

Meeting Notice

Date Notice Posted: September 28, 2007

City of East Providence

City Council Meeting

Date of Meeting: Tuesday, October 2, 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
OCTOBER 2, 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_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

IV. CONSENT CALENDAR

A. APPROVAL OF COUNCIL JOURNALS

September 18, 2007 - Regular Meeting

September 18, 2007 – Closed Meeting

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

<u>YEAR</u>	<u>AMOUNT</u>
2006	\$1,035.83
2007	\$4,254.61
Total	\$5,290.44

V. LICENSES REQUIRING PUBLIC HEARING

1. Entertainment *(Subject to approvals from Chief of Police, Building Inspector, Zoning Officer, and Fire Marshall)*

Two Jerks Pub & Grill, Inc., d/b/a Two Jerks Pub & Grill, 446 Waterman Avenue (02914)

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

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: Smalltown Diner, LLC, d/b/a Bobbie's Smalltown Diner

To: Sedan 33, LLC, d/b/a Bobbie's Smalltown Diner, 446 North Broadway, (02916)

Motion_____By_____2nd_____

2. Private Detective *(Subject to approval from Chief of Police)*

Anthony Teixeira, Jr. 117 Martin Street (02914)

Motion_____By_____2nd_____

LICENSING COMMISSIONERS RESUME SITTING AS CITY COUNCIL

VII. PUBLIC HEARINGS
ORDINANCES – FINAL PASSAGE

1. The following is an ordinance appropriating \$142,041,391 for the support of the City Government for the Fiscal year ending October 31, 2008. (Advertised Providence Journal – September 18, 2007)

**AN ORDINANCE APPROPRIATING \$142,041,391 FOR
THE SUPPORT OF THE CITY GOVERNMENT FOR THE
FISCAL YEAR ENDING OCTOBER 31, 2008**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. The receipts for the fiscal year ending October 31, 2008 have been established to amount to \$142,041,391 made up as follows:

RECEIPTS	
Beginning Balance	\$3,620,937.00
Sale of City Property Reserve	\$500,000.00
General Property Tax	\$76,931,800.00
Licenses and Permits	\$1,402,000.00
Rescue Fee Transfer	\$500,000.00
Smoke Detector Fee Transfer	\$100,000.00
Vehicle Detail Fee Transfer	\$325,000.00
Recreation Transfer	\$25,000.00
Fines, Forfeits, Penalties	\$40,000.00
Revenue from Use of Money & Property	\$475,000.00
Revenue from Other Agencies	\$10,695,052.00
Charges for Current Services	\$835,000.00
Revenue from City Agencies	\$230,000.00
Revenue Water Department	\$8,614,000.00
Revenue Wastewater Department	
Sewer Use Charge	\$6,550,457.00
Other Revenue	\$828,000.00
Revenue School Department	
Local Sources	\$2,317,026.00
State Sources	\$28,052,119.00
TOTAL RECEIPTS	\$142,041,391.00

SECTION II. To defray the expenses of the City of East Providence for the fiscal year commencing November 1, 2007 and ending October 31, 2008, the sum of money, or so much thereof as are authorized by law indicated in the accompanying schedule, are hereby appropriated for the objects and purposes, and in the amounts expressed therein, provided that payments thereunder shall be subject to the provisions of the City Charter of the City of East Providence and also subject to the provisions of said City Charter relative to the manner and form of expenditures of money set forth in said Charter from the City Treasury.

SECTION III. All monies appropriated are to be expended by the various departments in the manner and form approved by the Director of Finance.

SECTION IV. The payment to the School Fund of the following estimated receipts, included in the appropriation of \$73,194,231 for the support of the public schools for the City of East Providence fiscal year 2007-2008, shall be increased or decreased to conform with the actual amounts received from such sources during the fiscal year 2007-2008 except the City appropriation of property tax.

REVENUE-SCHOOL DEPARTMENT	
Local Sources	\$2,317,026.00
State Sources	\$28,052,119.00
City Appropriation of Property Tax	\$42,325,086.00
R.I. Meals Tax Designated for Deficit Reduction	\$500,000.00
TOTAL	\$73,194,231.00

SECTION V. The purpose of this ordinance is to adopt the Budget for the fiscal year 2007-2008 which begins November 1, 2007 and ends October 31, 2008 as prepared and submitted by the City Manager, and to implement the recommendations as set forth in the City Manager's Budget Message by the approval of said recommendations as contained herein, or by other ordinances or resolutions of the City Council; all in accordance with the provisions of said Article.

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

LEGISLATIVE, JUDICIAL AND GENERAL ADMINISTRATIVE ACTIVITIES	
CITY COUNCIL	
Personnel Services & Fringe Benefits	33,495.00
Supply and Service	11,300.00
Equipment and Capital Outlay	1,500.00
	46,295.00
CITY MANAGER	
Personnel Services & Fringe Benefits	282,948.00
Supply and Service	28,500.00
Equipment and Capital Outlay	1,500.00
	312,948.00

SENIOR CENTER	
Personnel Services & Fringe Benefits	390,550.00
Supply and Service	26,200.00
Equipment and Capital Outlay	1,000.00
	417,750.00
INFORMATION TECHNOLOGY	
Personnel Services & Fringe Benefits	333,725.00
Supply and Service	194,141.00
Equipment & Capital Outlay	35,100.00
	562,966.00
CITY CLERK	
Personnel Services & Fringe Benefits	442,445.00
Supply and Service	153,000.00
Equipment and Capital Outlay	9,000.00
	604,445.00
FINANCE-DIRECTOR	
Personnel Services and Fringe Benefits	143,793.00
Supply and Service	2,200.00
	145,993.00
FINANCE-CONTROL AND ACCOUNTS	
Personnel Services and Fringe Benefits	295,404.00
Supply and Service	5,575.00
	300,979.00
FINANCE-TREASURY-MIS	
Personnel Services and Fringe Benefits	86,193.00
Supply and Service	54,590.00
	140,783.00
FINANCE-TREASURY DIVISION	
Personnel Services and Fringe Benefits	524,100.00
Supply and Service	55,619.00
Equipment and Capital Outlay	3,000.00

	582,719.00
FINANCE-PURCHASING DIVISION	
Personnel Services & Fringe Benefits	152,365.00
Supply and Service	19,527.00
Equipment and Capital Outlay	500.00
	172,392.00
FINANCE-ASSESSMENT DIVISION	
Personnel Services and Fringe Benefits	414,113.00
Supply and Service	13,000.00
Equipment and Capital Outlay	1,000.00
	428,213.00
PLANNING	
Personnel Services and Fringe Benefits	672,370.00
Supply and Service	38,700.00
Equipment and Capital Outlay	5,000.00
	716,070.00
HUMAN RESOURCES & SERVICE-PERSONNEL & E.M.	
Personnel Services and Fringe Benefits	460,156.00
Supply and Service	16,800.00
	476,956.00
HUMAN RESOURCES & SERVICE-AFFIRMATIVE ACTION	
Personnel Services and Fringe Benefits	65,822.00
Supply and Service	1,700.00
	67,522.00
HUMAN SERVICES	
Personnel Services and Fringe Benefits	10,344.00
Supply and Service	1,000.00
	11,934.00
LAW DEPARTMENT	
Personnel Services and Fringe Benefits	406,068.00

Supply and Service	11,300.00
Equipment and Capital Outlay	2,500.00
	419,868.00
CANVASSING AUTHORITY	
Personnel Services and Fringe Benefits	235,991.00
Supply and Service	20,150.00
Equipment and Capital Outlay	1,500.00
	257,641.00
PUBLIC LIBRARIES	
Personnel Services and Fringe Benefits	1,694,529.00
Supply and Service	122,900.00
Equipment and Capital Outlay	2,000.00
Debt Service	243,153.00
	2,062,580.00
PUBLIC SAFETY-POLICE	
Personnel Services and Fringe Benefits	10,701,961.00
Supply and Service	1,001,770.00
Equipment and Capital Outlay	21,000.00
	11,724,731.00
PUBLIC SAFETY-FIRE	
Personnel Services and Fringe Benefits	11,207,211.00
Supply and Service	828,850.00
Equipment and Capital Outlay	57,500.00
	12,093,561.00
PUBLIC WORKS-ANIMAL SHELTER	
Personnel Services and Fringe Benefits	205,506.00

Supply and Service	34,700.00
	240,206.00
PUBLIC WORKS-BUILDINGS DIVISION	
Personnel Services and Fringe Benefits	823,072.00
Supply and Service	617,489.00
Equipment and Capital Outlay	1,500.00
	1,442,061.00
PUBLIC WORKS-BUILDING INSPECTION	
Personnel Services and Fringe Benefits	600,402.00
Supply and Service	32,700.00
Equipment and Capital Outlay	10,000.00
	643,102.00
PUBLIC WORKS-DIRECTOR	
Personnel Services and Fringe Benefits	196,818.00
Supply and Service	2,700.00
	199,518.00
PUBLIC WORKS-ENGINEERING	
Personnel Services and Fringe Benefits	598,740.00
Supply and Service	22,498.00
Equipment and Capital Outlay	5,100.00
	626,338.00
PUBLIC WORKS-HIGHWAY	
Personnel Services and Fringe Benefits	2,237,278.00
Supply and Service	503,570.00
Equipment and Capital Outlay	14,500.00
	2,755,348.00
PUBLIC WORKS-CENTRAL GARAGE	
Personnel Services and Fringe Benefits	698,207.00

Supply and Service	82,925.00
Equipment and Capital Outlay	4,000.00
	785,132.00
PUBLIC WORKS-STREET LIGHTS	
Supply and Service	630,000.00
PUBLIC WORKS-WASTEWATER FACILITIES PLANT	
Personnel Services and Fringe Benefits	1,653,079.00
Supply and Service	2,160,840.00
Debt Service	211,186.00
Equipment and Capital Outlay	151,000.00
	4,176,105.00
PUBLIC WORKS-WASTEWATER FACILITIES-COLLECTION	
Personnel Services and Fringe Benefits	151,172.00
Supply and Service	2,577,620.00
Debt Service	343,560.00
Equipment and Capital Outlay	130,000.00
	3,202,352.00
PUBLIC WORKS-REFUSE DISPOSAL	
Personnel Services and Fringe Benefits	2,808,092.00
Supply and Service	34,300.00
	2,842,392.00
PUBLIC WORKS-WATER	
Personnel Services and Fringe Benefits	2,059,105.00
Supply and Service	3,375,574.00
Equipment and Capital Outlay	2,967,161.00
Debt Service	212,160.00
	8,614,000.00
RECREATION	
Personnel Services and Fringe Benefits	926,488.00

Supply and Service	188,705.00
Debt Service	13,500.00
Equipment and Capital Outlay	56,269.00
	1,184,962.00
RECREATION-PARKS	
Personnel Services and Fringe Benefits	1,105,126.00
Supply and Service	277,280.00
Equipment and Capital Outlay	34,400.00
	1,416,806.00
MISCELLANEOUS	
Retiree Benefits	1,591,278.00
Interest on Tax Notes	500,000.00
General Audit	29,000.00
Judgment & Claims	30,000.00
Mental Health	60,000.00
Bond Principal	681,500.00
Bond Interest	562,190.00
Medical Reimbursable	138,000.00
Insurance (Public Liability)	650,000.00
Unemployment Compensation	30,000.00
Professional Services	140,000.00
Membership Fees	27,000.00
Negotiations	1,000,000.00
Computer Lease Purchase	97,500.00
Self-Help	30,000.00
Master Lease	540,000.00
Capital Equipment	280,000.00
Minimum Standards	35,000.00
Other Miscellaneous	22,500.00

	6,443,968.00
CONTINGENCY FUND	60,000.00
DEBT SERVICE FUND	2,038,524.00
SCHOOL FUND	72,694,231.00
SCHOOL DEFICIT FUND	500,000.00

Public Comments

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

VIII. CONTINUED BUSINESS

IX. NEW BUSINESS

A. CITY MANAGER’S REPORT

1. Budget Presentation

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

B. REPORTS OF OTHER CITY OFFICIALS

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

Motion_____By_____2nd_____

Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

C. RENEWAL OF ANNUAL LICENSES *(by Virginia B. Nunes, City Clerk)*

Requesting authorization be granted to renew subject licenses, excluding alcoholic beverage licenses, for year commencing December 1, 2007, upon application by licensee and subject to approval by Chief of Police and, as required by Health inspector and other City Officials; and requesting also to be advised of any licenses to be deferred or with held from the renewal process.

Motion_____By_____2nd_____
Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

C. COUNCIL BUSINESS

1. Handicap Parking, Ericka Nunez, 221 Juniper Street (02914) (by Councilman Silva)

Motion_____By_____2nd_____
Cusack_____DiTraglia_____Perry_____Silva_____Ramos_____

D. INTRODUCTION OF ORDINANCES (If given First Passage, can be referred to the next regular Council Meeting to be held on October 2, 2007 for a public hearing and consideration of 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.***

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.

Motion _____ By _____ 2nd _____
Cusack _____ DiTraglia _____ Perry _____ Silva _____ Ramos _____

2. The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of taxes.

**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)*

Motion _____ By _____ 2nd _____
Cusack _____ DiTraglia _____ Perry _____ Silva _____ Ramos _____

3. *The following is an ordinance authorizing the Director of Finance to borrow funds in anticipation of revenue.*

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)*

Motion _____ By _____ 2nd _____
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. Gail Santilli, 208 Narragansett Avenue (02915) Requesting to address the Council regarding speeding.
3. Robert Enos, 11 Milburn Road (02914) Requesting to address the Council regarding the budget for the City.
4. John F. Conley, Chairman East Providence Democratic City Committee submitted names for consideration for appointment as alternate to the East Providence Canvassing Authority.
5. Joan Marasco, 54 West River Parkway, No. Providence (02904) Requesting to address the Council regarding parking on 102 Burns Avenue (02915).

IX. ADJOURNMENT

Motion _____ By _____ 2nd _____