

CITY OF EAST PROVIDENCE
JOURNAL/MINUTES DOCKET-REGULAR COUNCIL MEETING
 TUESDAY, FEBRUARY 7, 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/UC0YEW6s1RpicKR47VMil1LA>

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 absent Lawson X Rego X Sousa absent Rodericks X

II. SALUTE TO THE FLAG

- *Salute to the flag led by Council Vice President Rego*

III. EXECUTIVE SESSION

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

- A. Rhode Island Hospital, 900 Warren Avenue, Map 507, Block 12, Parcel 001, Tax Exempt Status of Real Estate - Review, discussion and possible vote – litigation

B. 42-46-5(a)(5) any discussions or considerations related to the acquisition of real property for public purposes wherein advance public information would be detrimental to the interest of the public.

- *Motion made by Councilman Lawson to enter into executive session. Motion seconded by Council Vice President Rego. Motion passes 3-0*

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

IV. RECONVENE TO OPEN SESSION

Fogarty absent Lawson X Rego X Sousa absent Rodericks X

V. MOTION TO SEAL EXECUTIVE SESSION MINUTES

- *Motion made by Councilman Lawson to seal executive session minutes. Motion seconded by Council Vice President Rego. Motion passes 3-0*

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

VI. CONSENT CALENDAR - For discussion and possible vote

A. COUNCIL JOURNALS:

1. Regular meeting minutes January 17, 2023

B. TAX ABATEMENTS

Year	Amount
2022	\$159,253.68
Total	\$159,253.68

C. Read In

1. Class F Application for Special Event – Beer and Wine

Applicant: St. Francis Xavier Church

Location: 160 Orchard Street

Date & Time of Event: 01/29/2023 1:00pm – 3:00pm

Type of Event: Dinner

- *Motion made by Councilman Lawson to approve the consent calendar. Motion seconded by Council Vice President Rego. Motion Passes 3-0*

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

VII. LICENSES - For discussion and possible vote

A. NON-PUBLIC HEARING

1. Class F Application for Special Event – Beer and Wine

Applicant: JDP Theatre Co.

Location: 1336 Pawtucket Avenue 02916, Church of the Epiphany

Date & Time of Event: Feb. 11, 2023, 6:00pm-9:00pm

Type of Event: Murder Mystery Dinner

- *Motion to approve made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 3-0*

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

2. Application for Kennel License

Business name: Strategic K-9 Training LLC

Applicant: Joseph Corsi

Business Address: 2382 Pawtucket Avenue, 02914

- *Joseph Corsi approaches podium, states the business will be open 40+ hours and trains all breeds*

- ***Motion to approve made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 3-0***

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

B. PUBLIC HEARING

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.

- ***No public comment***

XI. APPOINTMENTS – for discussion and possible vote

1. East Providence Tree Commission – City Council Member ex-officio Appointment

- ***Council President Rodericks nominates Councilwoman Anna Sousa***
- ***Motion to approve made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 3-0***

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

2. Planning Board – City Council Member ex-officio re-appointment Anna Sousa

- *Motion to approve made by Councilman Lawson. Motion seconded by Council Vice President Rego. Motion passes 3-0*

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

XII. COUNCIL MEMBERS

1. Council Liaison to the School Committee – Discussion – Council President Rodericks

- *Council President Rodericks nominates Councilman Lawson as the School Committee liaison*
- *Max Brandle, Ward II School Committee, present to represent the School Committee*

2. City Clerk job description review, vacancy/appointment procedure– Discussion and Possible vote – Council President Rodericks and Councilman Lawson

- *Solicitor Marcello states the city clerk position does not have to be filled as long as someone is filling the roll*
- *Deferred to next meeting*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

3. Administration’s recommendation on posting, applications and interviews for City Clerk position – Discussion – Councilman Lawson

- *Deferred to next meeting*

4. Discussion related to status of request for proposal RFP for the Crescent Park concession stand – Discussion – Council President Rodericks

- *Tracy Johnson states there were meetings about the status of the RFP and where to go from here.*

- *Hire an architect to finish the drawings to move forward with the inside, revise the RFP and go back out to bid.*
- *Council President Rodericks asks for timeline, Tracy states roughly 2 weeks for the architect to do the drawings and return them*
- *Tracy Johnson states that food vendors are brought in for events*
- *Councilman Lawson states what will be inside kitchen equipment, small seating area, bathrooms, office, walk up window, two bay garage for equipment storage. Potential to monetize the property by placing a tent for weddings, etc. Councilman Lawson would like to speak with the administration about installing a concrete pad for a tent.*
- *Council President Rodericks states that there is roughly 525K available*
- *Tracy Johnson explains a portion is allocated for the concrete pad that could house a tent sized approximately 40x100 and that the skating rink should be placed on hold*
- *Councilman Lawson mentions there are 10 openings on the Carousel Commission*
- *No vote was taken*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

5. Freedom Green Park repair, maintenance/up keep to include grounds, gazebo and benches – Discussion – Council Vice President Rego

- *DPW Director Daniel Borges states himself and the Parks superintendent are compiling a list of issues that need to be addressed. Most work will be able to be completed in house*
- *The upkeep agreement with Agawam Hunt is in perpetuity attached exhibit A,*

6. Lyle Bourne Park renovations and discussion for need for handicapped accessible playground equipment – Discussion – Council Vice President Rego

- *DPW Director Borges states the intent is to implement handicapped accessible equipment through new grant opportunities*

7. East Providence Fire Station 3 Rescue staffing and run status – Discussion – Council Vice President Rego

- *Council Vice President Rego expresses his concern that Station 3 only services the community Monday through Friday during the day and about mutual aid.*
- *Chief Quick states in 2022 there were 9,330 EMS runs City wide, 8,393 EMS runs City wide 2021*
- *Mutual aid calls in 2021 were 642 City wide, and 2022 was 949 City wide*

- *Director of Administration Napoleon Gonsalves states the cost of an additional rescue is at minimum one million dollars*
- 8. Fiscal Review; 1) FY21 and FY22 audit, 2) FY23 expenditure revenue update, 3) update of 12/31/22 tax assessor re-evaluation status conducted by Northeast Revaluation – Discussion – Council Vice President Rego
- *Audit for FY21 should be complete by the end of March to beginning of April.*
- *Director Moore states that the expenditures are given at the second meeting of each month*
- *Director Moore explains the revaluation will be going out the first part of March. It is a 9 year cycle, year 3 and 6 are statistical, and year 9 is physical where they would measure your deck for example. Potential update at the March 7, 2023 meeting.*
- *Solicitor Marcello states there is no cap, it is based on market value, one assessment cannot be greater than twenty percent of a class*
- 9. Review of East Providence School Zone speed camera and red light traffic enforcement camera Sensys Gatso contract and policy – Discussion - Councilman Fogarty
- *Deferred*
- *Request from Council President Rodericks to add an item requested by Councilman Fogarty that states discussion on Kent Heights water tower appearance*
- 10. Review of Wampanoag Trail/Pawtucket Avenue intersection safety concerns, former Wampanoag Diner site – Discussion – Councilman Fogarty
- *Deferred*
- 11. Full report on outstanding bonds taken out by the City of East Providence to include the amount, the purpose, the yearly repayment cost, and the maturity date of all bonds for the City, School Department and Water Enterprise fund. State’s reimbursement for the high school, how much was received, reimbursement schedule, which accounts are the reimbursed funds being placed – Discussion – Councilman Lawson
- *Director Moore states 228 million original bonds are still open, the balance is 193 million.*
- *Water/Sewer bonds are enterprise fund, does not affect the tax rate when they drop off. Total bonded 30 million, end of FY22 there is 20 million owed.*
- *Reimbursement from bonds goes into the General Fund*
- 12. Water/Sewer/Road infrastructure funding – Discussion – Councilman Lawson
- *DPW Director states 26.1 million will be borrowed from infrastructure bank to complete some well needed improvements on the waterside*

- *On the sewer side working with an engineering firm on a three year capital improvement plan in the short term*

13. Handling and tracking of constituent requests between Administration and Council – Discussion - Councilman Lawson

- *Director Gonsalves suggests sending all correspondence to the Mayor’s Office email address.*

XIII. PUBLIC HEARINGS – Ordinance for second passage - For discussion and possible vote – None

XIV. CONTINUED BUSINESS - None

XV. NEW BUSINESS

A. MAYOR COMMUNICATIONS

1. Appointment/Reappointment requiring Council confirmation

- a. Jerome Spinola to the Canvassing Authority, term 03/03/2018-03/01/2024

- *Motion to approve made by Council Vice President Rego. Seconded by Councilman Lawson. Motion passes 3-0*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

2. Appointment/Reappointment not requiring Council confirmation

- a. Rick Lawson appointment to Carousel Commission – Appointment #9 – term 01/22/2023-01/21/2024

- *Deputy City Clerk Leah Stoddard announces appointment*

3. Items for announcement/discussion

- a. Recognition of Mildred Morris, Valerie Perry and David Kelleher on being featured in Portraits of a City exhibit at East Providence City Hall.

- *Director of Administration Napoleon Gonsalves announces the hanging of the portraits by artist Jennifer Cahoon*

- b. Request for Remarkable Women Nominations in celebration of International Women’s Day and Women’s History month – nomination forms available on city website. Deadline for submission is February 28, 2023
- *Director of Administration Napoleon Gonsalves makes announcement*
- c. Black History Month – Proclamation celebrating Black History Month – Detail of celebration to be announced at a later time
- *Director of Administration Napoleon Gonsalves announces the ceremony to take place on February 15, 2023 at 3:30 and the speaker will be Richard Martin an African American History teacher*

B. REPORTS OF OTHER CITY OFFICIALS

- *Solicitor Marcello states that Council met in executive session to discuss the two items on the agenda. The activity will not be disclosed at this time because it will jeopardize future negotiations and no votes were taken*

C. RESOLUTIONS - For discussion and possible vote

1. Resolution amending resolution no. 156 recorded in book 27, page 186 regarding the disposition of the City of East Providence’s interest in tax assessor’s map 305, block 6, parcel 5.1
Sponsor: Council President Rodericks

- *Council President Rodericks explains the resolution is to place a parcel back on the tax rolls.*
- *Motion to approve made by Councilman Lawson. Seconded by Council Vice President Rego. Motion passes 3-0*

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

2. Resolution in support of Housing Development & Land Use
Sponsor: Council President Rodericks

- *Motion to approve made by Councilman Lawson. Seconded by Council Vice President Rego. Motion passes 3-0*

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

3. Resolution adopting amended Rules of Procedure of the City Council – Discussion and possible vote

- *Deferred*

Member	Aye	Nay
Fogarty		
Lawson		
Rego		
Sousa		
Rodericks		

D. INTRODUCTION OF ORDINANCES - For discussion and possible vote - None

XVII. ADJOURNMENT

- *Motion to adjourn made by Councilman Lawson. Seconded by Council Vice President Rego. Motion passed 3-0.*

Member	Aye	Nay
Fogarty	-	
Lawson	X	
Rego	X	
Sousa	-	
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: February 21, 2023

Attest: *Leah Stoddard* Deputy City Clerk

City Clerk

PERPETUAL MAINTENANCE AND BEAUTIFICATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF EAST PROVIDENCE a municipal corporation of the State of Rhode Island (hereinafter referred to as the "City") and AGAWAM HUNT, a Rhode Island corporation located in the City of East Providence (hereinafter referred to as "Agawam Hunt").

Recitals

WHEREAS the City will develop in 2002 a public access park at the intersection of Centre Street and North Broadway in the City of East Providence for passive recreation to be known as "Freedom Green"; and

WHEREAS Freedom Green will be developed substantially in accordance with the conceptual drawing attached hereto and incorporated herein as Exhibit A and the three page plan prepared by The Gifford Design Group, Inc. for the City dated November 2001 attached hereto and incorporated herein as Exhibit A1.

Agreements

NOW, THEREFORE, IN CONSIDERATION OF the mutual agreements herein contained the City and Agawam Hunt hereby agree as follows:

1. Upon completion of Freedom Green substantially in accordance with the Exhibits A and A1, the City shall notify Agawam Hunt and thereafter Agawam Hunt shall be responsible for the regular maintenance ^{per 6/11/02} and beautification of Freedom Green in perpetuity in accordance with Appendix A attached hereto.

2. All maintenance ^{per 6/11/03} and beautification work performed under this Agreement shall be subject to periodic inspection by the City for its consistency with and maintenance of the park in accordance with Appendix A.

3. The City shall be responsible for all major repairs, including but not limited to any and all infrastructure repairs; repairs to the physical improvements to Freedom Green and restoration of any and all facilities for damages caused by natural disaster or vandalism and all other repairs and maintenance which are not otherwise specifically required pursuant to Appendix A.

4. The City shall indemnify and hold Agawam Hunt harmless for any and all injury or damage to person or property, not including employees or agents of Agawam Hunt or property of Agawam Hunt, which is not the result of gross negligence or intentional misconduct of Agawam Hunt or persons engaged by Agawam Hunt pursuant to this Agreement.

5. Agawam Hunt shall indemnify and hold the City harmless for any and all injury or damage to person or property arising out of the gross negligence or intentional misconduct of Agawam Hunt or persons engaged by Agawam Hunt pursuant to this Agreement.

6. Neither party may assign any of the duties and responsibilities contained herein without the written permission of the other party to this Agreement.

This Agreement dated *Nov 26th*, 2002 contains the entire agreement between the parties and shall be governed and construed in accordance with the laws of the State of Rhode Island. The Agreement shall be binding upon any assigns or successors of the parties to this Agreement.

CITY OF EAST PROVIDENCE

By: _____

Mayor

AGAWAM HUNT

By: _____

President, Agawam Hunt

APPENDIX A

Agawam Hunt shall be responsible for the following maintenance for Freedom Green:

1. Labor and equipment for grass cutting; grass fertilization and pesticide application as may be required for the grassy areas for the park.

2. The edging for the trees, flower beds and shrubs and mulching application as shall be agreed upon between the parties.

