

Date Posted: October 11, 2013

CITY OF EAST PROVIDENCE

RHODE ISLAND

DOCKET OF REGULAR COUNCIL MEETING

October 15, 2013

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

7:00PM Executive Session - Claims 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)

A. New Claims

- 1. Jo-Ann Durfee**
- 2. Tiago Gomes**
- 3. David Mello**
- 4. Catherine Winston**

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. Alcoholic Beverage License Class F-1

Dennis Carey, 20 Salisbury Street, Rehoboth, MA, Holy Ghost Brotherhood of Charity, 59 Brightridge Avenue, Cigar Night Fundraiser Scholarship, November 1, 2013.

B. Cancellations/Abatements

Year Amount

2013 \$10,923.23

Total

\$10,923.23

C. Cancellation/Abatements Board of Review

Year Amount

2013 \$4,601.99

Total

\$4,601.99

D. Council Journals

1. Regular Council Meeting October 1, 2013

2. Joint Meeting of City Council and School Committee September 24, 2013

3. City Council Budget Workshop September 24, 2013

Motion ___ By ___ 2nd ___

Capobianco ___ Cunha ___ Rossi ___ Rose ___ Briden ___

V. PUBLIC COMMENT

VI. PRESENTATIONS

A. Waterfront Commission Presentation by Interim Chair William Fazioli

VII. APPOINTMENTS

A. Personnel Hearing Board (by Councilwoman Rossi)

Joanne Estrella, 56 Grosvenor Avenue (02914)

Motion ___ By ___ 2nd ___

Capobianco ___ Cunha ___ Rossi ___ Rose ___ Briden ___

B. Affirmative Action Committee (by Mayor James Briden)

Angie Lovegrove, 235 Don Avenue (02916)

Motion ___ By ___ 2nd ___

Capobianco ___ Cunha ___ Rossi ___ Rose ___ Briden ___

C.Juvenile Hearing Board (by Councilwoman Rossi)

Richard Martin, 10 Beaver Court (02915)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

VIII. LICENSES REQUIRING PUBLIC HEARING

Licenses are granted subject to all required approvals from State and City departments.

A.Corporate Name Change

From Cilantro Mexican Grill, LLC. DBA Cilantro Mexican Grill to CMG Holding Company, LLC DBA Cilantro Mexican Grill, 430 Newport Avenue (02916), John Palmieri, 17 Doane Road, Barrington (02806)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

B.Transfer – B Full Privilege

Transfer from Comedy Connection of RI, Inc. DBA Comedy Connection to Nulevel Entertainment, LLC DBA Comedy Connection, 39 Warren Avenue (02914), Cory Brailsford, 66 Dahlia Street, Warwick (02888)

Motion___By___2nd___

Capobianco__ Cunha__ Rossi__ Rose__ Briden__

C. Annual Alcoholic Beverage Renewals

CLASS A (RETAILER)

Barrington Liquors, Inc.

618 Warren Avenue

Clift's Liquors, Inc.

191 Willett Avenue

Cozy Corporation

dba Brookfield Liquors

470 North Broadway

Liquor Depot East Providence, Inc.

dba Wine & Spirits Depot

1925 Pawtucket Avenue Suite #5

Marvic Enterprises, Inc.

dba Jordan's Liquors

199 Taunton Avenue

McGreens Fine Wine & Spirits, Inc.

1086 Willett Avenue

Riverside Liquors, Inc.

225 Bullocks Point Avenue

Town Liquor Co., Inc.

dba Town Wine & Spirits

179 Newport Avenue

Warren Avenue Liquor Market, Inc.

208 Warren Avenue

B-FULL PRIVILEGE (VICTUALING)

141 Corp.

dba Uncle Tony's Pizza & Pasta

141 Newport Avenue

Agipari Enterprises Inc.

dba Roosters Grill

664 Bullocks Point Avenue

Avenue N Restaurant Group, LLC

dba Avenue N

20 Newman Avenue

B. Pinelli, Inc.

dba B. Pinelli's
736 North Broadway

Ban Chiang, Inc.
dba Siam Square Restaurant
1050 Willett Avenue

Broadway Lounge, Inc.
dba Merrill Lounge
535 North Broadway

Camelia of Istanbul Restaurant, LLC
dba Camelia of Istanbul Restaurant
92 Waterman Avenue

Cape Verdean Progressive Center
329 Grosvenor Avenue

Centre Court Inc., The
dba The Loft
55 Hospital Road

Chelo's of East Providence, Inc.
911 Warren Avenue

Chelo's of Newport Avenue, Inc.

45D Newport Avenue

China Gourmet, Inc.

dba China Gourmet Restaurant

181 Willett Avenue

Cilantro Mexican Grill, LLC

dba Cilantro Mexican Grill

430 Newport Avenue

Comedy Connection of RI, Inc.

dba Comedy Connection

39 Warren Avenue

D L Enterprises, Inc

dba East Bay Tavern

305 Lyon Avenue

Davenport's Bar & Grill, Inc.

dba Davenport's Restaurant

1925 Pawtucket Avenue

Dolces Restaurant, Inc.

dba Bovi's Town Tavern

287-289 Taunton Avenue

East Providence House of Pizza, LLC

187 Willett Avenue

East Providence Yacht Club, Inc.

9 Pier Road

El Azteca Mexican Restaurant, LLC

dba El Azteca Mexican Restaurant

335 Newport Avenue

Golden Dragon, LLC

dba Young China Restaurant

250 Warren Avenue

Hibachi Grill Supreme Buffet, Inc.

58 Newport Avenue

Holy Ghost Beneficial Brotherhood of Rhode Island

51 North Phillips Street

Holy Ghost Brotherhood of Charity

59 Broughtridge Avenue

Ichigo Ichi, LLC

dba Ichigo Ichie

5 Catamore Boulevard

Lane Foods Company, LLC
dba Gregg's Restaurant
1940 Pawtucket Avenue

Lees Restaurant and Lounge, Inc.
dba Lees Restaurant and Lounge
376 Bullocks Point Avenue

Lincoln Bar & Grill, Inc.
24 Monroe Avenue

Little Lucy's Lunch, Inc.
dba Red Bridge Tavern
22 Waterman Avenue

Loggia Luce Moderna 1112
99 Hicks Street

Lucky's American Bar & Grille, Inc.
1175 Warren Avenue

Mathias Enterprises, LTD
dba Campino Restaurant & Sports Bar
218 Warren Avenue

Milho, Albertino
dba AI's Place
28 Water Street (First Floor)

Milho, Albertino R.
dba Madeira Restaurant
288-290 Warren Avenue

Milho, Albertino
dba Milho Waterfront Banquet Hall
28 Water Street (Second Floor)

Our Place on North Broadway, LLC
525 North Broadway

P&G Bowling, Inc.
dba East Prov Bowling Ctr.
80 Newport Avenue

Paiva's Restaurant Corp.
dba O'Dinis Restaurant & Tavern
579 Warren Avenue

Pepper Dining, Inc.
dba Chili's Grill & Bar
50 Highland Avenue

Portuguese American Athletic Club
281 Warren Avenue

PRPS, Inc.
dba 2 Pauls
315 Waterman Avenue

Pub Ventures, Inc.
dba Mulhearn's Pub
507 North Broadway

PWRPJ, Inc.
dba Rockin' Times
478 Waterman Avenue

Riviera Inn Dining and Banquet Company
580 North Broadway

SAZ, Inc.
dba Town Pizza & Family Restaurant
949 Willett Avenue

Square One, LLC
dba Oxford Tavern
446 Waterman Avenue

St. Angelo's Inc.
dba St. Angelo's
1235 Wampanoag Trail

T&T'S 133 Club, Inc.
dba 133 Club
29 Warren Avenue

Town Pub, Inc.
311 Taunton Avenue

Tropical Ilhas, Inc.
472 Waterman Avenue

Watchemoket Bar, Inc.
dba Watchemoket Bar
31 Warren Avenue

C (SALOON)

Quattrucci, Carl & Arthur
dba Monforte's Bar
493 Waterman Avenue

D-FULL PRIVILEGE

Agawam Hunt

15 Roger Williams Avenue

Columbus Club of Barrington

1 Viola Avenue

Columbus Club of East Providence

3200 Pawtucket Avenue

East Providence Athletic Club

118 Mauran Avenue

East Providence Fraternal Order of Eagles 1773

334 Waterman Avenue

East Providence Lodge of Elks 2337

60 Berkeley Street

Holy Ghost Brotherhood Mariense

846 Broadway

Metacomet Country Club

500 Veterans Memorial Parkway

Riverside Post Holding Co., Inc.

830 Willett Avenue

**Riverside Sportsmans Association
1 Sportsman Drive**

**Squantum Association
Squantum Club
947 Veterans Memorial Parkway**

**Teofilo Braga Club
26 Teofilo Braga Way**

**Trinity Brotherhood
146 Sutton Avenue**

**Wannamoisett Country Club
96 Hoyt Avenue**

B-LIMITED (VICTUALING)

**Boston House of Pizza, Inc.
540-542 Taunton Avenue**

**Bowling Academy, Inc.
354 Taunton Avenue**

Chen, Yun Yan
dba Mei Sing Chinese Restaurant
2827 Pawtucket Avenue

E B Dragon, LLC
dba East Buffet Restaurant
52 Narragansett Park Drive

Farnsworth Café, LLC
dba Farnsworth Cafe
302 Willett Avenue

Horton's Seafood, Inc.
dba Horton's Seafood
809 Broadway

Jeon, Il Sun
dba Sun & Moon Korean Restaurant
95 Warren Avenue

Jin Hua Chinese Restaurant, Inc.
dba New Buffet Restaurant
1925 Pawtucket Avenue

JPCT Sports, LLC
dba Tennis Rhode Island

70 Boyd Avenue

Yama Fuji II, Inc.

dba Yama Fuji

1080 Willett Avenue

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

IX. LICENSES NOT REQUIRING PUBLIC HEARING

Licenses are granted subject to all required approvals from State and City departments.

A. Transfer – Vict/Over 50

Transfer from Comedy Connection of RI, Inc. DBA Comedy Connection to Nulevel Entertainment, LLC DBA Comedy Connection, 39 Warren Avenue (02914), Cory Brailsford, 66 Dahlia Street, Warwick (02888)

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

B. Transfer – Dance/Entertainment

Transfer from Comedy Connection of RI, Inc. DBA Comedy

**Connection to Nulevel Entertainment, LLC DBA Comedy Connection,
39 Warren Avenue (02914), Cory Brailsford, 66 Dahlia Street, Warwick
(02888)**

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

X. PUBLIC HEARING ORDINANCES FINAL PASSAGE

A. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF TAXES.

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

SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2014 such sums of money in anticipation of the property taxes of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any tax anticipation notes of a prior year to the extent permitted by law.

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

Requested by: Director of Finance

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

B. AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF REVENUE.

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2014 such sums of money in anticipation of the sewer use fee revenue of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any revenue anticipation notes of a prior year to the extent permitted by law.

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

Requested by Director of Finance

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

XI. PUBLIC HEARING

A.FY 2013-2014 Budget

**ORDINANCE OF THE COUNCIL OF THE CITY OF EAST PROVIDENCE
APPROPRIATING \$166,842,842 FOR THE SUPPORT OF THE CITY
GOVERNMENT FOR THE FISCAL YEAR ENDING OCTOBER 31, 2014**

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

**SECTION I. The general fund receipts for the fiscal year ending
October 31, 2014 have been established to amount to \$166,842,843
made up as follows:**

**SECTION II. To defray the expenses of the City of East Providence for
the fiscal year commencing November 1, 2013 and ending October 31,
2014, the sum of money, or so much thereof as are authorized by law
indicated in the accompanying schedule, are hereby appropriated for
the objects and purposes, and in the amounts expressed therein,
provided that payments thereunder shall be subject to the provisions
of the City Charter of the City of East Providence and also subject to**

the provisions of said City Charter relative to the manner and form of expenditures of money set forth in said Charter from the City Treasury.

SECTION III. All monies appropriated are to be expended by the various departments in the manner and form approved by the Director of Finance.

SECTION IV. The payment to the School Fund of the following estimated receipts, included in the appropriation of \$72,858,000 for the support of the public schools for the City of East Providence fiscal year 2013-2014, shall be increased or decreased to conform with the actual amounts received from such sources during the fiscal year 2013-2014 except the appropriation of property tax.

SECTION V. The purpose of this ordinance is to adopt the Budget for the fiscal year 2013-2014 which begins November 1, 2013 and ends October 31, 2014 as prepared and submitted by the City Manager, and to implement the recommendations as set forth in the City Manager's Budget Message by the approval of said recommendations as contained herein, or by other ordinances or resolutions of the Council of the City of East Providence; all in accordance with the provisions of said Article.

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

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

XII. NEW BUSINESS

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

1. Department Activity Report

B. Council Members

1. Police Boat (Assistant Mayor Rose)

2. Welcoming Businesses to the City (by Councilwoman Capobianco)

3. Community Event Announcements (by Councilwoman Rossi)

C. Report of School Committee Liaison

D. Introduction of Ordinances

1.ORDINANCE OF THE COUNCIL OF THE CITY OF EAST PROVIDENCE ORDERING THE ASSESSMENT AND COLLECTION OF PROPERTY TAX ON THE RATABLE REAL ESTATE, TANGIBLE PERSONAL PROPERTY, AND AN EXCISE TAX ON REGISTERED MOTER VEHICLES AND TRAILERS.

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. That the Council of the City of the City of East Providence hereby orders the assessment and collection of a tax on ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum not more than One Hundred Five Million Eight Hundred Seven Thousand Nine Hundred and Seventy One (\$105,807,971) dollars nor less than One Hundred One Million Seven Hundred Thirty Eight Thousand Four Hundred and Thirty Four (\$101,738,434) dollars. Said tax is for ordinary expenses, for the payment of interest and indebtedness, in whole or in part, of said city, and for other purposes authorized by law.

The Tax Assessor shall assess and apportion said tax on the inhabitants and ratable property of said city as of the 31st day of December, 2013 at twelve o'clock Eastern Standard Time, according to law, and shall on completion of said assessment, date and sign same and shall make out and certify to the City Treasurer of the City of East Providence, who is charged with the duties for the collection of taxes, on or before the 15th day of June, 2014 a complete list of the names of the persons taxed and of the total value of all the real estate and personal property assessed against each person, and also the amount of registered motor vehicles and trailers assessed against each person, and also the total amount assessed against each person on said real estate, personal estate and registered motor vehicles and trailers, opposite the name of the person or persons assessed. Upon receipt of the certified tax list by the City Treasurer, he shall proceed

and collect said tax on the persons and estates liable thereof; said tax shall be due and payable on and between the 1st day of June 2014 and the 1st day of July, 2014 and provided further that if said tangible personal property, motor vehicle, and real estate taxes are paid in full on or before the 1st day of July, 2014, a discount of one and a half per centum (1.5%) of the total taxes on said tangible personal property, motor vehicles, and real estate shall be granted, and all taxes remaining unpaid on the 1st day of July, 2014 shall carry until collected a penalty at the rate of twelve per centum (12%) per annum from the 1st day of June, 2014 upon said unpaid tax, however, said taxes may be paid in four installments; the first installment of twenty-five per centum (25%) on or before the 1st day of July, 2014, the second installment of twenty-five per centum (25%) on or before the 1st day of September, 2014, the third installment of twenty-five per centum (25%) on or before the 1st day of December, 2014 and the fourth installment of twenty-five per centum (25%) on or before the 1st day of March, 2015.

Each installment of taxes if paid on or before the last day of each installment period successively in order shall be free from any charge of interest.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective unpaid balance period or periods as they occur, then the whole tax or remaining unpaid balance of the taxes as the case may be shall immediately become

due and payable and carry until collected a penalty at the rate of twelve per centum, (12%) per annum.

The City Treasurer shall, by advertisement in the public newspaper having circulation in the City of East Providence, notify all persons assessed to pay their respective taxes at his office on and between the said 1st day of June, and the 1st day of July, 2014 both days inclusive; said City Treasurer setting forth the hours during which his office shall remain open to receive said taxes.

SECTION II. That any of said taxes not paid on or before the 1st day of March, 2015 shall forthwith be collected by levy upon the sale of real estate upon which it is assessed and by that or other due process of law in case of assessment upon personal property.

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

Requested By: Finance Director

Motion ___ By ___ 2nd ___

Capobianco ___ Cunha ___ Rossi ___ Rose ___ Briden ___

E.Communications

1. Fire Chief Oscar Elmasian requesting to address the Council

regarding the Annual Freaky 5K on October 20, 2013 and the road closure from Newman Avenue to Pawtucket Avenue.

XIII. ADJOURNMENT

Motion___By___2nd___

Capobianco___Cunha___Rossi___Rose___Briden___

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