

CITY COUNCIL

CITY COUNCIL CHAMBERS, CITY HALL

137 ROOSEVELT AVENUE, PAWTUCKET, RI

WEDNESDAY, MARCH 21, 2012

7:00 PM

PRE-COUNCIL AGENDA

5:50 PM – CITY PROPERTY COMMITTEE

6:00 PM – PUBLIC WORKS/CEMETERY COMMITTEE

The two Committees will also meet in a Joint Session.

6:30 PM – PRE-COUNCIL – Fairlawn Cardinals Football Team

6:40 PM – PRE-COUNCIL – Appointment Board of Appeals – R. Thomas Magill

6:40 PM – PRE-COUNCIL – Appointment Purchasing Board – Pablo J. Rodriguez-Masjoan

6:45 PM – PUBLIC INPUT PERIOD

6:45 PM – BOARD OF LICENSE COMMISSIONERS

7:00 PM – CITY COUNCIL

DOCKET

CONVENED _____ PM

Previous Minutes 03/07/2012

1. *CONSENT AGENDA *Denotes all items on Consent Agenda

2. *CORRESPONDENCE

A. Communication from Rhode Island Department of Transportation to the Pawtucket City Council (Pawtucket Bridge #550 Updates for March 4-10 and 11-17, 2012)

B. Communication from Joanna L'Heureux, Finance Director, to the Honorable Members of the Pawtucket City Council. (Statement of Estimated, Realized, and Unrealized Revenues, for the fiscal period July 1, 2011 through February 29, 2012) Copy on file in the City Clerk's Office

C. Communication from Richard J. Goldstein, MMC, City Clerk, to the Honorable Members of the Pawtucket City Council. (PUC's Order regarding the hydrant charge)

D. Communication from Bethany L. Moura, Senator, District 19, to the Pawtucket City Council. (Requesting support for 2012-S 2371 and

2012-H 7746 regarding Foreclosure Deeds)

E. Communication from Donna L. Giordano, MMC, Westerly Town Clerk, to RI City and Town Clerks. (Resolution in opposition of 2012-H 7250 that mandates expired teacher contracts must continue)

F. Communication from Louise R. Phaneuf, Burrillville Town Clerk, to RI City and Town Clerks. (Resolution in support of 2012-H 7561 Regarding the Use of PO Boxes for Voter Registration)

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G. Communication from Cheryl A. Fernstrom, CMC, Jamestown Town Clerk, to RI City and Town Clerks. (Resolution in support of Legislative Initiative to Amend RIGL §17-11-1 “An act Relating to Elections – Voting Districts and Officials)

H. Communication from MaryEllen Murano, Executive Assistant, South Kingstown School Department, to RI City and Town Clerks. (Resolution in Support of 2012-S 2158, H7272 & H7863 regarding Layoff Notification Date for Teacher Tenure)

I. Communication from Charles Abdelahad to Mayor Donald R. Grebien. (Resignation from the Purchasing Board)

J. Communication from Jeannine S. Bourski, Deputy Finance Director, to Mayor Donald R. Grebien. (Uniform Overtime FY12)

K. Communication from His Honor Donald R. Grebien, to the Honorable Members of the Pawtucket City Council. (Appointment of Antonio J. Pires as Director of Administration in a permanent capacity)

L. Communication from Peter W. Osborn, Division Administrator, RI Division of the US Department of Transportation, Federal Highway Administration, to Richard J. Goldstein, MMC, City Clerk. (Response - Pawtucket Bridge #550 Structure)

M. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Councilor Mark Wildenhain. (Response – Contract Negotiations)

N. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Council President David P. Moran. (Agreement with the Pawtucket Armory Arts Center, LLC for use of space on September 8-9, 2012 for the “Arts Market Place: Pawtucket Arts and Crafts Show) TO BE REFERRED TO THE CITY PROPERTY COMMITTEE.

O. Communication from Michael P. Davolio, AICP, Director, Planning & Redevelopment, to the Honorable Members of the Pawtucket City Council. (Request for Comprehensive Plan Amendment – Proposed Growth Center) TO BE REFERRED TO THE ORDINANCE COMMITTEE.

P. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Council President David P. Moran. (Ordinance for Permitting of Alteration or Removal of Historic Cemeteries)

Q. An Ordinance in Amendment of Chapter 162 of the Code of Ordinances of the City of Pawtucket, 1996, entitled “Cemeteries” TO BE REFERRED TO THE PUBLIC WORKS/CEMETERY COMMITTEE.

R. Communication from Braver, PC, to the Honorable Members of the Pawtucket City Council. (Audit Management Letter for the Fiscal Year ended June 30, 2011) TO BE REFERRED TO THE FINANCE COMMITTEE.

S. Communication from Joanna L’Heureux, Finance Director, to the Pawtucket City Council. (Cemetery Perpetual Care Fund)

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T. An Ordinance in Amendment of Chapter 2971 of the Ordinances of the City of Pawtucket Regarding the Use of Fund Money For Deficit Reduction in Fiscal Year 2011 TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.

U. Communication from Maria Xiarhos, Personnel Assistant, to the Honorable Members of the Pawtucket City Council. (Pay Plan Ordinance Amendment– NCIC Validation Clerk – Full Time to Part Time)

V. An Ordinance in Amendment of Chapter 2976 of the Ordinances of the City of Pawtucket Establishing a Pay Plan for the City of Pawtucket for Local 1012. (NCIC Validation Clerk) TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.

3. Petition for Auto Repair Shop and Second Hand Shop Licenses (Class A & B – Selling Used Automobiles & Parts) by 435 West Avenue, LLC d/b/a Oxford Motorcar Sales, 435 West Avenue, Tax Assessor's Plat 56, lot 701, to keep a shop for the purpose of repairing automobiles and purchasing and selling second hand articles, specifically: used automobiles and parts, LIC#7909 #7910

which was advertised for a hearing at this time, is taken up:

STIPULATION PER ZONING BOARD 10/31/2011

- 1. No more than ten (10) vehicles shall be parked outside.**
- 2. Hours of operation shall be limited to Monday through Saturday 8:00 am to 6:00 pm. No Sundays.**
- 3. The landscape buffer shall be approved by the Planning Department.**

4. Petition of Pawtucket Red Sox Baseball Club, Inc., for license to conduct Athletic Games (games or exhibitions of Baseball) in McCoy Stadium, Columbus Avenue, on the following Sundays: April 22, May 13, 27, June 10, 24, July 8, 15, 29, August 5, 19, September 2, 9, 16, 23, 2012, LIC# 7809, which was advertised for a hearing at this time, is taken up:

5. Communication from His Honor Mayor Donald R. Grebien, to the Honorable Members of the Pawtucket City Council submitting the following appointment as a member of the Board of Appeals for confirmation.

BOARD OF APPEALS

R. Thomas Magill, 39 Ruth Street, Pawtucket, RI 02861. Term expires the first Tuesday in January 2017.

ROLL CALL FOR CONFIRMATION

AYES_____ NOES_____

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6. Communication from His Honor Mayor Donald R. Grebien, to the Honorable Members of the Pawtucket City Council submitting the following appointment as a member of the Purchasing Board for confirmation.

PURCHASING BOARD

Pablo J. Rodriguez-Masjoan, 559 Newport Avenue, Pawtucket, RI.

Term expires the first Monday in January 2014.

(To fill the unexpired term of Charles Abdelahad)

ROLL CALL FOR CONFIRMATION

AYES_____ NOES_____

7. Communication from Joseph A. Franco, Walnut Hill Cemetery, to the Honorable Members of the Pawtucket City Council, regarding the maintenance and restoration of the cemetery.

ROLL CALL AYES_____ NOES_____

8. RESOLUTION CONGRATULATING THE FAIRLAWN CARDINALS 9TH GRADE FOOTBALL TEAM FOR WINNING THE AMERICAN YOUTH FOOTBALL 9TH GRADE STATE CHAMPIONSHIP.

ROLL CALL AYES_____ NOES_____

9. RESOLUTION OPPOSING ANY AND ALL LEGISLATION TO EXPAND THE USE OF BINDING ARBITRATION CURRENTLY BEING CONSIDERED FOR TEACHER AND/OR MUNICIPAL CONTRACTS.

ROLL CALL AYES_____ NOES_____

10. Communication from James R. Hoyt, Jr., CEO, Boys and Girls Club of Pawtucket, to the Honorable John J. Barry, III, requesting a resolution in support of an amendment to the Boys and Girls Club's Charter.

11. THE FINANCE COMMITTEE SUBMITS THE FOLLOWING RESOLUTION:

RESOLUTION IN SUPPORT OF LEGISLATION AMENDING THE BOYS AND GIRLS CLUB CHARTER TO ELIMINATE THE CAP ON HOLDING PROPERTY AND TO INCREASE THEIR PROPERTY TAX EXEMPTION TO MAXIMUM \$25 MILLION.

ROLL CALL AYES_____ NOES_____

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12. THE FOLLOWING RESOLUTION, WHICH WAS REFERRED TO THE FINANCE COMMITTEE ON MARCH 7, 2012, IS TAKEN UP:

RESOLUTION AUTHORIZING THE CITY'S FINANCE DIRECTOR TO CONTRIBUTE THE ACTUARY'S RECOMMENDED CONTRIBUTION OF \$11,391,000 INTO THE POLICE AND FIREFIGHTERS PENSION FUND IN FISCAL YEAR 2013.

ROLL CALL AYES_____ NOES_____

13. THE PUBLIC WORKS/CEMETERY COMMITTEE AND CITY PROPERTY COMMITTEE SUBMITS THE FOLLOWING RESOLUTION:

RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP OF CERTAIN PIPES AND MANHOLE COVERS TO THE NARRAGANSETT BAY COMMISSION.

ROLL CALL AYES_____ NOES_____

14. AN ORDINANCE IN AMENDMENT OF CHAPTER 363 OF THE CODE OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED "TAXATION" (Waiver of Tax Interest for Motor Vehicle and Tangible Taxes) SUBSTITUTE A

FOR SECOND PASSAGE

ROLL CALL AYES_____ NOES_____

15. *PETITIONS FOR LICENSES:

ENTERTAINMENT –

Petition of MVP Sports Pub and Restaurant LTD, 233 Newport Avenue, for license to have an acoustic band on Saturdays, March 24, 31, 2012 from 8:00 p.m. until 12:00 a.m., LIC#7950

Petition of Pawtucket Red Sox Baseball Club, Inc. to conduct Fireworks Display Illumination Shows in McCoy Stadium, on May 27, July 2, 3, & 7, and September 2, 2012, LIC#7810

KENNEL Renewal –

**Ocean Dog Club LLC., d/b/a Ocean Dog Club, 245 Esten Ave.
LIC#5487**

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HOLIDAY New -

**M & R Convenience Inc., d/b/a M & R Convenience, 191 Pawtucket
Ave. LIC#7931**

HOLIDAY Renewal –

**Amponsah, Isaac & Ama d/b/a Ama's Variety & Mini Mart, 957 Main
St. LIC#3247**

Apex At Home, LLC., d/b/a Apex, 100 Main St. LIC#3190

Cottage Street Donuts Inc., d/b/a Dunkin Donuts, 372 Cottage St.

LIC#7712

Da Cruz, Rui Manuel d/b/a Cabo Verde Fish Market, 268 West Ave.

LIC#5775

Dots, LLC, d/b/a Dots, 693 Beverage Hill Ave. LIC#3196

Eid, Ghasan M. d/b/a Town Food Mart, 885 Newport Ave. LIC#6798

Fairlawn Oil Service, Inc., d/b/a Woodlawn Mobil, 168 Lonsdale Ave.

LIC#3283

L J C Sales, Inc., d/b/a A Little Bit of Everything, 340 Cottage St.

LIC#4998

Ocean State Job Lot of Pawtucket, Inc., d/b/a Ocean State Job Lot #107, 470 Pawtucket Ave. LIC#3237

PRRC, Inc., d/b/a Price Rite, 465 Lonsdale Ave. LIC#3282

Qamar, Aqsa d/b/a Best Way Food Store, 823 Newport Ave. LIC#5979

R.J.W. Enterprises Inc., d/b/a Dunkin Donuts, 337 Armistice Blvd.

LIC#4816

PEDDLER LICENSE – Renewal

Palagi's 2000, Inc. d/b/a Palagi's Ice Cream, 55 Bacon St., LIC#4918

DRIVER: Castrillon, Alberto, 19 Burke Street, Pawtucket, RI

DRIVER: Olarte, Gustavo, 11 Nora Way, South Attleboro, MA

DRIVER: Ruiz, Luis E, 5 Summer Street, Central Falls, RI

PEDDLE: Ice Cream

LOCATION: All of Pawtucket

VICTUALLING HOUSE First Class – Transfer

M & R Convenience Inc., d/b/a M & R Convenience, (transfer from Iqbal, Azhar d/b/a A & I Convenience Store) 191 Pawtucket Avenue, RI #7930

16. *THE FOLLOWING BOND TO BE APPROVED, SURETY NAMED TO BE ACCEPTED:

PRIVATE DETECTIVE –

Thomas J. Anter, Surety – Western Surety Company

17. *THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY TO BE REFERRED TO THE COMMITTEE ON CLAIMS AND PENDING SUITS:

Francisco Avelar - \$218.77

Judith Depointe – No Amount Specified

Margo Geoffroy - \$235.84

Christopher O’Neill - \$330.99

Diana Ramos - \$280.28

Rui Tavares - \$710.70-\$755.21

ADJOURNED _____ P.M.