

CITY OF EAST PROVIDENCE
JOURNAL/DOCKET-REGULAR COUNCIL MEETING
TUESDAY, MAY 4, 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 7:00 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

REGARDING PUBLIC COMMENT

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

Email the City Clerk at: sburnett@eastprovidenceri.gov

Deliver your written comment in person to the City Clerk

Location: City Hall 145 Taunton Avenue East Providence, Rhode Island 02914

IF YOU WISH TO PARTICIPATE IN PUBLIC COMMENT VIA ZOOM, YOU MUST USE THE "RAISE HAND" FUNCTION VIA ZOOM NO LATER THAN 6:45 P.M. TO BE RECOGNIZED BY THE MODERATOR OF THE MEETING.

I. CALL TO ORDER – 

Call to order made by Council President Robert Britto and at his request, the City Clerk, Samantha Burnett, produced a roll call of the Council members present. Councilman Cahoon was absent. Councilwoman Sousa was absent for this roll call, but joined in Executive Session. All other members were present.

II. VOTE TO GO INTO EXECUTIVE SESSION, PURSUANT TO R.I.G.L. 42-46-5 (a)(2) relating to potential litigation and sewer charges.

Council Vice President Rodericks made the motion to enter Executive Session. Motion seconded by Councilman Mourato. Motion passes unanimously, 3-0 with Councilman Cahoon and Councilwoman Sousa absent. Councilwoman Sousa did later join the Council in Executive Session.

Member	Aye	Nay
Sousa		
Cahoon		
Mourato	X	
Rodericks	X	
Britto	X	

A. Claims

New Claims

- Ernesto Amaral
- Causeway Condominium Associates
- David Pandolfo

B. Sewer Charge Abatements

III. OPEN SESSION

/h2>

The Council reconvened in Open Session, immediately following Executive Session. All members were present, for the exception of Councilman Cahoon.

IV. PLEDGE OF ALLEGIANCE

Led by Council President Britto.

V. MOTION TO SEAL MINUTES FROM EXECUTIVE SESSION

Motion to seal the minutes from Executive Session made by Council Vice President Rodericks. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0, with Councilman Cahoon absent.

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

VI. APPROVAL OF THE CONSENT CALENDAR

1. COUNCIL JOURNALS:

APRIL 20, 2021 – REGULAR MEETING MINUTES

APRIL 29, 2021 - SPECIAL MEETING MINUTES

Motion to approve the Consent Calendar made by Councilwoman Sousa. Motion seconded by Councilman Mourato. Motion passes unanimously, with Councilman Cahoon absent.

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

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.

- Ted Furtado – Traffic Amendment for Mountain Avenue signed up, but decided to wait for the Public Hearing portion of this item offered later in the meeting.*

VII. MAYORAL APPOINTMENTS WITHOUT COUNCIL APPROVAL

- Wayne Barnes – Conservation Commission (Term: 01/02/2021-01/01/2024)**
- John Carney – Conservation Commission (Term: 01/02/2020-01/01/2023)**
- Councilwoman Anna Sousa – Tree Commission, Ex-Officio (Term: 01/01/2019-12/31/2022)**
- Scrivener's Error: Al Maynard – Affirmative Action (Term: 02/11/2021-02/22/2023)**

Previously recorded as 03/05/2019-03/06/2021

No votes were needed. City Clerk, Samantha Burnett announced the appointments.

VII. LICENSES REQUIRING PUBLIC HEARING

- Club License – Holy Rosary Band Society (Class D Liquor)
328 Taunton Avenue, 02914

Paperwork and advertisement requirements completed. Public Hearing was offered to the public to speak on this item. Zoom instructions given for participants at home. Public Hearing was closed. Attorney Tim Chapman was available for any questions.

Councilwoman Sousa made the motion to approve this license. Motion seconded by Council Vice President Rodericks. Motion passes 4-0 with Councilman Cahoon absent.

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

XI. LICENSES NOT REQUIRING PUBLIC HEARING

- (Class 1-Victualing)**

Holy Rosary Band Society
328 Taunton Avenue, 02914

Motion to approve made by Councilman Mourato. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0, with Councilman Cahoon absent.

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

- Application for Secondhand Dealers and Junkyard and Miscellaneous**

Applicant was present to answer any questions for the Council. Motion to approve made by Council Vice President Rodericks. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

XII. NEW BUSINESS

A) COUNCIL COMMUNICATIONS

1. Environmental concerns relating to noxious odors recently noticed by East Providence residents - Council Vice President Rodericks
Council Vice President Rodericks was available for this item and updated the public of the status of findings at this point. No votes were made during this discussion.
2. Willett Pond Improvements, Earth Day Event – Councilman Mourato
Councilman Mourato was available for this item and provided a status update on this project at this point. No votes were made during this discussion.

B) COMMUNICATIONS – OFFICE OF THE MAYOR

1. Speed/Red Light Cameras – Director of Administration, Napoleon Gonsalves
Director of Administration Gonsalves was available and provided information to the Council. No votes were made during this discussion.
2. Update on Phase I and Phase II of the Pawtucket/BCWA Interconnection and Update and Discussion of Cross-Bay East Bay Water Supply Pipe Inspection - Director of Public Works, Dan Borges
Director of Public Works, Dan Borges was available for the Council and provided updates on this project. No votes were made during this discussion.
3. Teacher Appreciation Week Proclamation – May 3-7th
Announcement made by Administration.
4. Nurses Appreciation Week Proclamation – May 6-12th
Announcement made by Administration.

C) REPORTS OF OTHER CITY OFFICIALS

1. City Solicitor Claims Report – Solicitor Michael J. Marcello
Claims Report from Executive Session was reported out from Solicitor Marcello.
2. Office of the City Clerk Update: Boards and Commissions Report –City Clerk, Samantha N. Burnett
City Clerk, Samantha Burnett was available and reported updates to the Boards and Commissions.
3. Home Improvement and Assistance Programs presentation– David Bachrach
Mr. Bachrach provided a brief presentation to the Council about these programs.

D) RESOLUTIONS

Full resolutions on ClerkBase, under 05/04/2021 agenda: <https://www.clerkshq.com/eastprovidence-ri>

1. **RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE SOLID WASTE AND RECYCLING SERVICES AGREEMENT BETWEEN THE RHODE ISLAND RESOURCE RECOVERY CORPORATION AND THE CITY OF EAST PROVIDENCE** Sponsored by: Council President Britto

Motion to approve made by Councilwoman Sousa. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

2. **RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH NORTHEAST REVALUATION GROUP LLC FOR THE STATISTICAL REVALUATION**

Sponsored by: Councilman Cahoon

Motion to approve made by Council Vice President Rodericks. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

3. **RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REVISED LEASE AGREEMENT WITH BLOUNT SEAFOOD CORPORATION D/B/A BLOUNT CLAIM SHACK** Sponsored by: Council Vice President Rodericks

Motion to approve made by Councilman Mourato. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0.

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

4. RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND AMEND AND RESTATED AGREEMENT WITH SUEZ ENVIRONMENTAL SERVICES, INC. FOR THE WASTEWATER SYSTEM PROJECT, DESIGN, BUILD AND OPERATE SERVICES

Sponsored by: Councilman Cahoon

Motion to approve made by Councilwoman Sousa. Motion seconded by Councilman Mourato. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

E) ORDINANCES FOR FIRST PASSAGE

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” Section 18-269 (Catlin Avenue and Lewis Street) (Standish Avenue and Merrill Street)**

Sponsored by: Council President Britto

Ordinance was amended and Council Vice President Rodericks made the motion to approve the amendment. Motion seconded by Councilwoman Sousa. Motion passes 4-0 with Councilman Cahoon absent.

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

Motion to approve the ordinance as amended made by Councilwoman Sousa. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

F) ORDINANCES FOR SECOND AND FINAL PASSAGE (AND PUBLIC HEARING)


Full ordinances on ClerkBase, under 05/04/2021 agenda: <https://www.clerkshq.com/eastprovidence-ri>

1. **AN ORDINANCE IN AMENDMENT OF CHAPTER 8 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “LICENSES AND BUSINESS REGULATIONS” (Section 8-35)** Sponsored by: Council President Britto
Public Hearing was offered and there were no participants both in person or virtually. Public Hearing was closed and a motion to approve the ordinance was made by Council Vice President Rodericks. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

2. **AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS** Sponsored by: Councilman Britto
Public Hearing offered and there were no participants both in person or virtually. Public Hearing was closed and a motion to approve the ordinance was made by Councilwoman Sousa. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

3. **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 18-268** Sponsored by: Councilman Cahoon 
Public Hearing offered by resident of Mountain Avenue, Ted Furtado who spoke in favor of this ordinance. Other residents were present, but did not speak during Public Hearing. Public Hearing was then closed. Motion to approve the amendment was made Council Vice President Rodericks. Motion seconded by Councilwoman Sousa. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

4. **AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE RHODE ISLAND 1998, AS AMENDED, ENTITLED, “ZONING” (Article III, Section 19-95)** Sponsored by: Council Vice President Rodericks and Councilman Mourato

Clerk's note: This item was re-scheduled to July 6, 2021 at the request of the applicant.

Motion to table the ordinance to July 6, 2021 made by Councilman Mourato. Motion seconded by Council Vice President Rodericks. Motion passes unanimously, 4-0 with Councilman Cahoon absent.

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

XIII. RECONVENE IN EXECUTIVE SESSION (if necessary)

The Council did not feel it was necessary to reconvene in Executive Session.

XIV. ADJOURNMENT

Motion to adjourn the meeting was made by Councilwoman Sousa. Motion seconded by Councilman Mourato. Motion passes unanimously, 4-0 with Councilman Cahoon absent. Meeting adjourns.

Member	Aye	Nay
Sousa	X	
Cahoon		
Mourato	X	
Rodericks	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.

STATE OF RHODE ISLAND

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
THE SOLID WASTE AND RECYCLING SERVICES AGREEMENT
BETWEEN THE RHODE ISLAND RESOURCE RECOVERY CORPORATION
AND THE CITY OF EAST PROVIDENCE**

WHEREAS, the current Solid Waste and Recycling Services Agreement with Rhode Island's cities and towns will expire as of June 30, 2021; and

WHEREAS, Rhode Island Resource Recovery Corporation has worked with Rhode Island's cities and towns to update the Agreement for FY 2022 and 2023; and

WHEREAS, the Agreement is a standard contract that allows municipalities to deliver solid waste to the Rhode Island Resource Recovery Corporation for disposal and sets the disposal/tipping fees for same.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence to execute the Solid Waste and Recycling Services Agreement with the Rhode Island Resource Recovery Corporation beginning on the date of execution and ending on June 30, 2023.

This Resolution shall take effect upon passage.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Britto

STATE OF RHODE ISLAND

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
A CONTRACT WITH NORTHEAST REVALUATION GROUP LLC
FOR THE STATISTICAL REVALUATION**

WHEREAS, pursuant to R.I. General Law § 44-5-11.6, cities and towns are required to perform a statistical revaluation every three years and a full revaluation in the ninth year; and

WHEREAS, as of December 31, 2021, the City is scheduled to have a statistical revaluation conducted; and

WHEREAS, on March 31, 2021, the City received three (3) bids for the statistical revaluation for the City; and

WHEREAS, the City would like to enter into a contract in the amount of \$176,800 with Northeast Revaluation Group LLC to perform the statistical revaluation for the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence to enter into a contract with Northeast Revaluation Group LLC in the amount of \$176,800 for the statistical revaluation for the City.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Councilman Cahoon

STATE OF RHODE ISLAND

CITY OF EAST PROVIDENCE

RESOLUTION NO.

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
REVISED LEASE AGREEMENT WITH BLOUNT SEAFOOD CORPORATION
D/B/A BLOUNT CLAM SHACK**

WHEREAS, the City entered into a five (5) year Lease Agreement with Blount Seafood Corporation d/b/a Blount Clam Shack that commenced on May 1, 2017 and expires on April 30, 2022 for the lease of a portion of land located on the grounds of Crescent Park located at 684 Bullocks Point Avenue for the operation of a concession stand; and

WHEREAS, for the 2021 season, Blount Seafood would like to bring their food truck to the property as they are unable to operate inside the current clam shack building; and

WHEREAS, the current lease is for the main building and a preparation room located in a second building for use May through August at \$2,000 per month (\$8,000 per season). Blount is responsible for their own electric, gas, water, sewer, and insurance. Lease payments fund restoration of the Carousel and are not included in the City's operating budget; and

WHEREAS, Blount has asked for a temporary decrease in the monthly lease payment to \$750.00 per month (\$3,000 for the season) since they will be cooking and serving food from the food truck and using the preparation room as needed; and

WHEREAS, Blount will decrease their operational hours from five (5) days to three (3) days (possibly 4) per week and offer a smaller menu which will reduce their profits for the season.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby authorizes the Mayor of the City of East Providence to enter into a revised Lease Agreement with Blount Seafood Corporation d/b/a Blount Clam Shack.

This resolution shall take effect upon passage.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council Vice President Rodericks

STATE OF RHODE ISLAND

CITY OF EAST PROVIDENCE

RESOLUTION NO.

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AND RESTATED AGREEMENT WITH SUEZ WATER ENVIRONMENTAL SERVICES, INC. FOR THE WASTEWATER SYSTEM PROJECT DESIGN, BUILD & OPERATE SERVICES

WHEREAS, the City and Suez Water Environmental Services, Inc. entered into an agreement for the City of East Providence Wastewater System Project Design, Build and Operate Services, dated February 10, 2010 whereby Suez provided the City with the design, permitting, construction, start-up, acceptance, testing, operation, maintenance, repair, replacement, and management of wastewater system projects; and

WHEREAS, Suez did fully satisfy its obligations to the City as required under the terms of the original agreement; and

WHEREAS, the Mayor has negotiated a new ten-year agreement that reduces the base operation fee paid by the City to Suez by at least \$250,000 for a total savings of \$2.5 million dollars over a ten-year period; and

WHEREAS, the new contract also requires Suez to install primary clarifier covers with odor control measures at the treatment plant; and

WHEREAS, the contract was reviewed by the City's consultant, Arcadis and the Law Department and;

WHEREAS, the new contract is in the best interests of the City and its sewer ratepayers.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of East Providence hereby authorizes the Mayor and/or the Law Department of the City of East Providence to execute the amended and restated agreement between the City of East Providence and Suez Water Environmental Services, Inc. for a period not to exceed ten-years.

This resolution shall take effect upon passage.

Adopted by the City Council: _____

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Councilman Cahoon

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

**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”**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Subsection (b) of Sec. 18-269 entitled “Stop and yield intersections designated; when stops required” is amended by adding thereto the following:

Standish Avenue at the approach of Merrill Street;

Catlin Avenue at Lewis Street

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

Given first passage and referred to at 7:00 p.m. for a hearing and
consideration of final passage; and adopted

Attest:

City Clerk of the City of East Providence, RI

Introduced by: Councilman President Britto

STATE OF RHODE ISLAND

CITY OF EAST PROVIDENCE

CHAPTER

AN ORDINANCE IN AMENDMENT OF CHAPTER 8 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“LICENSES AND BUSINESS REGULATIONS”

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Sec. 8-35 entitled “Underground utility contractors—Permit” of Article II entitled “Miscellaneous Business and Occupational Licenses and Permits” of Chapter 8 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Licenses and Business Regulations” is amended to read as follows:

Sec. 8-35. Underground utility contractors—Permit.

No person shall engage in the business of underground utility contractor unless said person has a license from the State of Rhode Island as defined under G.L Ch. 5-65.5 et seq. No person shall engage in the installation, maintenance and repair of underground utility systems within the City of East Providence without first obtaining a permit for ~~said~~ each installation ~~and~~ or repair from the director of public works and payment of all fees associated with said permit. The director of public works shall only issue an underground utility contractor permit pursuant to R.I. Gen. Laws §39-2.2-2 for work to be performed on public rights of way and/or roadways directly to a public utility as defined by R.I. Gen. Laws §39-1-2, the public utility may designate a contractor to perform work on its behalf, but the director of public works shall not issue a permit directly to any subcontractor of a public utility. The director of public works shall only issue R.I. Gen. Laws §39-2.2-2 municipal utility permits under the following circumstances:

- (1) Minor Disturbance. If the work to be performed shall disturb less than one hundred square feet (100sqft) of public right of way and/or roadway:
 - a. The required repair and sealing of the public right of way and/or roadway shall be in the discretion of the Director of Public Works and such requirements may be included on the permit upon issuance.
- (2) Major Disturbance. If the work to be performed shall disturb at least one hundred square feet (100sqft) of public right of way and/or roadway:
 - a. And the disturbed area was paved within the previous five (5) years, then issuance of such a permit shall require replacement of the public

right of way and/or roadway edge to edge along the entire length of the disturbance.

- b. And the disturbed area was paved between five (5) and fifteen (15) years ago, the disturbed area shall be repaved in the following manner:
 - i. On roadways less than twenty-four feet wide (24') edge to edge repaving required unless the director of public works specifies that the repair should performed edge to centerline of roadway with either crack sealant or infrared heat treatment of the resulting seam.
 - ii. On roadways at least twenty-four feet wide (24') the repair should performed edge to centerline of roadway, and the resulting seam shall employ either crack sealant or infrared heat treatment as may be determined by the director of public works.
- c. And the disturbed area was paved more than fifteen (15) years ago, the disturbed area shall be repaved in the manner the director of public works deems appropriate.

(3) Sidewalks. If the work performed has any impact on sidewalks or other pedestrian or cycling or other public right of way infrastructure, such disturbed infrastructure shall be repaired such that it is comparable to newly installed right of way infrastructure. Such repairs shall use the same material as presently existing at the site.

(4) Striping. In all cases all striping, including but not limited to crosswalks, centerlines or shoulders shall be repainted to the satisfaction of the director of public works.

(5) Police Detail, Timing, Notice.

- a. The Director of Public Works is hereby empowered to require a Police Detail whenever the Director of Public Works deems necessary and prudent for public safety concerns that may arise from work related to the municipal utility permit.
- b. The Director of Public Works is hereby empowered to set specific times of day or days of the week when construction of the public right of way may be performed whenever the Director of Public Works deems necessary and prudent for public safety or quality of life concerns that may arise from work related to the municipal utility permit.
- c. The Director of Public Works is hereby empowered to require that notice be given to property owners in the immediate vicinity of the

work to be performed whenever such property owners will have their quality of life substantially impacted by the work to be performed.

(6) Compliance and Enforcement.

- a. No permit shall be issued to any applicant who has performed any work that is not fully compliant with the provisions herein unless and until that previous work is brought into compliance with this section to the satisfaction of the director of public works.
- b. No permit shall be issued to any applicant who has outstanding fines or fees due and owing to the City of East Providence.
- c. Failure to comply with this section shall incur a five-hundred-dollar (\$500.00) per day fine for each day that the roadway or public right of way is not appropriately repaved as shall be determined by the Department of Public Works.
 - i. Any funds derived from enforcement of this section shall be set aside for capital improvements to pedestrian or public transportation infrastructure throughout the City.

SECTION II. 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 _____ at 6:30 p.m. for a hearing and consideration of final passage; and adopted

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Britto

STATE OF RHODE ISLAND
CITY OF EAST PROVIDENCE
CHAPTER

**ORDINANCE AUTHORIZING THE ISSUANCE
OF GENERAL OBLIGATION REFUNDING BONDS**

WHEREAS, the City of East Providence (the "City") has previously issued its \$15,000,000 General Obligation Bonds dated October 4, 2012 through the Public Schools Revenue Bond Financing Program of the Rhode Island Health and Educational Building Corporation ("RIHEBC"), (the "Prior Bonds"); and

WHEREAS, the City desires to issue general obligation refunding bonds (the "Refunding Bonds") to refund all or any part of the Prior Bonds in order to take advantage of the lower interest rates which currently are prevailing; and

The Council of the City of East Providence hereby ordains:

SECTION 1. Pursuant to Rhode Island General Laws Section 45-12-5.2 the City is authorized to issue Refunding Bonds of the City in an amount necessary to refund all or a portion of the Prior Bonds and to provide for any principal of, redemption premium, and interest on the Prior Bonds coming due on or prior to the date on which the Prior Bonds are to be redeemed, and costs of issuance of the Refunding Bonds.

SECTION 2. The issuance of the Refunding Bonds will result in a financial benefit to the City.

SECTION 3. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Refunding Bonds authorized herein may be fixed by the officers authorized to sign the Refunding Bonds. The City may enter into a financing and/or other agreements with the RIHEBC pursuant to Title 45, Chapter 38.1 of the General Laws.

SECTION 4. The City Council hereby authorizes the Director of Finance and the Mayor acting on behalf of the City, to issue the Refunding Bonds for the purposes set forth in this Ordinance and to take all actions as they deem necessary to effect the issuance of the Refunding Bonds. The Refunding Bonds shall be issued by the City under its corporate name and seal or facsimile of such seal. The Refunding Bonds shall be signed by the manual or facsimile signature of the Director of Finance and the Mayor.

SECTION 5. The Director of Finance and the Mayor are hereby authorized to issue the Refunding Bonds and deliver them to RIHEBC and said officers are hereby authorized and instructed to take all actions, on behalf of the City, necessary to ensure that interest on the Refunding Bonds will be excludable from gross income from federal income tax

and state income tax purposes, if applicable and to refrain from all actions which would cause interest on the Refunding Bonds to become subject to federal income taxes or state income taxes, as applicable.

SECTION 6. The Director of Finance and the Mayor are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") and to execute and deliver a Continuing Disclosure Certificate in connection with the Refunding Bonds in the form as shall be deemed advisable by the Director of Finance and the Mayor in order to comply with the Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding any other provision of this Ordinance or the Refunding Bonds, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section and under the Continuing Disclosure Certificate.

SECTION 7. This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Given first passage _____ and referred to _____ at 6:30 p.m. for a hearing and consideration of final passage; and adopted _____.

Attest:

City Clerk of East Providence, Rhode Island

Introduced by: Council President Britto

STATE OF RHODE ISLAND

CITY OF EAST PROVIDENCE

CHAPTER

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”

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Sec. 18-268 entitled “Through streets designated” of Article IX entitled “Stop Intersections” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998 as amended, entitled “Vehicles and Traffic.” is amended to read as follows:

Sec. 18-268. Through streets designated.

(a) Those streets and parts of streets designated as through streets are on file in the city clerk’s office.

(b) The city council is hereby empowered to designate thoroughfares as “Do Not Enter-Local Traffic Only” and to cause the erection and maintenance of signs showing such designation. Prior to the designation of any such thoroughfare, the city council shall require and consider any reports from the chief of police, the fire chief, and the director of the department of public works.

(c) The following streets shall be designated “Do Not Enter-Local Traffic Only:”

Mountain Avenue

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

Given first passage _____ and referred to _____ at 6:30 p.m. for
a hearing and consideration of final passage; and adopted

Attest:

City Clerk of the City of East Providence

Introduced by: Councilman Cahoon

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

**AN ORDINANCE IN AMENDMENT OF CHAPTER 19 OF THE REVISED
ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND 1998,
AS AMENDED, ENTITLED "ZONING"**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Section 19-95 entitled "Districts Designated" of Article III entitled "District Regulations" is hereby amended as follows:

Parcel 060.00 on Assessor's Map 512, Block 22 presently located in a Residential-3 (R-3) District is hereby changed to be included in a Commercial-2 (C-2) District.

The Zoning Map of the City of East Providence shall be amended accordingly.

SECTION II. This ordinance shall take effect upon passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Adopted: _____

Attest:

City Clerk of the City of East Providence, Rhode Island

Requested by: Bianco Realty Associates, LLC