

**Date Posted: November 2, 2012**

**CITY OF EAST PROVIDENCE**

**RHODE ISLAND**

**DOCKET OF REGULAR COUNCIL MEETING**

**November 7, 2012**

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

**7:00 P.M. Executive Session, Room 101**

**7:30 P.M. Open Session**

## **I. EXECUTIVE SESSION**

**The City Council of the City of East Providence will meet in Executive Session pursuant to RI General Laws § 42-46-5 (a) (2) and RI General Laws § 42-46-5(a)(1)**

### **A. Litigation**

**R.I. Council 94 and City of East Providence GR: Albert Quattrucci Termination**

**RI General Laws § 42-46-5 (a) (2)**

**B. Annual City Manager Job Performance Review per Hiring Resolution**

**RI General Laws § 42-46-5(a)(1)**

## **II. CALL TO ORDER**

## **III. SALUTE TO THE FLAG**

#### **IV. 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. Public Notice of Long Range Transportation Plan Draft from the State Wide Planning Council, November 14, 9:00Am Department of Administration and November 15, 6:30PM Department of Administration.**

**2. Notice of Change of Property Number TLC Properties, Inc, 360 Warren Avenue (02914), Map 206, Block 24, Parcel 005.00, Zoning C3.**

**3. Coastal Resources Management Council October 2012 Calendar.**

**4. Rhode Island Ethics Commission Public Notice of Proposed Rule- Making Regulation 36-14-17009 out-of-state travel.**

**5. Town of Charlestown Resolution in support of Low and Moderate Income Housing Act: Program Analysis.**

**6. Coastal Resources Management Council November 2012 Calendar.**

**B. Alcoholic Beverage Class F-1**

**1. St. Francis Xavier Church, 81 N. Carpenter Street (02914), St Francis Xavier Band Christmas Party, December 8, 2012.**

**C. Cancellations/Abatements**

**YEAR AMOUNT**

**2012 \$19,492.20**

**2011 \$155.45**

**2010 \$6.31**

**TOTAL \$19,653.96**

**D. Council Journals**

**1. Regular Meeting October 16, 2012**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**V. PROCLAMATIONS AND PRESENTATIONS**

**A. Beautification Committee Annual Awards - Joe Gibson, Chair**

**B. Pancreatic Cancer Proclamation (by Mayor Rogers)**

**C. Proclamations to Alba Curti, Director of Parks and Recreation and Deborah Rochford, Adult Services Coordinator (by Mayor Rogers)**

## **VI. PUBLIC COMMENT**

## **VII. APPOINTMENTS**

### **A. Traffic Control (by Mayor Rogers)**

**Guy Penha, 86 Mountain Avenue (02914)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

### **B. Traffic Control (by Mayor Rogers)**

**Jonathan Cabral, 55 Colwell Street (02914)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

### **C. Traffic Control (by Mayor Rogers)**

**Melanie Izquierdo, 53 Cobb Street (02914)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

## **VIII. LICENSES NOT REQUIRING PUBLIC HEARING**

### **A. Laundry/Drycleaner**

**SLS, LLC DBA The Clothes Pin, 64 Newport Avenue (02916)**

**Christopher M. Saunders, 25 Sunset Avenue, West Warwick (02893)**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

## **IX. PUBLIC HEARING - ORDINANCES FINAL PASSAGE**

**A. An ordinance regarding a stop sign on Burnside Avenue at Harris 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 18-269 entitled “Stop and yield intersections designated; when stops required” of Article IX entitled “Stop Intersections” of Chapter 18 entitled “Vehicles and Traffic” is amended by adding thereto the following:**

**Burnside Avenue (westbound traffic) at Harris Street**

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

**Requested By: Assistant Mayor Rose**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

## **X. NEW BUSINESS**

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

- 1. Departmental Activity Update**
- 2. Hurricane Sandy Response Report**
- 3. RFP Award for Refuse and Recycling Collection**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**4. Homestead Exemption Audit**

## **5. City Phone System Upgrade**

## **6. State Income Tax Refund Offset Program Update**

### **B. Reports of Other City Officials**

#### **1. School Committee Update (by Council Liaison School Committee Member Chrissy Rossi)**

### **C. Council Members**

#### **1. Bi-Weekly Update (by Mayor Rogers)**

- Update on Bath Salts**
- Other Issues**

#### **2. Update on Community Garden Committee (by Assistant Mayor Rose)**

#### **3. Reminder of the Labor Day Parade Committee Meeting (by Assistant Mayor Rose)**

#### **4. Outside Vendors (by Assistant Mayor Rose)**

### **D. Resolutions**

#### **1. A RESOLUTION IN SUPPORT OF THE REQUEST OF THE CITY OF EAST PROVIDENCE TO PARTICIPATE IN THE \$115.5 MILLION SURPLUS THE STATE OF RHODE ISLAND PRESENTLY HAS.**

**WHEREAS, the State of Rhode Island was running a deficit for the year 2012; and**

**WHEREAS, state aide was cut dramatically from cities and towns resulting in several cities ending their fiscal years with deficits; and**

**WHEREAS, the State of Rhode Island has ended fiscal year 2012 with a \$115.5 million surplus; and**

**WHEREAS, the City of East Providence requests that the State of Rhode Island give the City of East Providence a fixed share of those surplus funds to be used for deficit reduction.**

**NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence 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 Representative, and the Senators and Representatives of the City of East Providence.**

**This resolution shall take effect upon its passage.**

**Requested By: Mayor Rogers**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

## **E. Introduction of Ordinances**

- 1. An ordinance regarding tree root liabilities.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE REVISED**

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

**SECTION I. The definition of building sewer lateral as contained in Section 17-76 entitled "Definitions" of Article III entitled "Sanitary Sewer System" of Chapter 17 entitled "Utilities" is amended to read as follows:**

**Building sewer lateral means a pipe laid incidental to the original construction of a sewer from that sewer to some point at the side of the street, highway or similar location, and there capped, having been provided and intended for extension and for use at some time thereafter as a part of a building sewer. When a building sewer lateral has been connected with and extended for the purpose of installing a building sewer, the lateral shall become and thereafter be a part of such building sewer, to be maintained as provided for building sewer. Sewers constructed prior to 1951, where building sewer laterals were installed at the owners expense, shall continue to be installed at the expense of the owner. The city will assume responsibility for repair of a broken or cracked sewer lateral between the curb line and the sewer main or for any blockage caused by a city tree. This provision shall not prevent the city from holding any third parties liable for damages to a sewer lateral.**

**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: City Solicitor**

**Motion\_\_\_By\_\_\_2nd\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

**2. An ordinance regarding a one way street westbound on Alice 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 deleting therefrom the following:**

**Alice Street (westbound) from Taunton Avenue to James Street**

**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\_\_\_**

**Conley\_\_\_DiGioia\_\_\_Kleyla\_\_\_Rose\_\_\_Rogers\_\_\_**

## **F. Communications**

**1. Tony Fereirra, 44 Brightridge Avenue (02914) requesting to address the Council regarding the re-pavement of Waterman Avenue.**

**2. Freddie Rybka, 9 Cozzens Avenue (02915) requesting to address the Council regarding pot holes in the Riverside area.**

## **XI. 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.**