

CITY OF EAST PROVIDENCE
 JOURNAL/MINUTES-REGULAR COUNCIL MEETING
 WEDNESDAY, JANUARY 6, 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 will then be asked for the meeting passcode.
 Enter the following passcode:
 PASSCODE: 653929

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
 You will then be asked for the meeting passcode. Enter the following passcode number: 653929
 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 Wednesday, January 6, 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 – Council President Britto called the meeting to order. All members of the Council were present. 

II. INVOCATION OF EXECUTIVE SESSION – Council moved to invoke Executive Session, with a vote of 5-0.

The City Council may go into executive session pursuant to RIGL 42-46-5(a)(2)

a) Final Ratification of the Exxon Mobile Settlement Agreement Tax Appeals – ExxonMobil Oil Corporation (formerly Mobil Oil Corporation v. Sarah Frew in her capacity as Tax Assessor for the City of E. Providence, RI), PC-2014-0178, PC-2014-5871, PC-2015-4963, PC-2017-1455, PC-2018-0141, PC-2019-2060 & PC-2020-5015

Member	Aye	Nay
Cahoon		
Mourato		
Rodericks		
Sousa		
Britto		

b) Sewer Abatement

1. Gordon Horton

I. OPEN SESSION – Council President Britto requested City Clerk, Samantha N. Burnett to produce a roll call. All members were present.

III. PLEDGE OF ALLEGIANCE – Council President Britto led the Council in the Pledge of Allegiance.

IV. MOTION TO SEAL MINUTES FROM EXECUTIVE SESSION – Councilman Cahoon made the motion to seal the minutes from Executive Session. Motion seconded by Councilwoman Sousa. Motion passes, 5-0.

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

1. Pomham Rocks Lighthouse Road Race, April 24, 2021 – Karen Zyons

April 24, 2021 5k and 10k race to celebrate their 150th Jubilee taking place start and end at Rose Larissa Park. Councilman Mourato asked if it was the same COVID 19 plan as the other road races. Ms. Zyons said it was and submitted to the City Clerk and Parks and Rec. Councilman Cahoon asked if there was a place where they can register. Ms. Zyons stated that they can register on their Rhode Race site. Motion to approve made by Councilman Cahoon. Motion seconded by Councilwoman Sousa. Motion passes, 5-0.

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

Council did establish unanimous consent for 30 minutes for the following discussion below with Mr. Miller.

2. Ruarri Miller – Platt Waters Discussion regarding restoration/demolition

Sarah Smalley approached the table to speak with the Council to speak about the demolition and the notice given regarding the resolution on October 20, 2020. Ms. Smalley stated that public officials gave misleading information and quoted a meeting that was via Zoom, including Mayor Bob DaSilva, Patricia Resende, Patrick Hanner and Council Vice President Bob Rodericks. She stated the Mayor said that this would not go for a vote at the meeting, then it was at the Council meeting.

Assistant Solicitor Conley states that OMA only applies when a quorum of a body is present and based on the people stated in the meeting are not part of a public body, like the City Council. Mr. Conley pulled up the resolution on the Secretary of State, the notice is clear of the notice of demolition, with clear addresses listed, along of a hyperlink with the resolution (in detail). In the Mr. Conley as the Assistant City Solicitor’s opinion there is no issue of public notice and the sufficiency of it.

Ms. Smalley stated that she plans on filing in Superior Court as an OMA violation.

Ms. Smalley stated that city officials took the information from their community meeting, then brought that to a Council meeting and told them what the results were before they voted.

Council President Britto stated that there were two developers that submitted two different plans during the previous termed Council but never materialized. He stated at that time, he said that the community in that area wanted the buildings down and did not speak in favor of it.

Mr. Miller spoke on remediation of the building and possibility of grants that are available if the buildings are not demolished.

Councilman Cahoon stated that if the intent is to ask the Council is to stop the demolition, and if she is questioning if the Council followed the OMA the first time, how would they be able to vote on pausing this if it isn’t on the docket? Ms. Smalley responded that they would propose a vote to pause.

Councilman Mourato stated that there is no way they can vote on this tonight because there is nothing in its likeness on the docket.

Mr. Miller responded to the Council speaking on the timeline of events and how, in his opinion, that he not responded to regarding to his requests to the Mayor and administration. He spoke about the 4:00 p.m. meeting with the Mayor that had 15 people attended in the pouring rain, seven days prior to the Council meeting. Mr. Miller stated that the Mayor said, there will not be a vote on this at the next City Council meeting, but the vote will be at the meeting after.

Council President Britto stated that back in 2017, no one opposed the demolition of the buildings. Councilman Cahoon echoed this and said that no one has approached him and give suggestions for options for the buildings.. Cahoon stated that creating a development for single family houses is not unreasonable, and there is a high demand for this, especially right now.

Peter Friedrichs who is the City Planner from the City of Newport and a member representing Polycaster (sp?) Group, attending in capacity at pro bono for tonight’s meeting. Mr. Friedrichs shared ideas that the City of Newport were doing with their unused and older buildings.

Ned Connors spoke (Dyer Avenue resident, Riverside and preservation consultant). He did mention that he spoke with the mayor two years ago about Platt and Waters.

Assistant City Solicitor Conley, stated that the City has appropriately communicated with the parties and there is one underway. There is nothing in active violation right now. The building is not registered as a historical property anywhere but it would be subject to review.

Council President stated that this is at the point of 40 minute mark of discussion, and there are other people who are here for licensing and get them in and out.

Councilman Mourato stated that he’s heard enough and they covered what they needed to cover. Councilman Mourato asked that they move the licenses up and he does have his own comments that he would like to rebut at this point.

Council President stated that they will move to licenses and come back to this item.

After licenses were voted on, the Council resumed back to this topic.

Councilman Cahoon added to the discussion, focusing on the ratio of housing types and demands.

Councilman Mourato addressed the issues on social media stating that it has been an ongoing discussion with the Council, in 2008, May 2018 (by Councilman Faria announcing a community meeting at Riverside Middle School), May 2017, (by Councilman Faria for June 1 at the Riverside Library) June 22, 2017 (by Councilman Faria at the Riverside Library), June 5, 2018 meeting where there was public comment participating.

Planning Director, William Fazioli did ring in on Zoom call in and spoke to this topic. Zoned R-3, 7500 square feet, and that there is not enough supply of single family homes in the city.

Patrick Hanner, Planner for the City of East Providence, stated these buildings have been vacant for about ten years. No one expressed interested in this building, regardless of the hiring of a realtor and multiple viewings. During the public meetings, there was opposition against high volume development by the public.

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.

1. Dr. Allen D’Aiello Jr. - spoke on the Platt Waters building docket item and requested the Council to pause on this demolition.
2. Rebecca Blaise – spoke on the Platt Waters building docket item with support over the 8-11 single family homes.
3. Amanda Emby – spoke on Platt Waters against putting condos up and in support of 8-11 single family homes.
4. Suzette Silva – was not present.
5. Victoria Cardoso – was not present.
6. Chrissy Rossi – spoke on the Platt Waters docket item and not in support of the condos, but the single family housing.
7. Written and read in: Lori Borderiri (sp) - Requesting a pause in the Platt Waters buildings.
8. Written and read in: Shawn Shad- Requesting pause regarding Platt Waters buildings.
9. Written and read in: Tristin Miller – Requesting a pause in the Platt Waters buildings and listen to small businesses and members of the community.
 10. Written and read in: Jason Coakley – in support of Mr. Miller’s stance.
 11. Written and read in: Kevin Cusak – Request for a pause on the Platt Waters buildings.
 12. Zoom: Steven Emond – direct abutter of Platt Waters School.
13. Three other communication/comment requests by email were not read in but will be included into the physical record of the meeting. Council Vice President Rodericks spoke on Platt Waters and stated that we need to hold our promise and bring in individual homes and not apartment complexes. Councilwoman Sousa spoke on Platt Waters and stated that back in her previous term with the former Ward 4 Councilman did address this and worked on this scenario. She praised the Planning Department for bringing the city into the 22nd century and that people move to our community because it is a family orientated city. She did speak in favor of the single family homes for various reasons.

VI. LICENSES NOT REQUIRING PUBLIC HEARING**1. APPLICATION FOR VICTUALING LICENSE, CLASS 3 – American Dream Mini Mart Inc., 411 North Broadway, 02916**

Motion to approve made by Councilman Cahoon and seconded by Council Vice President Rodericks. Motion passes 5-0.

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

2. HOLIDAY SALES – American Dream Mini Mart, Inc., 411 North Broadway, 02916

Motion to approve made by Councilman Cahoon and seconded by Councilman Mourato. Motion passes 5-0.

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

3. APPLICATION FOR VICTUALING LICENSE, CLASS 3-We Stand MBS, LLC DBA We Stand Social Club, 174 Taunton Avenue, 02914

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

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

4. HOLIDAY SALES- We Stand MBS, LLC DBA We Stand Social Club, 174 Taunton Avenue, 02914

Motion to approve made by Councilman Vice President Rodericks seconded by Councilman Mourato. Motion passes 5-0.

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

5. TATTOO SHOP- We Stand MBS, LLC DBA We Stand Social Club, 174 Taunton Avenue, 02914

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

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

6. APPLICATION FOR VICTUALING LICENSE-CLASS 1, TRANSFER

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

TRANSFER TO: JOSEPH F. PEREIRA, JR.

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

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

7. BV LICENSE

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

This was not voted on during this meeting.


Member	Aye	Nay
Cahoon		
Mourato		
Rodericks		
Sousa		
Britto		

8. HOLIDAY SALES

APPLICANT: BERTA’S RESTAURANT TAPAS AND BAR INC. DBA BERTA’S RED BRIDGE TAVERN, WATERMAN AVENUE, 02914

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

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

VII. NEW BUSINESS 

a) COMMUNICATIONS – OFFICE OF THE MAYOR

1. EXECUTIVE ORDER 2020-053 - Supplemental Executive Order

Director, Napoleon Gonsalves, was present for the Council. Motion made by Council Vice President Rodericks in memory of four families impacted by COVID 19 – Billy Dacoste, Dennis Francis, Terry Mann, Will Rodwick and sends condolences to their families and extend the emergency order to January 19, 2021 and numbered it as Executive Order 2021-001. Councilman Cahoon seconded the motion. The motion passes 5-0.

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

b) REPORTS OF OTHER CITY OFFICIALS 

1.) City Solicitor's Claims Report

Assistant City Solicitor, Dylan Conley issued the report to the Council. Please note this was done under the item of “Motion to Seal the Minutes from Executive Session”.

2.) Monthly Business Licensing Status Report

City Clerk, Samantha Burnett

Distributed as a communication item.

VIII. RECONVENE IN EXECUTIVE SESSION (if necessary)

IX. ADJOURNMENT Councilman Cahoon made the motion to adjourn the meeting, Councilwoman Sousa seconded the motion. The motion passes 5-0.

Meeting is adjourned.

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.