

CITY OF EAST PROVIDENCE
JOURNAL/MINUTES DOCKET-REGULAR COUNCIL MEETING
 TUESDAY, APRIL 4, 2023
 CALL TO ORDER: 6:30 P.M.
 145 TAUNTON AVENUE-CITY COUNCIL CHAMBERS
 EAST PROVIDENCE, RHODE ISLAND
 EXECUTIVE SESSION: CONFERENCE ROOM A

OPEN SESSION WILL IMMEDIATELY FOLLOW EXECUTIVE SESSION

Notice: The meeting will also be viewable live at:
<https://www.youtube.com/channel/UC0YEW6s1RpjckR47VMil1LA>

City Council:

Council President, Bob Rodericks – At Large
 Council Vice-President: Frank Rego – Ward 1
 Councilwoman Anna Sousa - Ward 2
 Councilman Frank Forgarty - Ward 3
 Councilman Rick Lawson - Ward 4

City Solicitor, Michael J. Marcello
 Deputy City Clerk, Leah Stoddard

I. CALL TO ORDER

Roll Call

Fogarty _____ Lawson _____ Rego _____ Sousa _____ Rodericks _____

- *No roll call taken, Council President announces all five (5) members are present*

II. SALUTE TO THE FLAG

- *Salute to the flag lead by Councilwoman Sousa*

III. EXECUTIVE SESSION

The City Council of East Providence may meet in Executive Session, pursuant to RIGL §42-46-5 (a)(2)

- A. New Claims
 - 1. Alan J. Gomes
- B. Sewer Abatements
 - 1. Tiffany Totten

2. Thomas Riley Trustee, Riley Family Revocable Trust

C. RIGL §42-46-5 (a)(1) Update and discussion on City Clerk resume review and selection of potential interviewees for open position – Update of subcommittee report

D. RIGL §42-46-5 (a)(5) Solar lease and Solar Canopy for East Providence Police Department parking lot, Green Development LLC

- *Motion to enter into executive session made by Councilman Lawson. Motion seconded by Councilman Fogarty. Motion passes 5-0*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

IV. RECONVENE TO OPEN SESSION

Fogarty X Lawson X Rego X Sousa X Rodericks X

V. MOTION TO SEAL EXECUTIVE SESSION MINUTES

- *Motion to seal executive session minutes by Councilman Lawson. Motion seconded by Councilman Fogarty. Motion passes 5-0*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- *Move to page 10 item 5 without objection*

VI. CONSENT CALENDAR - For discussion and possible vote

A. COUNCIL JOURNALS:

1. Regular meeting minutes March 21, 2023
2. Executive session minutes March 21, 2023

B. TAX ABATEMENTS

Year	Amount
2018	\$73.31
Total	\$73.31

- *Motion to approve the consent calendar made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

VII. LICENSES - For discussion and possible vote

A. Motion to bundle licenses C1-C10

- *Motion to bundle C7-C10 made by Councilwoman Sousa. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

B. Motion to approve licenses C1-C10

- *Motion to approve C7 – C10 made by Councilwoman Sousa. Motion seconded by Council Vice President Rego. Motion passes 5-0.*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

C. NON-PUBLIC HEARING

1. Block Party

Applicant: Rob Armstrong

Applicant Location: 187 N Brow Street, Sacred Cow, 02914

Date & Time of Function: May 28, 2023, 4:30pm- 8:00pm

Street to be closed: Cross Street from N Brow Street to Summit Street

- Motion to approve made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

2. One Day Entertainment License – New

Applicant: Rob Armstrong

Applicant Location: 187 N Brow Street, Sacred Cow, 02914

Date & Time of Function: May 28, 2023, 4:30pm- 8:00pm

Type of Entertainment: Live Music

- Motion to approve made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

3. One Day Entertainment License – New

Applicant: Alexandra Kavanagh

Applicant Location: 3070 Pawtucket Avenue, St. Mary Academy, 02914

Date & Time of Function: April 28, 2023, 6:00pm- 1:00am

Type of Entertainment: Live Music, Back to the Bay Event

- Motion to approve made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

4. One Day Entertainment License – New
 Applicant: Albert Cho
 Applicant Location: 69 Brown Street, 02914
 Date & Time of Function: April 23, 2023, 11:00am – 3:00pm
 Type of Entertainment: Music

- Motion to approve made by Councilwoman Sousa. Motion seconded by Councilman Lawson. Motion passes 5-0.

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

5. Class F1 Application for Special Event – Alcoholic Beverage
 Applicant: Alexandra Kavanagh
 Applicant Location: 3070 Pawtucket Avenue, St. Mary Academy, 02914
 Date & Time of Function: April 28, 2023, 6:00pm- 1:00am
 Type of Entertainment: Live Music, Back to the Bay Event

- Motion to approve made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- 6. Mobile Food Establishment License/Permit
 Applicant: Joshua Berner
 Business Name: Baby Duck LLC
 Business Address: 38 Dean Avenue, Johnston, RI 02919

- Motion to approve made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- 7. Application for license to solicit – New
 Applicant: Anthony Heroux
 Business Name: Renewal By Anderson
 Business Address: 10 Reservoir Road, Smithfield, RI 02917

- Timothy Richardson, representative from Renewal by Anderson speaks on behalf of the company and applicants.

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

- 8. Application for license to solicit – New
 Applicant: Tyler Andrews
 Business Name: Renewal By Anderson
 Business Address: 10 Reservoir Road, Smithfield, RI 02917

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

- 9. Application for license to solicit – New
 Applicant: Jennie Twyman
 Business Name: Renewal By Anderson
 Business Address: 10 Reservoir Road, Smithfield, RI 02917

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

- 10. Application for license to solicit – New
 Applicant: Jacob Carpentier
 Business Name: Renewal By Anderson
 Business Address: 10 Reservoir Road, Smithfield, RI 02917

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

B. PUBLIC HEARING – None

VIII. PROCLAMATIONS & PRESENTATIONS - None

IX. COMMUNICATIONS – None

Any person who submits a communication to the Council and wishes to speak on it must indicate this in writing no later than 4:00 p.m. the Thursday prior to the next regularly scheduled Council meeting. A person who lists more than one topic on their communication will be allowed to speak on the first one listed.

X. PUBLIC COMMENT

All persons wishing to make public comment shall sign a public comment sheet stating their name, address and the subject of their comments. Each speaker will be limited to three (3) minutes. The order of 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.

XI. APPOINTMENTS – None

XII. COUNCIL MEMBERS

1. Traffic safety study results from Lyon Avenue and surrounding neighborhoods – Discussion only – Councilwoman Sousa
 - *Councilwoman Sousa speaks to the traffic study provided by Chief of Police Christopher Franscesconi*
2. Collaboration of City Council and Administration to address the following East Providence Police station concerns; roof, detention area, dispatch relocation, city vehicle storage garage – Discussion only- Councilman Lawson
 - *Councilman Lawson reports that there is an RFP out for the roof repair, once the roof is repaired then the water damage will be addressed. HVAC issues are being addressed. April 10 the dispatchers will be moved to the new dispatch center. Chief Francesconi reports the SRT vehicle/The Bearcat is planned to be moved to the CTC building to house the vehicle until the garage is built. Councilman Lawson would like to see the interview rooms for children painted in a soothing manner*
3. Department of Public Works Parks Department staffing levels – Discussion Only – Councilman Lawson
 - *Director of Administration Napoleon Gonsalves states Human Resources and the Parks Department are evaluating the need of the positions*
4. Update on Crescent Park concession, cement pad and landscaping project – Discussion Only – Councilman Lawson
 - *Director Gonsalves states that by next meeting it will be known who is awarded the RFP.*
5. Request of an memorandum of agreement for 24 hour, 7 day a week coverage of Station 3 Rescue – Discussion only – Council Vice President Rego
 - *Chief Glenn Quick states that if the 6 extra firefighters are used for the rescue, the overtime pay will be very high.*
 - *Solicitor Marcello states the fourth rescue was added into the current contract, and was done so by number of calls. The Union did not give the Chief the flexibility as to when that rescue was staffed and needed, the Union agreed to set hours.*
 - *A memorandum of agreement can be negotiated at anytime*
 - *Council President requests that the appropriate parties meet to begin the discussions for a memorandum of agreement*
6. Repair of city curb on Thatcher Street, Wilson Avenue to Hoyt Avenue – Discussion only – Council Vice President Rego.
 - *City Engineer/Deputy DPW Director Erik Skadberg supplies Council Vice President Rego with an estimate of roughly \$180,000 to complete Thatcher Street with curbing.*

7. March 2023 Water/Sewer projected revenue (budgeted vs. actual) – Discussion only – Council Vice President Rego
 - *Finance Director Malcolm Moore reports revenue is down*
8. Total number of property owner requests with Northeast Revaluation for 12/31/2022 assessment – Discussion only – Council Vice President Rego
 - *Finance Director Malcolm Moore reports that 403 homeowners have made appointments with Northeast Revaluation*
9. City Council hiring of outside legal counsel – Discussion only – Council Vice President Rego
 - *Solicitor Marcello states that the Council has the right to hire outside counsel with approval of the Council as stated in the Council Rules*
10. Update and discussion on City Clerk hiring process – Discussion only - Council President Rodericks & Councilwoman Sousa
 - *Council selects the date of April 20, 2023 at 4:00pm to hold interviews for City Clerk*
11. Discussion on City Charter Review Commission schedule of meetings and future process of the Commissions review – Discussion only – Council President Rodericks
 - *Council President Rodericks address the Commission and explains they must set a date for their first meeting*

XIII. PUBLIC HEARINGS – Ordinance for first and final passage and second passage - For discussion and possible vote

1. 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”
Summary: Sec. 18-269(b), to place a stop sign at Lyon Avenue and Mauran Avenue
Sponsor: Councilwoman Sousa
 - *Motion approve by Councilwoman Sousa. Motion seconded by Councilwoman Lawson. Motion passes 5-0*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

2. An ordinance in amendment of chapter 17 of the revised ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities”
Summary: Section 17-183, sewer rates – option 1
Sponsor: Council President Rodericks

- Motion to table by Council Vice President Rego. Motion seconded by Councilman Fogarty. Motion passes 5-0

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

3. An ordinance in amendment of chapter 17 of the revised ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Utilities”
Summary: Section 17-183, sewer rates – option 2
Sponsor: Council President Rodericks

- Motion to approve by Councilman Lawson. Motion seconded by Councilman Fogarty. Motion passes 4-1

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa		X
Rodericks	X	

XIV. CONTINUED BUSINESS – None

XV. NEW BUSINESS

A. MAYOR COMMUNICATIONS

1. Appointment/Reappointments not requiring Council Confirmation

- a. Joe Gibson, re-appointment to the Tree Commission - Appointment 4 – Term 01/01/2023 to 12/31/2026

- Director of Administration Napoleon Gonsalves announces appointment

2. Items for announcement/discussion

a. Community Development Week – Proclamation

- *Director Gonsalves reads proclamation*

b. Letter in support of Tax Amnesty legislation

- *Director Gonsalves reads letter from the Mayor in support of Tax Amnesty legislation*

B. REPORTS OF OTHER CITY OFFICIALS

1. Report the City Solicitor

a. Claims Committee Report

- *Claim of Ms. Gomes in the amount of \$863.92 was denied*
- *Sewer abatement charges of Tiffany Totten \$71.31 is approved subject to the individual meeting the requirements of the ordinance current on the water bill*
- *Sewer abatement in the amount \$731.18 of the Thomas Riley Trustee approved*

b. H5605 and S240 sub A update of General Assembly activity

- *Solicitor Marcello reports that S240 has been approved and sent to House*
- *H5606 was heard and being held for further study*

C. REPORT OF SCHOOL COMMITTEE LIAISON

- *Council President Rodericks reports the play “In the Heights” was a great success and extends his congratulations to all involved*

D. RESOLUTIONS - For discussion and possible vote

1. Resolution in support of National Community Development Week – April 10-14, 2023

Sponsor: Council President Rodericks

- *Motion to approve made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

2. Resolution in support of H-5948 which proposes to transfer the tax exemption classification to a surviving spouse until remarriage or death

Sponsor: Council Vice President Rego

- ***Motion to approve made by Council Vice President Rego. Motion seconded by Councilman Lawson. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

3. Resolution in support of H-6165 which would enable the City of East Providence to offer tax amnesty for two (2) separate sixty (60) day periods for fiscal years 2023 and 2024 for waiver of interest and penalties on overdue real property tax payments

Sponsor: Councilman Lawson

- ***Motion to amend to also read S885 made by Councilman Lawson. Motion seconded by Councilman Fogarty. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- ***Motion to approve as amended made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

4. Request for reconsideration of Resolution in support of H-6026 which would enable the City of East Providence to offer tax amnesty for two (2) separate sixty (60) day periods for fiscal years 2023 and 2024 for waiver of interest and penalties on overdue tangible tax payments and motor vehicle tax payments
Sponsor: Council President Rodericks

- ***Motion to amend to also read S776 made by Councilwoman Sousa. Motion seconded by Councilman Fogarty. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- ***Motion to approve as amended made by Councilwoman Sousa. Motion seconded by Councilman Lawson. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

5. Resolution authorizing the Mayor to enter into a land lease option agreement (solar canopy facility) with Green Development, LLC (East Providence Police Station)
Sponsor: Council President Rodericks

- ***Council President Rodericks states the agreement comes at no cost to the City and will result in a rebate, and also provide a covering for police vehicles***
- ***Solicitor Marcello reports that the agreement is for a 20 year lease with two 5 year periods of renewal with a rebate up to 35%***
- ***Christian Capizo addresses the Council and briefly describes the agreement***
- ***Motion to approve made by Council Vice President Rego. Motion seconded by Councilman Lawson. Motion passes 5-0***

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- *Move to page 7, item 11 without objection*

E. INTRODUCTION OF ORDINANCES - For discussion and possible vote

1. An ordinance in amendment of Chapter 13 of the revised ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled, "Public Places"
Summary: Sec. 13-178, the purpose of this ordinance is to imposes a fine against a person or entity who transfers or assigns a facility permit granted by the recreation or parks division pursuant to their rules and regulations
Sponsor: Council Vice President Rego

- *Motion to approve made by Council Vice President Rego. Motion seconded by Councilman Lawson. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

- *Motion to close executive session made by Councilman Lawson. Motion seconded by Councilwoman Sousa. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

XVII. ADJOURNMENT

- *Motion to adjourn made by Councilman Lawson. Motion seconded by Councilman Fogarty. Motion passes 5-0.*

Member	Aye	Nay
Fogarty	X	
Lawson	X	
Rego	X	
Sousa	X	
Rodericks	X	

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

Approved by Council: April 18, 2023

Attest: *Leah Stoddard* Deputy City Clerk
 City Clerk