,000 in revenue that was used in last year's budget but does not recur in FY

2005.

What we are facing in fiscal year 2004-2005 is a significant increase in fixed operating cost.

- **Net new revenues of only \$318,000**

- **Catch-up appropriations for the purchase of 10 new police vehicles.**

- **Proposed funding to bring library funding back to snuff.**

- **Hiring an Information Technology Director.**

- **Repairs on the City Hall elevator to bring it up to Code.**

- **Avoidance of the system of charging \$75.00 for oil changes on city owned vehicles.**

- **Avoidance of a budget that defers costs.**

- **Upgrading the City website.**

- **Establishing a capital improvement plan.**

- **\$5,000,000 has been cut from Department requests.**

- **Cut \$2,000,000 from the school budget.**

- **Proposal of a tax increase of \$1.06 per thousand so that if a person has a \$200,000 home, his (her) increase would be about \$15.00 per month.**

The proposed budget is sustainable, no longer defers costs and will get away from one time revenues.

The City Manager states that we have a low tax rate and debt burden but we also have a low revenue fund. He states that

sewer and water Rates will remain the same.

Mr. Manuel Vinhatiero, School Superintendent addresses the City Council regarding the School Department Budget. He points out a deficit of \$1.3 Million and reviews a plan to prevent future deficits. The deficit reduction plan calls for:

- Sale of the Thompson School**
 - Allocation of a portion of the state meal tax for education,**
- A \$65,000,000 budget which was approved.**
- Increase in cost reduction in the budget.**
- A total of 34 positions were reduced.**
 - Teachers agreed to a give back of \$900,000 scheduled for November of 2004.**
- Custodians agreed to a 0% hike.**
- The new budget is \$2.1 million less than requested.**
 - The amount saved will allow the School Department to operate without making drastic cuts.**
- There will be a budget for text books.**
- The dept. will be able to purchase necessary supplies.**
 - Draconian cuts in extra-curricular activities will not have to be made.**
- Threats to student transportation will not have to be made.**

The steps that were taken include:

- **Eliminating 22 full time teachers.**

- **Combined staff reductions of 34 positions including principals, custodians and others.**

- **The Grove Avenue School has been leased.**

- **The talent development program has been eliminated.**

- **The Thompson School has been leased and is in the process of being sold.**

- **The Walters School has been leased.**

- **Elementary Schools are only open every other night.**

- **Renegotiation has taken place with the collective bargaining units.**

Mr. Vinhatiero urges support of the City Manager's Budget in its entirety.

Mr. Fazioli and Mr. Vinhatiero are congratulated by Mr. Rogers for their new leadership and financial discipline.

Mr. Miranda questions the custodial duties at the schools.

Mr. Harrington notes that this is the worst that things can get but that hope is on the horizon with the Waterfront Development. He is happy to see the School Committee

make some tough decisions and that it is hopeful to see the teachers forego what is rightfully a pay raise.

Mr. Vinhatiero addresses the leasing of schools as opposed to selling them. He believes that changing demographics dictate that they might be needed in the future.

Dr. Ramos thinks that the School Department staff is doing the right thing. He congratulates Mr. Vinhatiero and Mr. Fazioli.

Mayor Grant points out how state unfunded mandates are crippling the cities and towns. He believes that an income tax or sales tax should be used to support the schools as opposed to increasing the property tax. He calls property taxes oppressive and there has to be a better way of funding schools. He states that the people who can least afford it are being taxed and calls for a new taxing system.

The mayor invites anyone wishing to testify for or against the budget to be sworn in. The City Solicitor then swears them in.

Mr. Thomas testifies about the City not installing a fence

on the overlook at Rose Larisa Park.

He states that a child could climb over the 22 inch high wall at the edge of a 15 foot drop. He had previously talked with officials who installed a mesh barrier.

Council members asked Mr. Fazioli to have a temporary fence installed immediately, until the City is ready to install a fence that considers both safety and a view of the Bay.

Mr. Joseph Crook testifies that they are planning to remove the fence and put up a permanent one that provides safety but considers the aesthetics of the park also. The situation was a temporary one.

Motion by Mr. Miranda to instruct the City Manager to rent a fence until the City gets ADA approval, seconded by Mr. Rogers, it is unanimously voted to approve.

Mr. Joe Larisa is now sworn in. He criticizes the tax increase and states that it is the causation for people leaving the City. He points out that the tax shifted from commercial enterprise to the homeowner and that it should not have happened. He claims that the rate to the homeowner has increased 20% or more and their bills have gone from \$2000 to \$2400. He questions what we got for the increase? Nothing! Now we have the largest property tax

increase-7% which is another 180 for the average homeowner.

People are leaving the City and it is hoped that the Waterfront development will help.

Mr. Larisa proposes to increase the Homestead exemption. He recommends a 20% Homestead exemption. He also recommends having a revaluation every 10 years.

Maryann Matthews now testifies . She inquires into the salary of the City Solicitor now that he also has the title of Assistant City Manager. Mr. Conley states that there is no separate salary for that position. She also questions about the City Shelter. The City Manager replies that shelter will be funded as a permanent function and not as an emergency appropriation as in previous years.

Antone M. Gouveia from the School Committee now addresses the Council.

He suggests that at some point we run out of things to cut. He says that you can only cut so

Many police and fire department positions. He mentions the lack of technology, including a

Website that is no good. He thinks that we should forget

about having the lowest tax rate, we need money to fix our infrastructure and that we should listen to our City Manager and School Superintendent.

Dr. Ramos states that his tax proposal is for the very neediest people.

Dr. Ramos asks Mr. McDonald, City Finance Director what the cost of the Homestead Act would be. Mr. McDonald states that it would be \$1.8 million in lost taxes. Dr. Ramos questions where the lost revenue will come from. Mr. Fazioli suggests that this would mean staff reduction and cutting city service to make up the difference.

Bob Rodericks from the School Department now comes to the podium to speak. He states that there is only one person to handle technology in the school for a department of 1000 people.

The Personnel Manager is in Iraq and the assistant is filling in for him. There are no teaching coaches in the system. He commends the waterfront development. He commends the councilman for opening up the dialogue on tax relief for the seniors. He notes that his late dad is not here to address the council but in his honor he supports the budget.

Mr. John Conley is now sworn in. He is pleased that Mr. Fazioli wants to correct the infrastructure. He states that things were neglected. We have big problems because certain things should be done each year. Things have not been done because the council does not want to raise taxes. He states that if we do not pay now, we will have to pay later. He commends the Manager and members of the Council for going in the right direction.

Mr. Larisa wishes to address the Council again, but Dr. Ramos objects because he does not want to get into a debate.

Mr. Joe Souza now comes forward and complains that his taxes went from \$1800 to \$2400. His concern is that he cannot keep raising the prices in his business to meet the tax payments. He recommends a co-pay of city employees.

Motion to continue the Budget for further public hearing is made by Mr. Harrington, seconded by Mr. Rogers.

Mr. Harrington Aye

Mr. Rogers Aye

Mr. Miranda Aye

Dr. Ramos Aye

EAST PROVIDENCE, RHODE ISLAND, 1998, AS

**AMENDED, ENTITLED, "VEHICLES AND TRAFFIC," SECTION 1. Sec
18-269**

**ENTITLED "Stop and yield intersections
designated; when stops required" adding:**

**MAURAN AVENUE (eastbound and westbound traffic) at BENTLEY
STREET.**

(By Councilman Norman J. Miranda)

**Motion to approve by Mr. Miranda, seconded by Mr.
Rogers.**

Mr. Harrington	Absent
Mr. Miranda	Aye
Mr. Rogers	Aye
Dr. Ramos	Aye
Mayor Grant	Aye

Motion passes 4 to 0.

NEW BUSINESS

CITY MANAGER

**Crescent View Avenue-The City Manager calls Steve Coutu to
give a report on Crescent View Avenue. He states that the
City entered into an emergency contract with CB Equipment. They
quickly mobilized and they have already started on the repair**

job. He is hopeful that this will get us through the winter and give us time to come up with a permanent design and funding sources. If all goes well, the temporary structure will be completed within one week.

Dr. Ramos questions Mr. Fazioli about the Geo Nova Project. He has heard that a candidate is saying that after the election the project will be abandoned. Mr. Fazioli responds that although the project is delayed 6 to 8 weeks it is ongoing. Remediation will be completed within a month and a closure plan will be sent to DEM for a permit. DEM, DOT and CRMC are all involved which makes for a complicated plan. Councilman Rogers adds that what we want for our waterfront is clean projects that can be developed where the City has little risk.

REPORTS OF OTHER CITY OFFICIALS

CLAIMS COMMITTEE

Autilia Lomba, Claim No. 04-41 Refer the claim to the New England Gas Co.

William Lopez, Claim No. 04-37 Payment approved for \$245.00

Carolyn Murray, Claim No. 04-43 Refer the claim to Narragansett Improvement Co.

Metlife Auto & Home, Claim No. 04-29 Deny the claim

CITY CLERK

RENEWAL OF ANNUAL LICENSES

Requesting authorization to be granted permission to renew subject licenses, excluding alcoholic beverage licenses, for year commencing December 1, 2004, upon application by Chief of Police and, as required, by Health Inspector and other City Officials; and requesting also to be advised of any licenses to be deferred or withheld from the renewal process.

Motion by Mr. Harrington, seconded by Mr. Rogers.

Mr. Harrington	Aye
Mr. Miranda	Aye
Mr. Rogers	Aye
Dr. Ramos	Aye
Mayor Grant	Aye

Motion passes 5 to 0

COUNCIL MEMBERS

(By Mayor Rolland R. Grant)

Mayor Grant asks for a Road Improvement Bond extension this year. Dr. Ramos requests the number of roads involved. The mayor states that the number is 10.

Mr. Rogers supports the program, as long as, it is on a fair and equitable basis and that each ward gets its fair share. He does not want Ward 1 to be neglected and asks for an allocation.

Motion by Mr. Rogers, seconded by Mr. Harrington to allow road improvement, it is unanimously voted to approve.

(By Councilman Patrick A. Rogers)

Glenlyon Park-Improvement Report

Mr. Rogers states that about one year ago funding for Glenlyon and the Rose Garden took place. The voters approved a recreation bond to provide for new soccer fields and other recreation facilities. About \$300,000 was allocated for Glenlyon. The Council deemed that the park needed refurbishing. The Council came up with a recommendation of one soccer field at Glenlyon and refurbishing the one at Rose Garden.

The proposal to the state and approved by the Council included:

- 1) Regulation soccer field**
- 2) Playground equipment**
- 3) Jungle Gym**

- 4) 2 Basketball courts
- 5) Senior baseball field
- 6) Walking track
- 7) The plan did not call for a tennis court.

Mr. Rogers says that any suggestion that the plan was done under a cloak of darkness is untrue.

There were Council hearings and newspaper articles on the subject. Because soccer is the most popular sport in East Providence, we decided to make Glenlyon part of our showcase field, but we will try to address the needs of tennis players.

The current plan is for two basketball courts but maybe one of them can be converted to a tennis court. Dr. Ramos asks if Mr. Crook could include a tennis court and Mr. Miranda concurs.

Those wishing to speak under Communications are moved ahead on the Docket.

Patrick Caine is sworn in and said that he speaks on a regular basis to the faculty at Myron Francis School. He believes that a court is a way for children to be introduced to tennis but not many use the facility.

Mr. Christain Morris speaks out in favor of retaining two

tennis courts at Glenlyon Field. Another request was for a no parking zone behind the gym at Myron Francis School near the field. Mr Morris also requested that Myron Francis students be allowed to use the field for gym class.

Mr. Morris states that there are only two tennis facilities available vs. 15 basketball courts. He believes that having tennis courts will help to maintain our property value.

Mr. Miranda questions Mr. Morris that his only concern is having tennis courts and that he does not have a problem with anything else. Mr. Morris answers affirmatively.

Mr. Miranda does not have a problem with the tennis courts as long as we do not cut anything else. Dr Ramos said that he was also in favor of the plan, as long as, no other sports are compromised.

Mr. Crook says that once requests for proposal are in he can see where things go and where they fit in. Mr. Rogers proposes at a minimum 1 basketball and 1 tennis court.

Motion by Mr. Rogers, seconded by Mr. Miranda that we have 2 tennis courts or at least 1 basketball court and 1 tennis court at a minimum.

Mr. Harrington Aye

Mr. Rogers Aye

Mr. Miranda Aye

Dr. Ramos Aye

Mayor Grant Aye

Motion passes 5 to 0.

Mr. Duff passes on his opportunity to speak.

Mr. Rogers recommends that Mr. Morris work with the Recreation Director on the design and construction of the facility.

Naming of the Riverside Library

Michael Kochanek asks for consideration in naming the Riverside Library in memory of deceased Representative and Councilman Robert Sullivan.

Mr. Harrington recommends that it go before the Library Board of Trustees and let them come back with a recommendation. He says that he has clarity of understanding as to the will of the people in terms of a prior petition that was submitted. Dr. Ramos said that it was his understanding that the night that the petition was presented that we would name the library after Mr. Sullivan and he would keep

his word to do so.

Motion to defer to the Library Board is made by Mr. Harrington, seconded by Mr. Rogers, it is unanimously voted to defer.

RESOLUTIONS

RESOLUTION BY THE CITY COUNCIL RATIFYING A WAIVER OF CUSTOMER CREDITS FROM NARRAGANSETT ELECTRIC COMPANY.

Anna Rosario testifies after being sworn in. She wishes that the public vote on this matter. The City Solicitor explains that the average cost would be \$1.71 per month.

Motion to approve by Mr. Harrington, seconded by Mr. Miranda.

Mr. Harrington	Aye
Mr. Miranda	Aye
Dr. Ramos	Aye
Mayor Grant	Aye
Mr. Rogers	Absent

Motion passes 4 to 0.

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
CITY OF EAST PROVIDENCE, RHODE ISLAND,
1998, AS AMENDED, ENTITLED (VEHICLES &
TRAFFIC) SECTION 1. Article X “Stopping, Standing and Parking,”
Subsec 18-307 entitled**

**“Parking prohibited at all times” deleting: APPIAN WAY (east
side) from WATERMAN AVENUE south for 135 feet.**

**Motion to approve by Mr. Miranda, seconded by Mr.
Harrington, it is unanimously voted to approve.**

Mr. Harrington	Aye
Mr. Miranda	Aye
Dr. Ramos	Aye
Mayor Grant	Aye
Mr. Rogers	Absent

Motion passes 4 to 0.

(BUDGET)

**Because the Budget did not pass the last 3 ordinances could
not be acted on. The ordinances**

**Include “ORDERING THE ASSESSMENT AND COLLECTION
OF PROPERTY TAX ON THE RATEABLE REAL ESTATE,
TANGIBLE PROPERTY AND AN EXCISE TAX ON**

**REGISTERED MOTOR VEHICLES AND TRAILERS.”AUTHORIZING
THE DIRECTOR OF FINANCE TO BORROW FUNDS IN
ANTICIPATION OF TAXES.” “ AUTHORIZING THE
DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF
REVENUE.”**

**Motion to defer is made on all three ordinances by Mr.
Harrington, seconded by Mr. Miranda, it is unanimously
voted to defer.**

**Motion to adjourn by Mr. Miranda, seconded by Dr. Ramos, it
is unanimously voted to approve.**

The meeting adjourns at 10:00 P.M.

**ATTEST _____
25, 2004**

October

**JOHN M. O’HARE
CITY CLERK**