

**Date Posted: February 14, 2014**

**CITY OF EAST PROVIDENCE**

**RHODE ISLAND**

**DOCKET OF REGULAR COUNCIL MEETING**

**February 18, 2014**

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

**6:45 P.M. 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) & (5)**

### **A. New Claims**

**1. Amica Mutual Ins. Co.**

**2. Richard Cabral**

**3. Eric Carrier**

**4. Cody Griffen**

**5. Del Antonio Marshall**

**6. Maryann Matlack**

**7. Faye Mendoza**

**8. Jose and Aliza Sousa**

**9. Leeza Sultan**

**10. United Services Automobile Association (Ins. Howard Rosenberg)**

## **B. Miscellaneous**

- 1. Cynthia Rogers – Request for Sewer Charge Abatement**
- 2. American Ring Company – Request for Sewer Charge Abatement**
- 3. Kathy Riker – Request for Sewer Charge Abatement**

## **C. Collective Bargaining**

- 1. Contract Negotiations**

## **D. Discussion Related to the Disposition of City Owned Property**

- 1. 260 Dover Avenue Map 408, Block 2, Parcel 2**

## **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. Letter from National Grid regarding new pole location work for Waterman Avenue.**
- 2. Resolution Exeter Town Council in support of Newport Pell Bridge Safety.**
- 3. Resolution Town of Charlestown opposing opening the Chariho Act for revision.**
- 4. Vote of the Chariho Town Council regarding referendum item: requesting the Chariho School Committee to allow a child to attend a Chariho Elementary School in a town other than their town of residence dependent upon space availability.**
- 5. Notice of New Property Number belonging to Don Monroe Jr and Megan Correia of 59 Anna Court in Seekonk MA. Location 7 Winter Harbor Avenue, Map 513, Block 34, Parcel 003.00, Zoning R4. New property address for the two single family homes are: 12 N. Shore Drive (02915) and 9 Winter Harbor Avenue (02915).**
- 6. Resolution Charlestown Town Council supporting the Repeal of Master Lever Voting (S2091).**

**B. Abatements**

<b>Year</b>	<b>Amount</b>
<b>2013</b>	<b>\$47,393.75</b>
<b>2014</b>	<b>\$54,377.56</b>
<b>Total</b>	<b>\$101,771.31</b>

**C. Abatements Tax Board of Review**

**Year    Amount**  
**2013    \$150,278.70**

**Total    \$150,278.70**

**D. Council Journals**

- 1. Regular Council Meeting January 7, 2014**
- 2. Special Meeting – Council Quorum November 8, 2013**

**Motion \_\_\_ By \_\_\_ 2nd \_\_\_**  
**Capobianco \_\_\_ Cunha \_\_\_ Rossi \_\_\_ Rose \_\_\_ Briden \_\_\_**

**V. PUBLIC COMMENT**

**VI. PROCLAMATIONS AND PRESENTATIONS**

- A. Presentation by H & R Block for Community Programs for City of East Providence (Requested By Mayor Briden)**
- B. Red Flex Corporations – Electronic Cameras for Specific Traffic Light Intersections (Requested By Assistant Mayor Rose)**
- C. Vinagre Energy - Solar Opportunities for City Buildings Presentation (Requested By Councilwoman Rossi)**

**VII. APPOINTMENTS**

**A. East Providence Public Library Trustees (by Councilwoman Capobianco)**

**Don E. Paiva, 81 Harris Street (02914)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**B. East Providence Public Library Trustees Reappointment (by Councilwoman Capobianco)**

**Pat Armstrong, 33 Berwick Place (02916)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**C. East Providence Public Library Trustees Reappointment (by Assistant Mayor Rose)**

**Paulo Silva, 150 South Rose Street (02914)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**D. East Providence Public Library Trustees Reappointment (by Mayor Briden)**

**Elizabeth Ingraham, 84 Hood Avenue (02916)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**E. Carousel Park Commission (by Councilwoman Rossi)**

**Tony Ottone, 5 Cul De Sac Way (02915)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**F. Carousel Park Commission (by Councilwoman Capobianco)**

**William Hurley, 128 Prescott Drive (02915)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**G. Carousel Park Commission Alternate (Assistant Mayor Rose)**

**Christine Foster Hollands, 429 Dover Avenue (02914)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**H. Carousel Park Commission Alternate (Councilwoman Rossi)**

**Kelly Marshall, 14 Mayflower Street (02914)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**I. Traffic Control ( Assistant Mayor Rose)**

**Jeremy Reis, 34 Miles Avenue (02914)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**J. Board of Assessment Review – Reappointment (Assistant Mayor Rose)**

**Anthony DeCastro, 54 Hilltop Road (02914)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**K. East Providence Housing Authority (by Mayor Briden)**

**Valarie Lawson, 122 Hoyt Ave (02916)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**L. East Providence Housing Authority – Resident Commissioner (by Mayor Briden)**

**Joan Shovelton, 3663 Pawtucket Avenue (02915)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **VIII. LICENSES REQUIRING PUBLIC HEARING**

### **A. Second Hand Miscellaneous**

**April J. Medeiros DBA Lots of Treasures, 111 Warren Avenue (02914),**

**April J. Medeiros, 52 Island Avenu (02916)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

### **B. Second Hand Miscellaneous**

**Stephanie Correira DBA Buttons & Bows Childrens Clothes, 2723**

**Pawtucket Avenue (02914), Stephanie Correira, 5 Cedar Avenue**

**(02915)**

**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. Holiday Sales**

**April J. Medeiros DBA Lots of Treasures, 111 Warren Avenue (02914),**

**April J. Medeiros, 52 Island Avenuw (02916)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**B. Laundry/Dry Cleaner – Transfer**

**Transfer from KARDAV, Inc to RHC Investments, LLC DBA City Bubbles, Richard Coelho, 589 Victory Highway, West Greenwich (02817)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**C.Holiday Sales**

**Advance Stores Company, Inc. DBA Advance Auto Parts #6038, 325 Taunton Avenue (02914), Carrie Horton, 24 Bicknell Avenue (02916)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**D. Holiday Sales**

**Stephanie Correira DBA Buttons & Bows Childrens Clothes, 2723 Pawtucket Avenue (02914), Stephanie Correira, 5 Cedar Avenue (02915)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**X. PUBLIC HEARING – SHOW CAUSE HEARING**

**(Council sitting as Licensing Commissioners)**

**A. DL Enterprises, Inc. DBA East Bay Tavern, 305 Lyon Avenue (02914), Denise Laidlaw.**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**XI. PUBLIC HEARING – ORDINANCES FINAL PASSAGE**

**A. An ordinance regarding the City adopting the State Building Code**

as amended.

**AN ORDINANCE IN AMENDMENT OF CHAPTER 4 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “BUILDINGS AND BUILDING REGULATIONS.”**

**SECTION I. Subsection (a) of Section 4-1 entitled “Building code adopted” of Article I entitled “In General” of Chapter 4 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Buildings and Building Regulations” is hereby amended to read as follows:**

**(a) The city hereby adopts the State Building Code, as amended, as the building code of the city.**

**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\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **XII. NEW BUSINESS**

**A. City Managers Report (by Acting City Manager, Paul Lemont)**

**1. DPW Truck Bid Award**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

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

### **1. Claims Committee Report (by Solicitor Timothy Chapman)**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

### **2. Presentation regarding City Economic Development Outreach and Business Assistance Initiatives (by Planning Director Jeanne Boyle)**

### **3. Handicap Parking Requests (by Director of Public Works Steve Coutu)**

#### **a. 24 Gurney Street**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

#### **b.171 Ivy Street**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

#### **c.60 Bart Drive**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

## **C. Council Members**

### **1. "Draft of Corporate Sponsorship Program" (by Mayor Briden)**

### **2. Discussion of proposed language relating to Charter amendment for Mayor/Council form of government. (by Mayor Briden)**

**Motion\_\_ By\_\_ 2nd\_\_**

**Capobianco\_\_ Cunha\_\_ Rossi\_\_ Rose\_\_ Briden\_\_**

**3. Local Business Fair and Spotighting Local Businesses (by Assistant Mayor Rose)**

**4. City Manager/Mayor Form of Government (by Assistant Mayor Rose)**

**5. K-Rob Foundation (by Councilwoman Capobianco)**

**6. Relay for Life (by Councilwoman Capobianco)**

**7. Crescent Park Carousel Train (by Councilwoman Rossi)**

**8. Dunkin Donuts Scholarship Fund (by Councilwoman Rossi)**

**9. Full and complete update on the Fire Station constructions (by Councilwoman Rossi)**

**10. City Manager Search (by Councilwoman Rossi)**

**D. Report of School Committee Liaison**

**E. Introduction to Ordinances**

**1. An ordinance regarding an amendment to taxation to adhere to state law.**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 16 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED "TAXATION"**

**SECTION I. Subsection (d) of Section 16-16 entitled "Authority of city assessor" of Article II entitled "Property Exemption for Veterans and Persons 65 Years of Age and Older" of Chapter 16 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as**

amended, entitled "Taxation" is amended to read as follows:

(d) A transfer by the property owner of the real property into a living trust wherein the property owner is the settlor and trustee of such trust shall not result in the loss of the exemptions provided in this article so long as all other requirements are proven in accordance with sections 16-17 through 16-19. The following transfer by the property owner of real property shall not affect the exemption of those individuals if:

(1) The owner transfers an ownership interest in the property while retaining a life estate in the property; or

(2) The owner transfers an ownership interest while leasing the property back but only where the lessee was the owner of the property prior to the transfer to the lessor; or

(3) The owner transfers the property to a revocable or irrevocable living trust, if and so long as the otherwise eligible individual resides in such property and the otherwise eligible individual or the trustee is legally obligated to pay property tax on such property by contract, by agreement, by the terms of the trust instrument, or otherwise by law.

The provisions of this section shall be applicable to any such transfer, regardless of when the transfer is made.

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

Requested by: Tax Assessor

Motion \_\_\_ By \_\_\_ 2nd \_\_\_

Capobianco \_\_\_ Cunha \_\_\_ Rossi \_\_\_ Rose \_\_\_ Briden \_\_\_

**2. An ordinance regarding no parking on South Broadway (west side) from a point 265 feet south of Seth Street southerly for a distance of 70 feet**

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS 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:**

**South Broadway (west side) from a point 265 feet south of Seth Street southerly for a distance of 70 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\_\_\_**

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**3. An ordinance increasing the salary of members of the City Council.**

**AN ORDINANCE INCREASING THE ANNUAL SALARY OF THE CITY**

**COUNCIL PURSUANT TO SECTION 2-3 OF ARTICLE II OF THE CITY CHARTER**

**SECTION I.** The annual salary of each City Council member shall be increased to \$6,000.00. The annual salary of the Mayor shall be increased to \$7,000.00.

**SECTION II.** This ordinance shall take effect on the inauguration of the next elected City Council and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

**Requested by: Assistant Mayor Rose**

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

**Capobianco\_\_\_Cunha\_\_\_Rossi\_\_\_Rose\_\_\_Briden\_\_\_**

**F. Communications**

**1. Norma L. Brown-Annis, 153 Hoppin Avenue, requesting to address the Council regarding, City car taxes and the status of abandoned properties in Riverside.**

**2. Phillip Tirrell, 168 Becker Avenue (02915) requesting to address the Council regarding an exemption for tangible taxes for all businesses in East Providence.**

**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.**