

**CITY COUNCIL**

**CITY COUNCIL CHAMBERS, CITY HALL**

**137 ROOSEVELT AVENUE, PAWTUCKET, RI**

**WEDNESDAY, MAY 9, 2012**

**7:00 PM**

**PRE-COUNCIL AGENDA**

**5:00 PM – CLAIMS COMMITTEE - A PORTION OF THE MEETING MAY  
BE HELD IN**

**EXECUTIVE SESSION Pursuant to Section 42-46-4 & Section 42-46-5  
(A)(2) of**

**the General Laws of Rhode Island regarding pending litigation.**

**5:50 PM – FINANCE COMMITTEE**

**6:30 PM – PRE-COUNCIL–MAYOR DONALD R. GREBIEN - BUDGET  
PRESENTATION**

**6:45 PM – PUBLIC INPUT PERIOD**

**6:45 PM – BOARD OF LICENSE COMMISSIONERS**

**7:00 PM – CITY COUNCIL**

**DOCKET**

**CONVENED \_\_\_\_\_ PM**

**Previous Minutes 04/19/2012 & 04/25/2012**

**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 April 22-28, 2012 and April 29 – May 5, 2012)**

**B. Communication from RI Clean Water Finance Agency (Various forms and Statements)**

**C. 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 March 31, 2012)**

**D. Communication from Mary L. LeBlanc, CMC, Westerly Deputy Town Clerk, to RI City & Town Clerks. (Resolution in Support of House Bill H-7272 Amending the Mandatory March 1st Deadline for**

**Teacher Layoffs to June 1st)**

**E. Communication from Patricia A. Roosa, Executive Assistant, Office of the Narragansett Town Manager, to RI City & Town Clerks. (Resolution in Support of House Bill H-7272 Amending the Mandatory March 1st Deadline for Teacher Layoffs to June 1st)**

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

**G. Communication from Jeannine S. Bourski, Deputy Finance Director, to Mayor Donald R. Grebien. (Medical Fund Report)**

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**H. Communication from Mayor Donald R. Grebien, to Rosemary Booth-Gallogly, Director, RI Department of Revenue. (“Critical Status” Notice of Pawtucket Police and Firefighters Pension Plan)**

**I. Communication from Antonio J. Pires, Director of Administration,**

**to Councilman Larry Tetreault. (Response - Housing Authority Appointments)**

**J. Communication from Antonio J. Pires, Director of Administration, to Richard J. Goldstein, MMC, City Clerk. (Response – Fire Engine 4)**

**K. Communication from Michael E. Burns, Traffic Engineering Supervisor, to the Pawtucket City Council. (Response - Crosswalk Pavement Markings in Vicinity of 327 Barton Street – International Club & Billar)**

**L. Communication from Deborah Cylke, Superintendent, Pawtucket School Department, to Richard J. Goldstein, City Clerk. (Response – Attendance of School Personnel and School Committee at National School Board Association Annual Conference in Boston)**

**M. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Gerard E. O'Neill, Esq., Business Agent, AFSCME RI Council 94. (Contract Negotiations between Local 1352 and the Pawtucket School Department)**

**N. Communication from Maia Thurlow Small, Interim Chair, Pawtucket Riverfront Commission, to Carl Freedman, Chair, Pawtucket City Planning Commission. (Riverfront Commission's objection to the Petition of Apex Development Company LLC to change from a RD-3 to a Commercial Mixed Use Overlay District) TO**

**BE REFERRED TO THE ORDINANCE COMMITTEE.**

**O. Communication from Barney S. Heath, Assistant Director, Planning and Redevelopment, to the Honorable City Council. (Proposed Zoning Map Amendment – Mill Building Reuse District (MBRD) 413 Central Avenue) TO BE REFERRED TO THE ORDINANCE COMMITTEE.**

**P. Communication from Barney S. Heath, Assistant Director, Planning and Redevelopment, to Council President David P. Moran. (Draft Memorandum of Understanding with RIDEM for improvements to the State Pier) TO BE REFERRED TO THE CITY PROPERTY COMMITTEE.**

**Q. ANNUAL OPERATING BUDGET ORDINANCE FY 2012-2013 - TO BE INTRODUCED, LAID ON THE TABLE, AND REFERRED TO THE FINANCE COMMITTEE.**

**R. CAPITAL BUDGET ORDINANCE FY 2012-2013 - TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.**

**S. CAPITAL IMPROVEMENT PROGRAM FY 2013-2017 - TO BE LAID ON THE TABLE AND REFERRED TO THE FINANCE COMMITTEE.**

**T. Communication from Michael P. Davolio, AICP, Director, Planning & Redevelopment, to Richard J. Goldstein, City Clerk. (2013-2017**

**Capital Improvement Program)**

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**3. Petition of Patriots Events, LLC, for a license to conduct Navigant Credit Union Cherry Tree Carnival in the Municipal Parking Lot across from City Hall on Thursday May 17, 2012 from 5:00 p.m. to 9:00 p.m.; Friday, May 18, 2012, from 5:00 p.m. to 10:00 p.m.; Saturday, May 19, 2012, from 12:00 p.m. to 10:00 p.m.; and Sunday, May 20, 2012, from 1:00 p.m. to 8:00 p.m., LIC#8110, which abutters have been notified for a hearing at this time, is taken up:**

**4. Petition of Rockwell Amusements, for a license to conduct Carnival at Agnes E. Little Elementary School, 60 South Bend Street, in the back city owned parking lot on Ashton Street and part of lot on Joseph Jenks Junior High school, on Thursday May 24, 2012 from**

**5:00 p.m. to 10:00 p.m.; Friday May 25, 2012 from 5:00 p.m. to 10:00 p.m.; Saturday May 26, 2012 from 12 Noon to 10:00 p.m.; Sunday May 27, 2012 from Noon to 10:00 p.m.; Monday May 28, 2012 from 12 Noon to 10:00 p.m. LIC#8165 which abutters have been notified for a hearing at this time, is taken up:**

**5. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to Council President David P. Moran. (FY2010 School Department Deficit Reduction Plan)**

**6. THE FINANCE COMMITTEE SUBMITS THE FOLLOWING:**

**FY2010 School Department Deficit Reduction Plan.**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**7. Communication from Frank J. Milos, Jr., Esq., City Solicitor, to**

**Council President David P. Moran. (Retirement Window Agreement – Fraternal Order of Police Pawtucket Lodge No. 4)**

**8. THE FINANCE COMMITTEE SUBMITS THE FOLLOWING:**

**Retirement Window Agreement – Fraternal Order of Police Pawtucket Lodge No. 4**

**ROLL CALL FOR RATIFICATION**

**AYES\_\_\_\_\_ NOES\_\_\_\_\_**

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**9. THE FINANCE COMMITTEE SUBMITS THE FOLLOWING RESOLUTION:**

**RESOLUTION IN SUPPORT OF BONDING LEGISLATION FOR FIVE MILLION DOLLARS (\$5,000,000) TO ADDRESS IMMEDIATE HEALTH AND SAFETY ISSUES OF THE PAWTUCKET SCHOOL BUILDINGS FOR FISCAL YEARS 2013 AND 2014.**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**10. THE FOLLOWING RESOLUTION WAS LAID ON THE TABLE AT THE MEETING HELD APRIL 11, 2012, AND IS AGAIN TAKEN UP WITH THE FOLLOWING AMENDMENT:**

**RESOLUTION URGING CITY FINANCE OFFICIALS TO WAIVE UP TO \$500 IN INTEREST AND PENALTIES FOR BUSINESSES AFFECTED BY THE DETOURING OF TRAFFIC AND CLOSING OF ROADS DURING THE PAWTUCKET RIVER BRIDGE #550 PROJECT.**

**Add the following:**

**BE IT FURTHER RESOLVED THAT TO BE ELIGIBLE FOR THE WAIVER OF INTEREST AND PENALTIES, A BUSINESS MUST BE LOCATED ON OR WITHIN TWO HUNDRED (200) FEET OF A ROAD, BRIDGE OR OFF-RAMP THAT WAS FULLY OR PARTIALLY CLOSED**

**OR OTHERWISE HAD TRAFFIC ON IT DIVERTED IN SUCH A WAY AS TO MAKE IT DIFFICULT FOR PATRONS TO ACCESS THE AFFECTED BUSINESS DURING THE CONSTRUCTION OF THE PAWTUCKET BRIDGE 550.**

**BE IT FURTHER RESOLVED THAT IT IS THE RESPONSIBILITY OF A BUSINESS TO PROVE THAT IT IS LOCATED IN AN AREA THAT IS ELIGIBLE FOR SAID WAIVER OF INTEREST AND PENALTIES AND THAT THE BUSINESS LOST REVENUES DUE TO THE CONSTRUCTION OF THE PAWTUCKET BRIDGE 550.**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**11. RESOLUTION URGING CITY FINANCE OFFICIALS TO WAIVE UP TO \$500 IN INTEREST AND PENALTIES FOR BUSINESSES AFFECTED BY THE DETOURING OF TRAFFIC AND CLOSING OF ROADS DURING THE PAWTUCKET RIVER BRIDGE #550 PROJECT, AS AMENDED.**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

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**12. Communication from Michael P. Davolio, AICP, Director, Barney S. Heath, Assistant Director, and Edward Soares, CDBG Program Manager, Planning & Redevelopment, to the Honorable Members of the Pawtucket City Council. (Supporting Materials for 2012-13 Consolidated Plan for the Use of Funding from the CDBG, HOME, and ESG Programs/Resolution Authorizing the Filing of the 2012-13 CDBG Application)**

**13. RESOLUTION AUTHORIZING THE FILING OF THE APPLICATION WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR 2012-2013 CDBG PROGRAM YEAR (July 1, 2012 – June 30, 2013)**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**14. THE FINANCE COMMITTEE RETURNS THE FOLLOWING RESOLUTION WITH THE RECOMMENDATION FOR APPROVAL:**

**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\_\_\_\_\_**

**15. THE FOLLOWING ORDINANCE WAS LAID ON THE TABLE AT THE MEETING HELD ON APRIL 25, 2012, AND IS AGAIN TAKEN UP:**

**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 (Cemetery Fund)**

**FOR SECOND PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**16. Communication from Kenneth R. McGill, Registrar, Board of Canvassers, to the Honorable Members of the Pawtucket City Council. (Redistricting Ordinance)**

**17. AN ORDINANCE REDISTRICTING THE COUNCILMANIC DISTRICTS IN THE CITY OF PAWTUCKET, AS AMENDED.**

**FOR SECOND PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

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**18. THE PUBLIC WORKS/CEMETERY COMMITTEE RETURNS THE FOLLOWING ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 162 OF THE CODE**

**OF ORDINANCES OF THE CITY OF PAWTUCKET, 1996, ENTITLED  
“CEMETERIES”**

**FOR FIRST PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**19. THE FINANCE COMMITTEE RETURNS THE FOLLOWING  
ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

**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)**

**FOR FIRST PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**20. THE FINANCE COMMITTEE RETURNS THE FOLLOWING**

**ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

**AN ORDINANCE ESTABLISHING A PAY PLAN FOR THE CITY OF PAWTUCKET FOR LOCAL 251 (TEAMSTERS UNION) AND REPEALING CHAPTER 2975 IN ITS ENTIRETY. (EFFECTIVE JUNE 30, 2012)**

**FOR FIRST PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**21. THE FINANCE COMMITTEE RETURNS THE FOLLOWING ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

**AN ORDINANCE ESTABLISHING A PAY PLAN FOR THE CITY OF PAWTUCKET FOR LOCAL 1012 AND REPEALING CHAPTER 2976 IN ITS ENTIRETY. (EFFECTIVE JUNE 30, 2012)**

**FOR FIRST PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

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**22. THE FINANCE COMMITTEE RETURNS THE FOLLOWING ORDINANCE WITH THE RECOMMENDATION FOR APPROVAL:**

**AN ORDINANCE ESTABLISHING A PAY PLAN FOR THE CITY OF PAWTUCKET FOR LOCAL 3960 (PROFESSIONAL/TECHNICAL UNION) AND REPEALING CHAPTER 2974 IN ITS ENTIRETY. (EFFECTIVE JUNE 30, 2012)**

**FOR FIRST PASSAGE**

**ROLL CALL AYES\_\_\_\_\_ NOES\_\_\_\_\_**

**23. THE FOLLOWING LICENSES WERE LAID ON THE TABLE AT THE MEETING HELD APRIL 11 & 25, 2012 AND ARE AGAIN TAKEN UP:**

**AUTOMOBILE REPAIR SHOP AND SECOND HAND SHOP LICENSES (CLASS A & B) (Selling used automobiles and parts) (Renewals)**

**RZG Inc., d/b/a Tiki's Auto Sales, 66 Hilton St. LIC#4887 #4891**

**RZG Inc., d/b/a Tiki's Auto Sales Annex, 772 Main St. LIC#5071 #5091**

**24. PETITION FOR LICENSE:**

**VICTUALLING HOUSE First Class**

**Adelina Production Inc., d/b/a Nova Churrasqueira Restaurant  
(transfer from Nova Churrasqueira Restaurant J&M LTD, d/b/a Nova  
Churrasqueira Restaurant), 434 Broadway, LIC#8011**

**25. \*PETITIONS FOR LICENSES:**

**ENTERTAINMENT –**

**Petition of Key Lime Gallery, for license to conduct an Art Show at  
560 Mineral Spring Avenue, on June 2, 2012, from 7:00 pm to 12:00  
am LIC#8107**

**Petition of MVP Sports Pub and Restaurant LTD, 233 Newport  
Avenue, for license to have a live band on Friday, May 18, 2012,  
Saturdays, June 9 and 30, 2012 from 9:00 p.m. until 12:00 a.m.  
LIC#81613**

**Petition of Pawtucket Red Sox Baseball Club, Inc., for license to conduct a Country and Blues Red Hot Chili fest at McCoy Stadium, Columbus Avenue, on Sunday, October 7, 2012, from 11:00 am to 10:00 pm LIC#8162**

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**INTELLIGENCE OFFICE Renewals -**

**Additional Personnel Inc., d/b/a Add Temps, 17 Dexter St. LIC#3296**

**American Partners Inc., d/b/a American Partners, 1005 Main St.**

**LIC#4876**

**POOL TABLE New –**

**International Club & Billar, Inc., d/b/a International Club & Billar, (1)**

**327 Barton St. LIC#7798**

**PAWTUCKET PAWN SHOP Renewals –**

**Carbone, Robert M., d/b/a Pawtucket Pawn Brokers, 261 Main St.  
LIC#2003**

**Fastcash Pawn & Checkcashers Incorporated, 846 Newport Ave.  
LIC#5906**

**TAVERN New –**

**International Education Partners, LLC d/b/a Roosevelt International  
Academy, 11 Walnut St. LIC#8044**

**VICTUALLING HOUSE 1ST Class New –**

**Bayal Restaurant Inc., d/b/a Bayal Buffet, 50 Ann Mary Street,  
LIC#8161**

**Li, Ze Xin d/b/a China Garden, 701 Main Street, LIC#8167**

**AUTOMOBILE REPAIR SHOP AND SECOND HAND SHOP LICENSES  
(CLASS A & B) (Selling used automobiles and parts) Renewals -**

**\*ACP Auto Sales Inc., d/b/a Consumers Auto Sales, 610 Weeden St.  
LIC#7687 #7688**

**1. No subleasing of property.**

**\*D & D Tire Service Inc., d/b/a Carlos' Auto Sales and Service, 1117  
Central Ave. LIC#2428 #2429**

**1. No cars parked on street for sale or repair.**

**\*Martins, John d/b/a Courtesy Collision Center, 262 Broadway,  
LIC#5127 & #5234**

**1. No vehicles on the street overnight**

**2. No test driving on the side streets.**

**3. Lighting must be focused on your property without disturbing the neighbors.**

**AUTO REPAIR SHOP & SECOND HAND SHOP CLASS B (Parts Only)**

**Renewals -**

**ACE Armature Co, Inc., d/b/a ACE Armature, 683 Mineral Spring Ave.  
LIC#2006 #2007**

**\* Lopes, Pedro C d/b/a Pedro's Auto Repair, 145 Benefit St. LIC#2449  
#2450**

**1. No painting allowed.**

**2. No body work allowed.**

**3. Dumpster to be enclosed.**

**\*Sterry Street Auto Sales Inc., d/b/a Sterry Street Auto Repair, 77  
Sterry St. LIC#2451 #2452**

**1. Hours of operation shall be Monday thru Friday 8 a.m. to 8 p.m.,  
Saturday 8 a.m. to 6:00 p.m.**

**2. No vehicles shall be parked on the street.**

**3. Building is to be painted and repaired in a reasonable time.**

**4. The only sign is to be painted on the building.**

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**SECOND HAND SHOP ONLY (Class B – Used Parts) Renewal -**

**Scarborough Faire Inc., d/b/a Scarborough Faire, 587 Pawtucket Ave.  
LIC#2537**

**AUTO REPAIR SHOP ONLY Renewals -**

**\* Jeha, John d/b/a Jeha's Citgo, 76 Newport Ave. LIC#2092**

**1. Maintain 6 ft. stockade fence.**

**2. Inform City Council prior to doing any towing.**

**\*Mc LLC d/b/a Jiffy Lube #824, 121 Newport Ave. LIC#2251**

**3. 1. The north side of the building must be kept clean at all times.**

**4. 2. All radios should be turned off while cars are waiting to be serviced.**

**5. 3. Workers shall take their lunch breaks on the south side of the building, so not to disturb neighbors.**

**6. 4. All the above directives will be posted for employees and**

**customers in prominently displayed areas.**

**7. 5. All work will be done inside facility and only during the hours of operation.**

**8. 6. The dumpsters will be covered and locked at the end of each day.**

**Verduchi, Gary J d/b/a Woodlawn Sunoco, 75 Mineral Spring Ave.  
LIC#2349**

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

**Nicolas D'Amico, Jr. - \$625.00**

**27. THE COMMITTEE ON CLAIMS AND PENDING SUITS RETURNS THE FOLLOWING CLAIMS FOR DAMAGES AGAINST THE CITY:**

**Joao Carvalho by Rappoport, DeGiovanni & Caslowitz - \$685.00**

**Anthony Fay by Charles Vucci, Esq. – \$100,000.00**

**Margaret Grant by William Holt, Esq. - \$100,000.00**

**Sandra Harrop - \$6375.00**

**David Tomlinson - \$249.99**

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**Alison MacLeod - \$183.20**

**Lee Quinlan - \$715.21**

**Corey Blyther, Jr. by David Baguss, Esq. – No Amount Specified**

**Theresa Marinelli by Rob Levine & Associates – No Amount Specified**

**Laura Silva by Thomas Badway, Esq. – No Amount Specified**

**Samantha Conroy – Safety Insurance by O’Keefe & Gale Law Offices -  
\$1,540.75**

**Margaret Sheehy by Massachusetts Homeland Insurance Co -  
\$1,950.08 Revised Claim**

ADJOURNED \_\_\_\_\_ P.M.