

Date Posted: January 15, 2010

Date of Meeting: January 19, 2010

Meeting: City Council

Location: City Hall, Council Chambers

145 Taunton Avenue

East Providence RI 02915

Time: 7:30pm

CITY OF EAST PROVIDENCE

RHODE ISLAND

DOCKET OF REGULAR COUNCIL MEETING

January 19, 2010

6:45 p.m. Executive Session

7:30 p.m. Open Session

I. EXECUTIVE SESSION

The City of Council will meet in Executive Session for the purposes of discussing Claims and Litigation pursuant to R.I.G.L. 42-46-5(a)(2)

A. Claims Committee

(see concurrently posted Claims Committee Agenda)

B. Litigation

1. Michael Damiani vs. City of East Providence

2. Monteiro vs. East Providence

3. IAFF Interest Arbitration

4. Joseph Sullivan - Grievance Arbitration

5. Sean Sullivan – Police Officer's Bill of Rights - Supreme Court

6. Moniz - Decision of the Supreme Court

II. CALL TO ORDER

III. INVOCATION

IV. SALUTE TO THE FLAG

V. TO APPROVE THE CONSENT CALENDAR

All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.

A. Letters

1. Coastal Resources Management Council proposed monthly meeting schedule.

- 2. Coastal Resources Management Council Semi-Monthly Meeting
Wednesday, January 13, 2010 Conference Room C.**
- 3. Coastal Resources Management Council notice of location change
to Conference Room A.**
- 4. Town of Bristol Resolution in opposition to a plan as proposed by
Hess Corporation's Weaver's Cove Energy to construct a Liquefied
Natural Gas offshore berth in Mount Hope Bay.**
- 5. Notice of New Property: 163 North Brow Street Map 106, Block 02,
Parcel 028.00, Zoning District C5.**

B. Vict/Over 50 (Transfer)

**Mkrtich Dedeyan DBA Minerva Pizza House to Tigran HakobyanDBA
Zoe's Pizza & Seafood**

C. Approval of Council Journal

November 3, 2009, Regular Meeting of Council

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

VI. APPOINTMENTS

A. Waterfront Commission – Reappointment (by Councilman Coogan)

John Pesce, Coast Realty Management, 1 Realty Way (02914)

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

B. Juvenile Hearing Board (by Councilman Coogan)

Manuel Ferreira, 162 James Street (02914)

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

VII. NEW BUSINESS

A. City Managers Report (City Manager Richard Brown)

**1. Approval of Bid, W. Walsh Company of Attleboro, MA for Phase II
Cleaning and Lining**

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

**2.Approval of resolution authorizing the award of and entry into a
contract to design, build and operate capital improvements to the
wastewater treatment plant and collection system, and authorizing
the application for related financing.**

RESOLUTION

**AUTHORIZING THE AWARD OF AND ENTRY INTO A CONTRACT TO
DESIGN, BUILD AND OPERATE CAPITAL IMPROVEMENTS TO THE
WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM,
AND AUTHORIZING THE APPLICATION FOR RELATED FINANCING**

WHEREAS, the City has entered into a Consent Agreement dated April 3, 2007 ("Consent Agreement") with the Rhode Island Department of Environmental Management that requires the City's wastewater treatment system to meet reduced total nitrogen levels and other performance criteria set forth in the Consent Agreement; and

WHEREAS, in order to achieve the requirements of the Consent Agreement, the City issued a public request for proposals ("RFP") to procure the design, construction and operation of capital improvements to the City's wastewater treatment plant ("Plant") and collection system ("Collection System"); and

WHEREAS, the primary objective of the RFP is to facilitate the City's ability to contract for the services of a private firm who will guaranty compliance with the Consent Agreement by performing improvements to the Plant and Collection System and operating and maintaining the Plant and Collection System in accordance with applicable law (the "Contract"); and

WHEREAS, in response to the RFP, the City received two (2) proposals, from United Water Environmental Services, Inc. ("United Water") and Veolia Water North America- Northeast, LLC ("Veolia"); and

WHEREAS, the City Manger, the Public Works Director and the Finance Director/Purchasing Agent evaluated the responses to the RFP based on the objective measurable criteria detailed in the RFP and in accordance with the requirements of R.I. Gen. Laws Chapter 45-55, the City Charter and the ordinances of the City and, based

**thereon, recommend that the City award the Contract to United Water;
and**

WHEREAS, the City Manager, Public Works Director and Finance Director/Purchasing Agent have negotiated the Contract with United Water and now seek authorization to enter into the Contract and to pursue financing necessary to fund the project.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF
EAST PROVIDENCE HEREBY RESOLVES:**

SECTION 1. That the City Council finds that the proposal submitted in response to the RFP by United Water contains the lowest evaluated bid price based on the objective measurable criteria detailed in the RFP, R.I. Gen. Laws § 45-55-1 et seq. and the City charter and ordinances.

SECTION 2. That the City, acting by and through the Mayor and/or the City Manager, hereby is authorized and directed to execute and deliver the Contract in form and substance substantially similar to the Contract attached as Exhibit A.

SECTION 3. That the City is hereby authorized and directed to take all steps necessary to perform its obligations under the Contract, including without limitation to submit an application or applications for financing through the Rhode Island Clean Water Finance Agency subject to the requirement that the City Manager obtain the approval of this Council prior to the City incurring debt pursuant to such application or applications.

SECTION 4. That this Resolution shall take effect upon its passage.

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

Reports of Other City Officials

1. Claims Committee Report (by City Solicitor James Briden)

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

2.Approval of East Providence Teacher Assistant Association/NEARI/NEA new collective bargaining agreement (by Superintendent Dr. Mario Cirillo)

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

B. Council Members

1. Creation of a five member Design Review Committee for East Providence “Welcome” sign. (By Mayor Larisa)

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

2. State of the City Address – February 16, 2010 (by Mayor Larisa)

3. Steelworkers contract – final result (by Mayor Larisa)

C. Introduction of Ordinances

**1. STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF EAST PROVIDENCE
CHAPTER**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
"VEHICLES AND TRAFFIC"**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

**SECTION I. Sec. 18-269 entitled "Stop and yield intersections
designated; when stops required." is amended by adding thereto the
following:**

WALMER AVENUE (eastbound traffic) at Rachella Court

**SECTION II. This ordinance shall take effect upon second passage
and all ordinances and parts of ordinances inconsistent herewith are
hereby repealed.**

Requested by: Director of Public Works

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

**2. STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF EAST PROVIDENCE
CHAPTER**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED**

"VEHICLES AND TRAFFIC"

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY
ORDAINS:**

SECTION I. Subsection 18-307 entitled "Parking prohibited at all times." of Article X entitled "Stopping, Standing and Parking." of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Vehicles and Traffic." is amended by deleting there from the following:

Baker Street (south side), from 65 feet easterly of Broadway for 64 feet

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Requested by: Director of Public Works

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___

D. Communications

1. Keri Tanzi, 115 Goldsmith Manor, Apartment 108 (02914) requesting to address the Council regarding public housing in East Providence.

2 ADJOURNMENT

Motion___By___2nd___

Coogan___Cusack___DiTraglia___Perry___Larisa___