

**CITY OF EAST PROVIDENCE
RHODE ISLAND
DOCKET – REGULAR COUNCIL MEETING
Tuesday, April 2, 2019
6:30 P.M.
145 Taunton Avenue, East Providence, RI 02914
Council Chambers, City Hall
6:30 P.M. Council May Call Executive Session, Room 101
7:00 P.M. Open Session**

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

I. CALL TO ORDER

II. EXECUTIVE SESSION – *The City Council of East Providence may meet in Executive Session pursuant to Rhode Island General Laws §42-46-5 (a) (2) FOR VOTE*

A. Litigation: Brian Faria v. City of East Providence City Council C.A. NO. PC-2018-4406 Status Update

B. New Claims

1. Christopher Day
2. Adam Ginn
3. Mary and Robert Lyons
4. Augusto Reis, Jr.

C. Pending Claims -none


D. Sewer Charge Abatements

1. Michael McDuff
2. Shane Pollock
3. Cidalia Rocha and Fatima Lima

**E. Reconvene to Open Session from Closed Executive Session
FOR VOTE**

III. OPEN SESSION/CALL TO ORDER 

IV. PLEDGE OF ALLEGIANCE – *Led by Council President, Robert Britto* 

**V. APPROVAL OF CONSENT CALENDAR 
FOR VOTE**

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 members so requests, in which event the item will be removed from said Consent Calendar and will be considered in its normal sequence in the docket.

A. Council Journals – November 7, 2018, December 4, 2018, January 22, 2019, February 19, 2019

*Motion by Councilman Cahoon
Seconded by Councilwoman Sousa
Motion passes unanimously.*

VI. LICENSES NOT REQUIRING PUBLIC HEARING – FOR VOTE 

1. Metacomet Country Club, 500 Veterans Memorial Parkway, 02914
*Application for Dance/Entertainment License
Applicant: Anthony Scorpio, 67 Cedar Street, Providence, 02903
On behalf of the applicant: Brendan
Nothing showed outstanding. Debts have been reported paid with the vendors. This section does not require public hearing.
Motion to approve by Councilman Cahoon.
Seconded by Council Vice President Rodericks.
Motion passes unanimously.*

VII. LICENSES REQUIRING PUBLIC HEARING-FOR VOTE 

1. Metacomet Country Club, 500 Veterans Memorial Parkway, 02914
*Transfer, Class 1 – Victualing License
License No. 2019-51
Applicant: Anthony Scorpio, 67 Cedar Street, Providence, 02903
Effectively closing transaction on Thursday, April 4, 2019, per Metacomet.
Business file was available if Council needed. Council President Britto offered Public Hearing. No one came forward or spoke to this.*

Motion by Councilman Cahoon.
Motion seconded by Council Vice President Rodericks.
Motion passes unanimously.

VIII. COMMUNICATIONS

- A. Mayor Communications – OpenGov Software Presentation
His Honor, Mayor Roberto L. DaSilva
OpenGov gave a 30 minute presentation, including question and answers, regarding this software which offers the public to see where the City budget is at any time, including the high school building project.
- B. Snow Removal and Safety-Frederika Aphrens
Resident on Taunton Plaza. 100 apartment building, which many residents use many accommodations for mobility. She has shared with Councilwoman Sousa, the Mayor's office and Councilman Cahoon about this issue. She would like to establish neighborhood pride within the 6 Corners of the City. Ms. Aphrens stated that as a legally blind resident and others in her area are concerned about the conditions of the sidewalks and walking conditions should be serviced with reasonable accommodations in alignment with the American with Disabilities Act. Councilman Cahoon stated that he has been working with Policy Director, Marc Furtado addressing the ambiguity of whose responsibility it is when clearing snow on the sidewalks, crosswalks and the width of being able to create a three foot wide path, including school areas and sections. Councilman Cahoon also has asked from the public regarding perspective. Councilwoman Sousa stated that it is good to have an ordinance that fits all the criteria and enforcing it is key and holding people accountable. Councilwoman Sousa has also been working with Policy Director, Marc Furtado regarding the snow removal ordinance to include residents to address why they were not able to shovel, due to medical conditions, etc. and to possibly have a group of volunteers/students that could possibly assist with this effort.
- C. Discussion to request land off of 84 Beach Point Drive, Riverside Rhode Island-Donald Asprinio and Randy Dantuono
Parties not present to address the Council.

PUBLIC COMMENT

All persons wishing to make public comment shall sign a public comment sheet stating their name, address and the subject of their docket related item to speak on. This sheet shall be available on a desk at the entrance of the City Hall Chambers no later than forty five (45) minutes before the call to order of any regularly scheduled council meeting and shall be delivered by the City Clerk to the presiding officer no earlier than five (5) minutes before the call to order of the meeting. 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.
No parties listed under Public Comment.

IX. APPOINTMENTS-FOR VOTE

- A. **Michael Motta**, 98 Beverly Rd, 02915-Assistant Harbormaster/Pumpout Boat Operator
Term to end: 01/03/2023
Council President Britto
Appointment was not made. Mr. Motta declined the opportunity to be appointed.
- B. **Christopher S. LaRoux**, 2 Spinnaker Drive, 02915 – East Providence Public Library Trustees
Term to end: 04/02/2022
Councilman Mourato
Boards and Commission ordinance followed for this appointment.
Motion to approve by Councilman Cahoon.
Seconded by Councilwoman Sousa.
Motion passes unanimously.
- C. **Jennifer Griffiths**, 65 Plymouth Road, 02914 –East Providence Waterfront District Commission
Term to end: 04/02/2023
Councilman Cahoon
Ms. Griffith was present at the Council meeting. Councilman Cahoon shared background on Ms. Griffith, who is an attorney, an East Providence High School graduate, known through work at DCYF and her position as a Child Advocate for the State of Rhode Island.
Motion to approve by Councilman Cahoon.
Seconded by Councilman Mourato and Council Vice President Rodericks.
Motion passes unanimously.

X. COUNCIL MEMBER COMMUNICATION

- A. **Discussion Only: Pierce Stadium Infrastructure Concerns** – Council Vice President Rodericks
Update on the status of the stadium, including a walk through with Mayor DaSilva, updates from the City Clerk including the bathrooms, and working on the handicap accessibility. Mentioned how there is still vandalism. There has been some money allocated for security, but nothing has been brought in yet. Money allocated for security cameras, but they have not been implanted just yet. The biggest issue right now is security.
- B. **Discussion Only: East Providence Senior Center / Recreation Center** – Council Vice President Rodericks
About 150 people attended. The meeting went well. Building on Bullocks Point Avenue was built in 1935, then abandoned in 1965. Over the last several years, we have paid over \$300,000 and we don't own the building. The building is not in good standing. Commends the Mayor for putting the meeting together.
- C. **Discussion Only: Water Supply Project with Bristol County Water** – Council Vice President Rodericks
Good and positive changes from the workshop the week prior. We have one water supply into the City, under the Providence River. If that pipe goes, we have no water. Not here to make a decision tonight, but we will need to at some point. Asking about how to get this moving and asked Solicitor Marcello in which he answered that this rests in the hands at the Council at this point. Also included that the sewer rates

for ordinance. Council President Britto mad the suggestion that bringing in Bristol County Water would be a good idea to have present at the meeting. Councilwoman Sousa mentioned that she did like the idea of the workshop, and that it would be more important to have as a special meeting rather than a workshop and in a conference room. There may be more engagement. Also, more promotion from the Mayor's administration about this event and more involvement, possibly include a reminder in resident's water bills, on the City website, etc.

- D. **Discussion Only: 160th Anniversary of Rumford Baking Powder, "The Greater Rumford Bake Off"** – Sunday, May 12, 2019 at Hunt's Mills (65 Hunts Mills Road, Rumford, RI 02916) – *Council President Britto*
Reminder of the event. Hosted by the East Providence Historical Committee. Prizes are awarded for 1st and 2nd placers. Statewide bake off. You do not need to be a resident of East Providence.
- E. **Discussion Only: Boards and Commissions – Carousel Commission** - *Councilman Mourato*
Councilman Mourato asked the City Clerk about openings and member information. City Clerk Samantha Burnett mentioned that there are 20 members, and listed each member with their term dates as listed on the Boards and Commission Onboard site. Councilwoman Sousa inquired about members and if we know whose open appointment is available. City Clerk Burnett stated that she would need to look into who this appointment is available to which Ward.
- F. **Discussion Only: Ward 4 Community Meeting Announcement – April 4, 2019 6:00 p.m.-8:00 p.m.** (*Councilman Mourato*)
Councilman Mourato will be hosing his first Ward 4 Community Meeting. Public is welcome to share grievances and share his ideas for Ward 4.
- G. **Discussion Only: Colorectal Cancer Awareness Month Update** – *Councilwoman Sousa*
Councilwoman Sousa shared that a Resolution was presented to Brown Medicine Endoscopy Center and the staff that she attended with the Mayor. Goal is 80% for screening and currently we are about 20% below that as a City. No warning signs, unless you have a family history. Screening are suggested after the age of 50, unless it is hereditary it is 40. Early prevention is key. State of art facility, great nursing staff and they offer walk-thrus at this community. Brought the idea of creating an incentive to get screened.
- H. **Discussion Only: Sewer Abatement/Rates**– *Councilman Mourato*
Councilman Mourato requested DPW Director, Steve Coutu to be present, through the Mayor's office. He was not present at the meeting. Feels that are some things we need to work on, one which are abatements. In 2016 we gave \$67,000 2017 \$78,000 and almost \$90,000 in 2018 in abatements. Other municipalities only give one abatement per year, and also encourage deduct meters. Councilman Mourato will place this on the docket next meeting and will again request Steve Coutu, DPW Director to be present. Feels that the sewer rates are important and with the cost of the new high school and other questions should be answered. Councilman Mourato also stated that even though we as Council may know the answers to the questions, the public does have a right to also know and it is the Council does its due diligence to make sure that happens.
- I. **Removal of Snow and Ice Ordinance Discussion** – *Councilman Cahoon*
Previously discussed under Communications. Language changes were made to make this ordinance more enforceable. Councilman Cahoon also has this posted on his FB page to get more help in developing this ordinance. What he asked the Council to do is read a draft of the ordinance and provide feedback to him, so he can come back at the next meeting to put on for first passage at the next meeting. He addressed Councilwoman Sousa's suggestion on others who are at a hardship to remove snow. Councilwoman Sousa also included that it is in initial stages, but she is a part of an organization/non-profit that will be coming together in order to help people who can, in the future, help with scenarios like this. Council President Britto also mentioned that his work with the Boy Scouts can help with these services as well. Councilman Cahoon also mentioned all high school students are in need of volunteer hours to graduate and could be a good vessel.
- J. **Discussion Only: Budget Session Review Meeting on 03/22/2019, Focusing on City Clerk Department Budget** -*Councilman Cahoon*
Councilman Cahoon mentioned that the meeting over the budget and that it is a pretty simplistic budget, being mostly labor heavy. The subject of the phone came up, and how this should be an issue that the City should continue to look at. The Clerk did mention that she does not need a City phone and will be turning it in. One area of underutilized funding is the Historical Preservation Fund and how we can utilize this better to preserve our documents. Productive conversation. Mentions of Council cell phone conversations and air cards were mentioned and will be addressed with the Council in the future.
- K. **Budget Format Discussion** – *Councilman Mourato*
This item is tabled until the next meeting.

XI. **NEW BUSINESS**

A. **REPORTS OF OTHER CITY OFFICIALS**

1. **Claims Committee Report**-*Solicitor Michael J. Marcello*

Litigation: Brian Faria v. City of East Providence City Council C.A. NO. PC-2018-4406 Status Update – *discussions and vote will remain closed based on 42-46-4b*

New Claims – *all claims were approved as recommended by the Director of Public Works. Motion made by Councilwoman Sousa. Seconded by Councilman Cahoon. Motions passed unanimously.*

1. **Christopher Day**
2. **Adam Ginn**
3. **Mary and Robert Lyons**
4. **Augusto Reis, Jr.**

Pending Claims -none

Sewer Charge Abatements

1. **Michael McDuff**

2. Shane Pollock
3. Cidalia Rocha and Fatima Lima

B. RESOLUTIONS – FOR VOTE

1. **RESOLUTION** IN SUPPORT OF H-5489 RELATING TO DOMESTIC ABUSE PREVENTION *Sponsored by Councilwoman Sousa*
SEE ATTACHED FOR FULL RESOLUTION

Councilwoman Sousa announced the International Women’s Day was a great success that focused around empowerment of women. Councilwoman Sousa was the hostess of the event to celebrate women and invited young women who are students at Martin Middle School, Riverside Middle School and East Providence High School. Councilwoman found this House bill and wanted to sponsor and show support in prevention of domestic abuse. The motion was made for approval by Councilwoman Sousa and seconded by Council Vice President Rodericks. Motion passes unanimously.

C. ORDINANCES – FOR VOTE

1. **INTRODUCTION OF ORDINANCE AND FIRST PASSAGE:**

**AN ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, AMENDED, ENTITLED
“ADMINISTRATION”**

Sponsored by Councilman Mourato

SEE ATTACHED FOR FULL ORDINANCE

Councilman Mourato introduces this ordinance for first passage. Councilman Cahoon stated that it would be appropriate to serve on more than one board, and cites paragraph E. Ten days sounds like a reasonable time to him regarding a waiting period after an application has been posted for others to respond. Councilwoman Sousa asked for clarification regarding advisory versus decision making boards. The City Solicitor clarified it only applies to boards with decision making authority. Two forms of proof of residency will be added to the ordinance language. Council Vice President Rodericks clarified the chair of the commission will have the responsibility of collecting this information. Councilman Cahoon made the motion to approve the minutes as amended. Councilman Sousa seconded the motion. Motion passes unanimously.

XII. Reconvene in Executive Session (if necessary) to Complete Items Under Section II, Executive Session

Not necessary.

XIII. ADJOURNMENT-FOR VOTE

Motion to adjourn made by Councilwoman Sousa and seconded by Council Vice President Rodericks. Motion passes unanimously.

If communication assistance is needed or any other accommodations to ensure equal participation, please contact the City Clerk, Samantha Burnett at 401.435.7590.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

**AN ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“ADMINISTRATION”**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Sec. 2-37 entitled “Appointment of members to boards and commissions” of Division 1 entitled “Generally” of Article III entitled “Boards, Committees, Commissions” of Chapter 2 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Administration” is amended to read as follows:

Sec. 2-37. Appointment of members to boards and commissions.

- (a) Members of boards and commissions shall be appointed based on merit. All vacancies or upcoming appointments or reappointments to city boards and commissions shall be posted for a minimum of ten (10) business days ~~within city hall and~~ on the city website prior to an appointment being made. The posting shall include the name of the board, the appointing authority ~~for the open seat,~~ the powers and duties of the board, the length of term, ~~the requirements for service and the desired qualities of a prospective appointee,~~ and the date that the application period closes. Only city residents may be eligible to serve on city boards and commissions unless otherwise provided for in the ~~charter~~ Charter, enabling statute or ordinance ordinances of East Providence, or state law.
- (b) ~~The public shall have the right to view any applications for appointments to boards and commissions. The city shall redact any candidate's personal demographic or financial information other than their name.~~ Any individual seeking an appointment to a city board or commission shall submit an application as promulgated by the City Clerk. The application may be obtained and submitted at the clerk’s office, or online on the city’s website. No other application, letter, or form shall be accepted as a substitute for the application. Once the City Clerk has received a complete and submitted application, the Clerk shall then give a copy of the application(s) to the appointing or recommending authority within three (3) days of the close of the application period.
- (c) No appointing or recommending authority shall appoint, recommend or vote on a household member or family member for membership to a board or commission. Household member and family member shall be defined as in Regulation 36-14-5004 of the Rhode Island Code of Ethics.
- (d) No person shall serve on more than one (1) city board or commission with decision making authority. Anyone presently serving on more than one (1) board or commission with decision

making authority may continue to serve their term but are not eligible for re-appointment if such re-appointment shall cause them to be in violation of this section **or except as stated in section (e)**. ~~The limit of service on more than one (1) board and commission shall not extend to boards and commissions in which the person's service was at the appointment of another board or commission to which they are to serve as a liaising, ex-officio or ad-hoc member. There shall be no limit to service on advisory boards or commissions.~~

- (e) **The prohibition against serving on more than one board or commission with decision making authority shall not apply if a vacancy has occurred for more than ten (10) business days after posting by the City Clerk in accordance with section (a) above or when there has been no other eligible application received. The limit of service on more than one (1) board and commission shall not extend to boards and commissions in which the person's service was at the appointment of another board or commission to which they are to serve as a liaising, ex-officio or ad-hoc member. There shall be no limit to service on advisory boards or commissions.**
- (f) **By November first (1st) every year, each member of all city boards and commissions must provide two (2) forms of proof of residence to include a photo ID and one additional form such as a utility bill, mortgage statement, or tax bill one (1) form of government issued photo identification to the chairperson of their board as proof of their residency. Said The chairperson of each city board and commission shall confirm the address/residence of the members of their board to the City Clerk City Council.**
- (g) **All appointments to boards and commissions within the city shall be made by Resolution by the appointing authority. The Resolution shall state the appointee's full name, address, and term of appointment.**

SECTION II. Sec. 2-38 entitled "Listing of boards and commissions" of Division 1 entitled "Generally" of Article III entitled "Boards, Committees, Commissions" of Chapter 2 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled "Administration" is amended to read as follows:

Sec. 2-38. Listing of boards and commissions.

- (a) The city website shall list each board and commission of the city and include the following information:
 - (1) A summary of the board or commission functions.
 - (2) A link to the enabling legislation that created the body.
 - (3) A link to the board or commissions agendas and minutes on the Secretary of State's website.
 - (4) A list of all members, each member's contact email address, the appointing authority of each member, **the date of their appointment** and the expiration date of each members' term.

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

Given first passage _____ and referred to
consideration of final passage; and adopted

at 7:00 p.m. for a hearing and

Attest:

City Clerk of East Providence, Rhode Island

Requested by: Councilman Mourato

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION IN SUPPORT OF H-5489 RELATING TO
DOMESTIC ABUSE PREVENTION**

WHEREAS, studies show that 3-4 million children between the ages of 3-17 are at risk of exposure to domestic violence each year; and

WHEREAS, U.S. government statistics say that 95% of domestic violence cases involve women victims of male partners. The children of these women often witness the domestic violence; and

WHEREAS, witnessing domestic violence, in general, has been associated with emotional, behavior, and learning problems in children; and

WHEREAS, children often suffer emotional and psychological trauma from living in homes in which there is domestic violence; and

WHEREAS, children from violent homes have higher risks of alcohol/drug abuse, post traumatic stress disorder, and juvenile delinquency. Witnessing domestic violence is the single best predictor of juvenile delinquency and adult criminality. It is also the number one reason children run away.

WHEREAS, House Bill 5489, an Act Relating to Domestic Relations – Domestic Abuse Prevention has been introduced in the Rhode Island General Assembly; and

WHEREAS, this Act proposes to allow plaintiffs seeking a domestic abuse protective order in Family Court to include any of their minor children who are not related to the defendant by blood or marriage within the same complaint and restraining order, rather than seeking a protective order in District or Superior Court of children not biologically-related or marriage-related to the defendant.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence supports House Bill 5489 and respectfully requests that the Rhode Island General Assembly enact the bill into law.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lieutenant Governor of the State of Rhode Island, the President of the Rhode Island Senate, the Speaker of the Rhode Island House of Representatives and the Senators and Representatives from the City of East Providence.

Adopted by the City Council:

Attest:

City Clerk of East Providence, Rhode Island

Requested by: Councilwoman Sousa