

# **Meeting Notice**

*Date Notice Posted: November 2, 2007*

**City of East Providence**

**City Council Meeting**

**Date of Meeting: Tuesday, November 6, 2007**

**Time of Meeting: 7:30 p.m.**

**Location of Meeting:**

**City Hall, Council Chambers**

**145 Taunton Avenue**

**East Providence, RI 02914**

**CITY OF EAST PROVIDENCE  
RHODE ISLAND  
DOCKET OF REGULAR COUNCIL MEETING  
NOVEMBER 6, 2007  
7:30 P.M.**

- I. CALL TO ORDER**
- II. INVOCATION**
- III. SALUTE TO THE FLAG**

**TO APPROVE THE CONSENT CALENDAR**

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 member so requests, in which event, the item will be removed from the “*CONSENT CALENDAR*” and will be considered in its normal sequence on the docket.

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_

- IV. CONSENT CALENDAR**
  - A. APPROVAL OF COUNCIL JOURNALS**
    - October 2, 2007 - Regular Meeting
    - October 16, 2007 - Regular Meeting

- B. CANCELLATION/ABATEMENTS (*Requested by Tax Assessor*)**

<u>YEAR</u>	<u>AMOUNT</u>
2002	\$ 517.96
2003	\$ 546.27
2007	\$9,272.13
<b>Total</b>	<b>\$10,336.36</b>

**C. INFIRMITY/POVERTY EXEMPTION**

<u>YEAR</u>	<u>AMOUNT</u>
2007	\$11,037.97
<b>Total</b>	<b>\$11,037.97</b>

**D. JOINT PUBLIC NOTICE – STATE OF RHODE ISLAND COASTAL RESOURCES  
MANAGEMENT COUNCIL AND DEPARTMENT OF ENVIROMENTAL  
MANAGEMENT.**

**V. PROCLAMATIONS & PRESENTATIONS**

- A. Citations to be presented to Mike Marshall and Eric Laughlin for 1<sup>st</sup> place in the 2007 Snow Plow Rhodeo (rodeo).**

**VI. LICENSES NOT REQUIRING PUBLIC HEARING**

- 1. Vict/Not Over 25** *(Subject to approvals from Chief of Police, Building Inspector, Health Inspector and Fire Marshall)*

From: East Bay Convenience, Inc. d/b/a East Bay Food Mart, 244 Taunton Avenue (02914)  
To: K Sage, Inc., d/b/a East Bay Food Mart

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

- 2. Holiday Sales** *(Subject to approvals from Chief of Police, Building Inspector, Health Inspector and Fire Marshall)*

From: East Bay Convenience, Inc. d/b/a East Bay Food Mart, 244 Taunton Avenue (02914)  
To: K Sage, Inc., d/b/a East Bay Food Mart

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

- 3. Vict/Not Over 25** *(Subject to approvals from Chief of Police, Building Inspector, Health Inspector and Fire Marshall)*

From: Ponto UM Market, Inc., d/b/a Ponto Um Market, 234 Warren Avenue (02914)  
To: Claricleia Luiz De Sousa, d/b/a Ponto Um Market

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

- 4. Holiday Sales** *(Subject to approvals from Chief of Police, Building Inspector, Health Inspector and Fire Marshall)*

From: Ponto Um Market, Inc., d/b/a Ponto Um Market, 234 Warren Avenue (02914)  
To: Claricleia Luiz De Sousa, d/b/a Ponto Um Market

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

- 5. Holiday Sales** *(Subject to approvals from Chief of Police, Building Inspector, Fire Marshall)*

From: Ghazi Salim, d/b/a Ghazi's Sunoco, 411 North Broadway (02916)  
To: J R Sunoco

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

- 6. Laundry/Dry Cleaner** *(Subject to approvals from Chief of Police, Building Inspector, Fire Marshall)*

From: Maria E. Tavares, d/b/a South Broadway Launderette, 1026 South Broadway (02914)  
To: Ana P. Pimentel, d/b/a South Broadway Launderette

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

**LICENSING COMMISSIONERS RESUME SITTING AS CITY COUNCIL**

**VII. PUBLIC HEARINGS**  
**ORDINANCES – FINAL PASSAGE**

- 1. The following is an ordinance ordering the assessment and collection of property tax on the ratable real estate, tangible personal property, and an excise tax on registered motor vehicles and trailers. (Advertised Providence Journal – October 26, 2007)*

**AN ORDINANCE ORDERING THE ASSESSMENT AND COLLECTION OF  
PROPERTY TAX ON THE RATABLE REAL ESTATE, TANGIBLE PERSONAL  
PROPERTY AND AN EXCISE TAX ON REGISTERED MOTOR  
VEHICLES AND TRAILERS.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** That the City Council of the City of East Providence hereby orders the assessment and collection of a tax on ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum not more than Eighty-three Million Two Hundred Thousand (\$83,200,000) Dollars nor less than Eighty-two Million One Hundred Thousand (\$82,100,000) Dollars. Said tax is for ordinary expenses, for the payment of interest and indebtedness, in whole or in part, of said city, and for other purposes authorized by law.

The Tax Assessor shall assess and apportion said tax on the inhabitants and ratable property of said city as of the 31st day of December, 2007 at twelve o'clock Eastern Standard Time, according to law, and shall on completion of said assessment, date and sign same and shall make out and certify to the City Treasurer of the City of East Providence, who is charged with the duties for the collection of taxes, on or before the 16th day of June, 2008 complete list of the names of the persons taxed and of the total value of all the real estate assessed against each person, and also the amount of registered motor vehicles and trailers assessed against each person, and also the total amount assessed against each person on said real estate, personal estate and registered motor vehicles and trailers, opposite the name of the person or persons assessed. Upon receipt of the certified tax list by the City Treasurer, he shall proceed and collect said tax on the persons and estates liable thereof; said tax shall be due and payable on and between the 2nd day of June 2008 and the 1st day of July, 2008 and provided further that if said tangible personal property and real estate taxes are paid in full on or before the 1st day of July, 2008, a discount of three per centum (3%) of the total taxes on said tangible personal property and real estate shall be granted, and all taxes remaining unpaid on the 1st day of July, 2008 shall carry until collected a penalty at the rate of twelve per centum (12%) per annum from the 2nd day of June, 2008 upon said unpaid tax, however, said taxes may be paid in four installments; the first installment of twenty-five per centum (25%) on or before the 1st day of July, 2008, the second installment of twenty-five per centum (25%) on or before the 1st day of September, 2008, the third installment of twenty-five per centum (25%) on or before the 1st day of December, 2008 and the fourth installment of twenty-five per centum (25%) on or before the 2nd day of March, 2009.

Each installment of taxes if paid on or before the last day of each installment period successively in order shall be free from any charge of interest.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective unpaid balance period or periods as they occur, then the whole tax or remaining unpaid balance of the taxes as the case may be shall immediately become due and payable and carry until collected a penalty at the rate of twelve per centum, (12%) per annum.

The City Treasurer shall, by advertisement in the public newspaper having circulation in the City of East Providence, notify all persons assessed to pay their respective taxes at his office on and between the said 2nd day of June, and the 1st day of July, 2008 both days inclusive; said City Treasurer setting forth the hours during which his office shall remain open to receive said taxes.

**SECTION II.** That any of said taxes not paid on or before the 2nd day of March, 2009 shall forthwith be collected by levy upon the sale of real estate upon which it is assessed and by that or other due process of law in case of assessment upon personal property.

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

Public Comments

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_

*2. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of taxes. (Advertised Providence Journal – October 26, 2007)*

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF TAXES.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2008 such sums of money in anticipation of the property taxes of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any tax anticipation notes of a prior year to the extent permitted by law.

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. *(Requested by: Director of Finance)*

Public Comments

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_

Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_

*3. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of revenue. (Advertised in Providence Journal – October 26, 2007)*

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO BORROW FUNDS IN ANTICIPATION OF REVENUE.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** The Director of Finance is authorized to borrow during the fiscal year ending October 31, 2008 such sums of money in anticipation of the sewer use fee revenue of the year as may be permitted by law for the purpose of meeting the current liabilities and expenses of the City and that the Director of Finance is authorized to issue the note or notes of the City therefore and to refund such note or notes and any revenue anticipation notes of a prior year to the extent permitted by law.

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. (*Requested by: Director of Finance*)

Public Comments

Motion \_\_\_\_\_ By \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Cusack \_\_\_\_\_ DiTraglia \_\_\_\_\_ Perry \_\_\_\_\_ Silva \_\_\_\_\_ Ramos \_\_\_\_\_

**4. *The following is an ordinance amendment regarding handicap parking at 221 Juniper Street. (Advertised in Providence Journal – October 26, 2007)***

**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.** Article X entitled “Stopping, Standing and Parking.” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Vehicles and Traffic.” Subsection 18-315 entitled “Reserved parking designated–Handicapped parking.” is amended by adding thereto the following:

**JUNIPER STREET** in front of house number 221

**SECTION II.** This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed. (*Requested by: Director of Public Works*)

Public Comments

Motion \_\_\_\_\_ By \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Cusack \_\_\_\_\_ DiTraglia \_\_\_\_\_ Perry \_\_\_\_\_ Silva \_\_\_\_\_ Ramos \_\_\_\_\_

**5. *The following is an ordinance amendment regarding speed/wake limits on Omega Pond, Turner Reservoir and Willett Pond. (Advertised in Providence Journal – October 26, 2007)***

**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”.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** Division 4 entitled “Harbor Regulations” of Article III entitled “Coastal Waters and Harbor Areas” of Chapter 13 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Public Places” is amended by adding thereto the following:

Sec. 13-102. Omega Pond.

No person shall operate any gasoline powered boat within Omega Pond. Vessels may be operated with an electric motor or under oars, paddles, or sail. No vessel shall travel in excess of 5 MPH or leave a wake.

Sec. 13-103. Turner Reservoir.

No person shall operate any gasoline powered boat within Turner Reservoir. Vessels may be operated with an electric motor or under oars, paddles, or sail. No vessel shall travel in excess of 5 MPH or leave a wake.

Sec. 13-104. Willett Pond.

No person shall operate any gasoline powered boat within Willett Pond. Vessels may be operated with an electric motor or under oars, paddles, or sail. No vessel shall travel in excess of 5 MPH or leave a wake.

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

Public Comments

Motion \_\_\_\_\_ By \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_  
Cusack \_\_\_\_\_ DiTraglia \_\_\_\_\_ Perry \_\_\_\_\_ Silva \_\_\_\_\_ Ramos \_\_\_\_\_

**6. The following is an ordinance amendment regarding transient moorings and fees.** (Advertised in Providence Journal – October 26, 2007)

**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”.**

**THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:**

**SECTION I.** Subsection (b) of Sec. 13-100 entitled “Transient anchoring and anchorages.” of Division 4 entitled “Harbor Regulations” of Article III entitled “Coastal Waters and Harbor Areas” of Chapter 13 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Public Places” is amended to read as follows:

(b) *Transient anchorages.* The following areas are established for use as transient anchorage areas:

- Bullocks Cove Mooring #500 ~~South~~ **North.**
- Bullocks Cove Mooring #300 ~~North~~ **501 South.**
- Crescent Beach Mooring #502 South.**
- Crescent Beach Mooring #503 Middle.**
- Crescent Beach Mooring #504 North.**
- Pomham Lighthouse #505.**

**Transient mooring fees shall be \$20.00 per day or \$100.00 per week.**

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

Public Comments

Motion \_\_\_\_\_ By \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Cusack \_\_\_\_\_ DiTraglia \_\_\_\_\_ Perry \_\_\_\_\_ Silva \_\_\_\_\_ Ramos \_\_\_\_\_

**VIII. CONTINUED BUSINESS**

**IX. NEW BUSINESS**

**A. CITY MANAGER’S REPORT**

**1. Health Insurance**

Motion \_\_\_\_\_ By \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_

Cusack \_\_\_\_\_ DiTraglia \_\_\_\_\_ Perry \_\_\_\_\_ Silva \_\_\_\_\_ Ramos \_\_\_\_\_

**B. REPORTS OF OTHER CITY OFFICIALS**

**CLAIMS COMMITTEE** (by William J. Conley, Jr. – City Solicitor)

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_ \_\_\_\_\_  
Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_ \_\_\_\_\_

**C. COUNCIL BUSINESS**

**1. Outside students in our School – Bob Rodericks (By Mayor Ramos)**

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_ \_\_\_\_\_  
Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_ \_\_\_\_\_

**2. Fire Station #3 Report (By Mayor Ramos)**

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_ \_\_\_\_\_  
Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_ \_\_\_\_\_

**D. RESOLUTION**

**RESOLUTION REQUESTING SENATORS AND REPRESENTATIVES  
IN THE GENERAL ASSEMBLY FROM THE CITY OF EAST PROVIDENCE  
TO INTRODUCE LEGISLATION IMPOSING A TWO HOUR PARKING  
RESTRICTION FOR COMMERCIAL VEHICLES WITH A GROSS  
VEHICLE WEIGHT IN EXCESS OF 10,000 POUNDS ON ALL  
STATE ROADWAYS IN THE CITY OF EAST PROVIDENCE**

**WHEREAS**, the City Council of the City of East Providence has received a significant increase in the number of complaints by city residents regarding the parking of large commercial vehicles on state roadways within the City of East Providence for a long period of time; and

**WHEREAS**, numerous tractor trailer trucks are parking on state highways in front of residences and at busy intersections in the City of East Providence;

**NOW, THEREFORE, BE IT RESOLVED** that the Senators and Representatives of the General Assembly from East Providence be requested to introduce and seek passage of legislation placing a two hour parking restriction for commercial vehicles with a gross vehicle weight in excess of 10,000 pounds on all state roadways in the City of East Providence;

**BE IT FURTHER RESOLVED** that the City Council for the City of East Providence requests the City Clerk send a copy of this Resolution to the Governor of the State of Rhode Island, the Lt. Governor of the State of Rhode Island, the President of the Rhode Island State Senate, the Speaker of the Rhode Island House of Representatives and the Senators and Representatives of the City of East Providence. *(Requested by: Mayor Ramos)*

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_  
Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_

**E. INTRODUCTION OF ORDINANCES** *(If given First Passage, can be referred to the next regular Council Meeting to be held on November 20, 2007 for a public hearing and consideration of final passage).*

**1. *The following is an ordinance amendment regarding stop sign at Lincoln Avenue (Westbound traffic) at Monroe Avenue.***

**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. 18-269 entitled “Stop and yield intersections designated; when stops required.” is amended by adding thereto the following:

LINCOLN AVENUE (westbound traffic) at Monroe Avenue

**SECTION II.** This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed. *(Requested by: Director of Public Works)*

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_  
Cusack\_\_\_\_\_DiTraglia\_\_\_\_\_Perry\_\_\_\_\_Silva\_\_\_\_\_Ramos\_\_\_\_\_

**C. COMMUNICATIONS**

1. Charles Mello, Jr., 596 Willett Avenue (02915) Requesting to address the Council regarding when will the Mayor and Council be more specific now that they have required everyone else to be.
2. Jon Bograd, Rhode Islanders for Fair Elections, 75 Waterman Avenue, Providence (02912) Requesting to address the Council regarding Fair Elections.

**IX. ADJOURNMENT**

Motion\_\_\_\_\_By\_\_\_\_\_2<sup>nd</sup>\_\_\_\_\_