

Date Posted: August 31, 2012

CITY OF EAST PROVIDENCE

RHODE ISLAND

DOCKET OF REGULAR COUNCIL MEETING

September 4, 2012

**Council Chambers, City Hall, 145 Taunton Avenue, East Providence,
RI 02914**

7:30 P.M. Open Session

I. CALL TO ORDER

II. SALUTE TO THE FLAG

III. 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.

B. Council Journals

1. Regular Council Meeting August 21, 2012

2. Regular Council Meeting May 3, 2011

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

IV. PUBLIC COMMENT

V. LICENSES REQUIRING PUBLIC HEARING

A. B Full Privilege Vict

Albertino Milho DBA Al's Place, 28 Water Street (02914) - First Floor

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

B. Dance/Entertainment

Albertino Milho DBA Al's Place, 28 Water Street (02914) - First Floor

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

C. B Full Privilege Vict

**Albertino Milho DBA Milho Waterfront Banquet Hall, 28 Water Street
(02914) - Second Floor**

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

D. Dance/Entertainment

**Albertino Milho DBA Milho Waterfront Banquet Hall, 28 Water Street
(02914) - Second Floor**

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

VI. LICENSES NOT REQUIRING PUBLIC HEARING

**(All licenses are approved by Council based on all required approvals
being met from Police, Fire and Buildings.)**

A. Vict/Over 50

Albertino Milho DBA Al's Place, 28 Water Street (02914) - First Floor

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

B. Vict/Over 50

**Albertino Milho DBA Milho Waterfront Banquet Hall, 28 Water Street
(02914) - Second Floor**

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

VII. PUBLIC HEARING - ORDINANCES FINAL PASSAGE

A. An ordinance regarding a One Way on Oakley Street.

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”

SECTION I. Section 18-247 entitled “Designation of one-way streets” of Article VIII entitled “One-Way Streets” of Chapter 18 entitled “Vehicles and Traffic” is amended by adding thereto the following:

Oakley Street (east bound) from South Sharon Street to Broadway

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shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Requested by: Mayor Rogers

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

B. An ordinance regarding no parking on Pawtucket Avenue (west side) from Ailanthus Street north for a distance of 240 feet.

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”

SECTION I. Section 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 adding thereto the following:

Pawtucket Avenue (west side) from Ailanthus Street north for a distance of 240 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___

Conley___DiGioia___Kleyla___Rose___Rogers___

C. An ordinance regarding no parking Bristol Avenue (south side) from Viola Avenue for a distance of 40 feet.

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”

SECTION I. Section 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 adding thereto the following:

Bristol Avenue (south side) from Viola Avenue for a distance of 40 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___

Conley___DiGioia___Kleyla___Rose___Rogers___

D. An ordinance relating to personnel.

AN ORDINANCE IN AMENDMENT OF CHAPTER 11 OF THE REVISED

**ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND,
1998, AS AMENDED ENTITLED "PERSONNEL"**

SECTION I. Subsection (g) entitled "Rating examinations" of Sec. 11-64 entitled "Examination procedure" of Chapter 11 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Personnel" is amended to read as follows:

(g) Rating examinations. The final score of a candidate shall be based upon all tests and evaluations in the examination. Failure in one part or test of the examination may be grounds for declaring candidates as failing in the entire examination or as disqualified for subsequent parts of an examination. In addition, in rating examinations for entrance into the classified service, except for police and fire candidates, the director shall increase the score of a candidate, one percent for each consecutive year that such current resident-candidate has been a resident of the city up to a maximum of ten percent. In rating examinations for police and fire candidates for entrance into the classified service, the director shall increase the score of a current resident-candidate one percent for each consecutive year that such candidate has been a resident of the city up to a maximum of five percent. Furthermore, in rating examinations for entrance into the classified service, the director shall increase the score of a veteran-candidate four percent or five percent for a post-9/11 veteran-candidate, up to a maximum of five percent, such increase being cumulative with the resident-candidate scoring. For the purposes of this section, the terms "veteran" and "post-9/11 veteran" are as defined in the Veterans Opportunity to Work (VOW)

To Hire Heroes Act of 2011, 5 U.S.C. § 2108, as may be amended from time to time. Seventy percent shall be the lowest score on an examination to be acceptable as qualifying and the maximum score shall be 100 percent.

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: Mayor Rogers

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

**E. An ordinance regarding no parking on a portion of Bentley Street.
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”**

SECTION I. Section 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 adding thereto the following:

Bentley Street (east side) from Mauran Avenue to Fort Street

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: Mayor Rogers

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

VIII.NEW BUSINESS

A.City Managers Report (by City Manager Peter Graczykowski)

1. TLA/Pond View Status Update

B.Reports of Other City Officials

2. School Committee Update (by Council Liaison School Committee Member Chrissy Rossi)

C. Council Members

1. Bi-Weekly Update (by Mayor Rogers)

A. Kimberly Ann Rock Field

B. Sabins Point Dock

C. Weathervane at Sabins Point

D. Mauran Avenue Tot Playground

E. Flooding at Dewey Avenue

F. Flooding at Roma Street

G. Flooding at Lucky's Restaurant

2. Labor Day Parade (by Assistant Mayor Rose)

3. Community Gardens (by Assistant Mayor Rose)

4. Update of Flooding Streets (by Assistant Mayor Rose)

5. Pawtucket Avenue Bump (by Assistant Mayor Rose)

E. Resolutions

- 1. A resolution regarding tax exemption status for the Columbus Club of East Providence.**

WHEREAS, the Columbus Club of East Providence of 3200 Pawtucket Avenue, East Providence, Rhode Island, and organized on February 8, 1940, is a Domestic Non-Profit Corporation that provides for charities for the East Providence Knights of Columbus, and is located in and owns property in the City of East Providence; and

WHEREAS, the Columbus Club of East Providence is presently being assessed taxes by the City of East Providence in the amount of \$11,343.83; and

WHEREAS, the Columbus Club of East Providence has no income and has its budget entirely funded by membership club dues; and

NOW, THEREFORE, BE IT RESOLVED that the East Providence City Council hereby supports the following proposed legislation allowing the Columbus Club of East Providence a permanent exemption from taxation.

To be enacted by the General Assembly as follows:

The Columbus Club of East Providence, a Rhode Island Domestic Non-Profit Corporation shall be entitled to acquire, take, receive and hold by purchase, sale, gift, lease, devise, bequest or otherwise, real and personal estate of every kind and description without limitation on the total amount thereof, for religious, charitable or educational purposes, communication and communication technology and to use, manage, operate, improve, and apply same for the

aforementioned purposes. The said corporation and all of their said real and personal estate including registration of motor vehicles shall be exempt from all taxes imposed by the state and by any political subdivision thereof, which said exemption shall apply to all taxes imposed by law upon real and personal estate.

SECTION 2. This act shall take effect upon passage.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the East Providence City Council hereby requests that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives, and the Senators and Representatives from the City of East Providence.

Requested By: Assistant Mayor Rose

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

F. Introduction of Ordinances

1. An Ordinance regarding No Parking on Oakley Street.

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”

SECTION I. Section 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 therefrom the following:

Oakley Street (north side) from Broadway to Lyon Avenue

SECTION II. Section 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 adding thereto the following:

Oakley Street (north side) from South Sharon Street to Lyon Avenue

Oakley Street (north side) from Broadway west for 205 feet

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

Requested By: Mayor Rogers

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

G. Communications

1. Richard A. Ferreira, 24993 Windward Blvd., Bonita Springs, FL 34134 requesting to address the Council regarding Police and Fire Pension System and contract responsibility and limits.

IX.ADJOURNMENT

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

*** Any items listed on the Council Docket may be subject to a vote.**

***If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590.**