

CITY OF EAST PROVIDENCE
DOCKET-REGULAR COUNCIL MEETING
TUESDAY, JANUARY 19, 2021
CALL TO ORDER: 6:30 P.M.
145 TAUNTON AVENUE-CITY COUNCIL CHAMBERS
EAST PROVIDENCE, RHODE ISLAND
EXECUTIVE SESSION: CONFERENCE ROOM A

RE-OPEN SESSION TO BE IMMEDIATELY FOLLOWED AFTER EXECUTIVE SESSION AT APPROXIMATELY 6:45 P.M.

City Council:

Council President, Robert Britto - Ward 1
Council Vice-President: Bob Rodericks - At Large
Councilwoman Anna Sousa - Ward 2
Councilman Nate Cahoon - Ward 3
Councilman Ricardo Mourato - Ward 4

City Solicitor, Michael J. Marcello
City Clerk, Samantha N. Burnett

As a result of the COVID-19 pandemic, this meeting will be both in person and virtually,
through an application called, "Zoom".

IN ORDER TO PARTICIPATE VIRTUALLY, USE THE FOLLOWING OPTIONS:

By phone:

Call the toll free number: 1-877-853-5247 (audio only) and enter the following information:
MEETING ID: 993-0796-0324
You do not need a meeting passcode.

By computer or smartphone (this is the audio and video option):

To participate visually (with audio) you will need to log into the following from your computer or smart phone, go to: www.zoom.us

Enter the following information when prompted

MEETING ID: 993-0796-0324

Once entered, you will be able to join the meeting. At the appropriate time for public comment the moderator will allow you to provide comment at the meeting.

The meeting will also be available live on our city website, located at:

http://www.clerkbase.com/RI_EastProvidence_Live_CityCouncil.html

In addition, written public comment on any agenda item can be submitted by 4:00 p.m. on Tuesday, January 19, 2020 in the following delivery methods:

Email the City Clerk: sburnett@eastprovidenceri.gov

Mailed/dropped off at: City Hall, Attention: City Clerk, 145 Taunton Avenue - East Providence, Rhode Island 02914

I. CALL TO ORDER

II. VOTE TO GO INTO EXECUTIVE SESSION PURSUANT TO R.I.G.L. 42-46-5(a)(1), (a)(2) and(a)(5) as noted below.

Member	Aye	Nay
Cahoon		
Mourato		
Rodericks		
Sousa		
Britto		

A) Litigation

Litigation strategy/update and acquisition of private property by Eminent Domain

The City Council may go into executive session pursuant to R.I.G.L. 42-46-5(a)(1) and (5) related to an update from special counsel related to litigation status and update on potential eminent domain proceedings related to former Metacomet Golf Club and Facility located at 500 Veterans Memorial Parkway, East Providence, 02914.


The City Council may go into executive session pursuant to R.I.G.L. 42-46-5(a)(2) litigation and potential litigation to discuss the following items:

New Claims

1. Patti Moniz

B) Sewer Abatements


1. Suzanne Grossman
2. Umah Camara
3. Judith Wesley

III. OPEN SESSION  - CALL TO ORDER - Council President Britto called the meeting to order. Roll call vote was requested by Council President. City Clerk, Samantha Burnett conducted roll call. Councilwoman Sousa was not present.

IV. PLEDGE OF ALLEGIANCE - Council President Britto led the pledge of allegiance and called for a moment of silence for Mr. Castro and Mr. Sousa.

V. MOTION TO SEAL MINUTES FROM EXECUTIVE SESSION  - Motion to seal the minutes form executive session. Seconded by Councilman Mourato. Motion passes unanimously. 4-0 with Councilwoman Sousa absent for vote.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

VI. CONSENT CALENDAR – TAX ABATEMENTS AND COUNCIL JOURNALS  - Motion to approve consent calendar from Councilman Mourato. Seconded by Councilman Cahoon. Motion passes unanimously 4-0, with Councilwoman Sousa absent for vote.


TAX ABATEMENTS:

YEAR	AMOUNT
2014	\$271.02
2015	\$710.10
2016	\$202.61
2017	\$53.94
2018	\$236.06
2019	\$238.98
2020	\$746.59
TOTALS:	\$2,459.31

COUNCIL JOURNALS:

NOVEMBER 10, 2020, NOVEMBER 24, 2020, DECEMBER 8, 2020, DECEMBER 15, 2020, DECEMBER 22, 2020, JANUARY 6, 2021

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

PUBLIC COMMENT  - Councilman Britto called for public in the audience and online. No response. Councilman Britto closed public comment.

Each speaker will be limited to three (3) minutes. The order of the speakers will be on a first come, first serve basis and the maximum time for public comment shall be limited to thirty (30) minutes per meeting. Public comments must pertain to a docket item.

Councilman Cahoon asked that Ms. Smalley be allowed to speak as she has prepared a statement against this resolution. Councilman Britto approved.

Ms. Smalley is speaking against the resolution brought forward by Councilman Cahoon. She does not feel that passing this resolution does not anything productive to provide economic relief to the bar and restaurant owners and increases fundamental misunderstanding about public health and causes mistrust toward our government. Ms. Smalley proceeds to state statistics about curfews.

VII. LICENSES NOT REQUIRING PUBLIC HEARING 

1. APPLICATION FOR VICTUALING LICENSE, CLASS 3 – Wise Guy Deli, 467 Willett Avenue, 02915

Applicant present. City Clerk, Samantha Burnett confirmed all paperwork has been submitted. No questions from the council.

Motion to approve made by Councilman Cahoon.

Seconded by Councilman Mourato.

Motion passes unanimously, 4-0 with Councilwoman Sousa absent for the vote.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

2. HOLIDAY SALES – Wise Guy Deli, 467 Willett Avenue, 02915

Applicant present. City Clerk, Samantha Burnett confirmed all paperwork has been submitted. No questions from the council.

Motion to approve made by Councilman Cahoon.

Seconded by Councilman Mourato.

Motion passes unanimously, 4-0 with Councilwoman Sousa absent for the vote.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

VII. LICENSES REQUIRING PUBLIC HEARING 

1. APPLICATION FOR VICTUALING LICENSE-CLASS 1, TRANSFER – PUBLIC HEARING

APPLICANT: Manuel Sousa, Little Lucy’s Lunch, LLC DBA Red Bridge Tavern, 22 Waterman Avenue 02914

TRANSFER TO: JOSEPH F. PEREIRA, JR.

Applicant attorney present. City Clerk, Samantha Burnett confirmed all paperwork has been submitted. No questions from the council.

Motion to approve made by Councilman Mourato.

Seconded by Councilman Cahoon.

Motion passes unanimously, 4-0 with Councilwoman Sousa absent for the vote.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

2. BV LICENSE – PUBLIC HEARING

APPLICANT: BERTA’S RESTAURANT TAPAS AND BAR INC. DBA BERTA’S RED BRIDGE TAVERN, WATERMAN AVENUE, 02914 (BERTA BORGES AND JOSEPH F. PEREIRA)

Applicant attorney present. City Clerk, Samantha Burnett confirmed all paperwork has been submitted. No questions from the council.

Motion to approve made by Councilman Rodericks.

Seconded by Councilman Mourato.

Motion passes unanimously, 4-0 with Councilwoman Sousa absent for the vote.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

VIII. APPOINTMENTS 

1. Comprehensive Plan Advisory Plan Committee: Renee Chicoine (Sponsored by: Councilman Cahoon)

Councilman Cahoon shared with the Council that Ms. Chicoine is a long time East Providence resident that moved away and came back. He shared that she enjoys government, to include planning, development.

Motion to approve by Councilman Cahoon.

Seconded by Councilman Mourato.

Motion passes unanimously, 4-0 with Councilwoman Sousa absent for the vote.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa		
Britto	X	

IX. NEW BUSINESS

a) COUNCIL COMMUNICAITONS

1. Discussion: Tree Ordinance and Tree Commission – Councilwoman Sousa
Councilwoman Sousa speaks about the ordinance referencing the Tree Commission. This Commission would consist of members of the community, they would work congruently with other commissions and committees in the city. This commission is required to maintain the tree city status for East Providence. She states this is a Mayoral appointment per the charter.
2. Discussion: East Providence Small Business Symposium/Meeting - Councilman Cahoon, Councilwoman Sousa, Councilman Mourato
Councilwoman Sousa addressed business owners airing grievances and short comings and how the council can assist them. She asks council for dates and to advertise in the post to give those who want to attend can make the arrangements.
Councilman Britto suggests utilizing the Chamber of Commerce.
Councilman Cahoon would like to hear from the businesses and the community as a whole about ideas to help in this. He would like to send out a survey.
Councilman Mourato is reviewing licensing ordinances to figure out where to start and get ideas. Utilize City Clerk for business contact information.
Councilman Rodericks wanted to clarify that he is involved with this even though his name is not on it. He believes the questions and comments should come from the businesses.
3. Discussion: Comprehensive Plan Workshop/Update for February 2, 2021 meeting – Councilman Mourato
Councilman Mourato asked to move item 3 next. He is requesting from the Chief of Staff an update from the comprehensive plan company to give a timeline moving forward and how to incorporate the comprehensive advisory board.
4. Discussion: Request for Update on February 2, 2021 Council meeting regarding Capital Projects – Councilman Mourato
Councilman Mourato states he will be requesting through the proper ordinance form to have an update on the Riverside tree project on Bullocks Point, the wire drop and the Carousel projects at the next council meeting.
Councilman Rodericks ask to add the progress on the project behind the Riverside Middle School and the Riverside Rec field.

b) COMMUNICATIONS – OFFICE OF THE MAYOR

Joyce May addresses Council in regards to the Library. She states that the library is not closed and their services have not stopped. They are providing a pick-up service by appointment. Addressed programs that are available to the community.

1. **Executive Order-2021-002:** Extending order 2020-004, dated March 15, 2020, Entitled, “Declaration of State of Municipal Emergency”
Chief of Staff, Napoleon Gonsalves presents the extension of Executive Order 2020-004 to February 16, 2021
No questions from the council.
Motion to approve made by Councilman Cahoon.


Seconded by Councilman Rodericks.
 Motion passes unanimously 5-0.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa	X	
Britto	X	

2. **Executive Order-2021-003:** Extension of FFCRA (Federal Families First Coronavirus Response Act) Benefits
 Napoleon Gonsolves states this Executive order is informational only. This extends the FFCRA to March 31, 2021, to enable to use sick leave for corona virus related reasons. If the state of emergency would end, this would end at the time of the state of emergency.
3. **Executive Order-2021-005:** Extending Executive Order 2020-047, dated November 24, 2020 and extending Executive Order 2020-049, dated November 25, 2020 entitled, "Supplemental Declaration of State of Emergency"

Councilman Britto states the council will not be voting on this item. Informational only.

Member	Aye	Nay
Cahoon		
Mourato		
Rodericks		
Sousa		
Britto		

4. Presentation of FY 2018-2019 Audit (conducted by BlumShapiro) and Workshop Discussion 
 Napoleon Gonsalves confirmed the council received their audit books.
 Councilman Mourato asked Finance Director Malcolm Moore when the 2020 audit will be completed. Mr. Moore states roughly October of 2021.
 Councilman Mourato would like a draft without pension numbers to review a more current audit.
 Mr. Moore stated a draft should be available May or June of 2021.
5. Appointment Letter - Tree Warden Announcement, Ronald Nawroki
 No questions from the Council. Councilman Britto points out this is the current tree warden and that this is a Mayoral appointment.
6. Appointment Letter - Acting DPW Director Announcement, Erik Skadberg
7. East Providence Water Workshops Request Letter - Communication and Discussion
 Mayor DaSilva speaks to water rate analysis, he refers to the city of East Providence ordinance 17-36 we are required to analyze the water rates to determine if a modification is required for subsequent years. He speaks to the Bristol County Water Authority water main leak in April of 2019, it is important to inspect the structural integrity of our water pipe line.

The Mayor would like to make a presentation/workshop to the Council to discuss setting the water rate. Part of the workshop would be discussing East Providence partnering with the Bristol County Water Authority in connecting to Pawtucket as an emergency water back up. The Mayor would like to update the council at the next council meeting having the consultant brief the council on Suez contract negotiations.

Councilman Britto sets the meeting for February 22, 2021.

Councilwoman Souza asks that this be penciled in and tentative, asks for the potential of February 24, 2021.

c) REPORTS OF OTHER CITY OFFICIALS 

1.) City Solicitor's Claims Report

Solicitor Michael J. Marcello

City Solicitor Marcello shared the status of what was voted on in the Executive Session
Claims

Patti Moniz – approved

Sewer Abatement

Suzanne Grossman – approved

Umah Camara – approved

Judith Wesley - approved

2.) Monthly Business Licensing Status Report

City Clerk, Samantha Burnett

Councilman Britto asked the City Clerk, Samantha Burnett, to speak to Assistant Solicitor Dylan Conley before submitting the report.

d) RESOLUTIONS

1. RESOLUTION REQUESTING THE GOVERNOR AND THE GENERAL ASSEMBLY TO TAKE ACTION TO ADJUST CLOSING TIMES FOR BUSINESSES IN EAST PROVIDENCE TO PROVIDE ALL POSSIBLE ECONOMIC RELIEF TO THESE BUSINESSES

Sponsored by: Councilman Cahoon

Full Resolutions on Clerkbases, under 01/19/2021 agenda:

https://clerkshq.com/Content/Attachments/EastProvidence-ri/210119_01.pdf?clientSite=EastProvidence-ri

Councilman Cahoon asked that Ms. Smalley be allowed to speak as she has prepared a statement against this resolution. Councilman Britto approved.

Councilman Cahoon compared the restrictions from each state for restaurants and compared data per state.

Motion to approve by Councilman Cahoon.

Seconded by Councilman Rodericks.

Motion passes unanimously 5-0.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa	X	
Britto	X	

e) ORDINANCES

1. ORDINANCES FOR FIRST PASSAGE

**A) 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 18-307**

Sponsored by: Council Vice President Rodericks

Councilman Rodericks states this is a continuation of a previous action the council has taken. Behind self help building Pawtucket Avenue.

Councilman Rodericks would like make a motion that the revised ordinance amendment would grant no parking on Pawtucket Ave west side from Atlantis extending north a distance of 115 feet. This would be first passage.

Motion to approve made by Councilman Rodericks.

Seconded by Councilman Mourato.

Motion passes unanimously 5-0.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa	X	
Britto	X	

**B) AN ORDINANCE IN AMENDMENT OF CHAPTER 7 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “HEALTH AND SANITATION”
Article V, Sections 7-81 to 7-88**

Sponsored by: Council President Britto and Council Vice President Rodericks

Councilman Britto introduced the ordinance to the Council, addressing donation bins.

Councilman Rodericks listed other donations options other than bins.

Councilman Mourato stated his concern is geared toward the donation box company, this should also make the property housing the bin be held responsible also.

Solicitor Marcello points out the ordinance 7-85.6, the penalty responsibility is shared by the operator and the property owner.

Councilwoman Sousa addressed the council stating she has worked on this previously. She addresses the Savers dumpster and the issues revolving around that.

Motion to approve made by Councilman Rodericks.

Seconded by Councilwoman Sousa.

Motion passes unanimously 5-0.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa	X	

Britto	X	
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X. RECONVENE IN EXECUTIVE SESSION (if necessary)

No need to reconvene

XI. ADJOURNMENT

Motion to approve made by Councilwoman Sousa.

Seconded by Councilman Rodericks.

Motion passes unanimously 5-0.

Member	Aye	Nay
Cahoon	X	
Mourato	X	
Rodericks	X	
Sousa	X	
Britto	X	

If communication assistance is needed or any other accommodations to ensure equal participation, please contact the City Clerk, Samantha Burnett at 401.435.7596 at least 48 hours prior to the meeting date.