

Approved 8-16-2021

DATE POSTED: JUNE 17, 2021

The City of Warwick
Docket of the City Council
Regular Public Hearing Meeting
For
June 21, 2021
@
7:00 P.M.
Council Chambers
Warwick City Hall
3275 Post Road
Warwick, RI 02886
@ 7:00 P.M.

Stephen P. McAllister, President

VIRTUALLY VIA ZOOM APPLICATION

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If phoning in – punch *9 on the touchtone keypad. The moderator will indicate when it is your turn to comment/ask a question

Council President McAllister reads Zoom Access into the record

Roll Call: 9/0

Time: 7:04 PM

Salute To The Flag: Ward 9 – Eric Simonelli – Coach Warwick Pal Travel Basketball League

McAllister Thanks Mr. Simonelli for all he does and thanks for joining us

Executive Communications

None

General Communications –

McAllister – Welcomes all back to the Chamber. Public is welcome in person and via zoom as well per the Governor’s Executive Order. This is first night back, please bear with us as this is new to all of us as well. Also thanks the MIS Department for all they have done and continue to do to keep our meetings running – they’ve been the MVP’s for the last year and half working extraordinary hours to make sure the public is included in our business

McAllister – Wishes Mayor Picozzi a Happy Birthday

McAllister – Requests a moment of silence for the tragedy at Conimicut Point. Thanks the WPD, WFD and Coast Guard for all their efforts.

Foley – Wishes the Mayor a Happy Birthday. Residents of Ward 1 – Governor Francis Phase 3 Sewer project - rec’d a letter, due to due diligence from the Mayor’s office and Director of the Sewer Authority indicating there will be a 35% sewer reduction in Phase 3. A major financial burden being lifted for the residents – thanks the Mayor and the WSA Director for their efforts.

McAllister – Congrats to Councilman Foley for all his efforts for advocating for the residents.

Ladouceur – Thanks the Administration on efforts on Sewer Reduction, so well needed. Is happy to be back in the Chamber doing the people’s business – feels good to be back.

Ladouceur – requests a moment of silence for Mary Whelan who passed away last Thursday at the age of 96 – she was a lifelong resident. Very active in the political arena. Remarkable woman

Sinapi – Reiterates Councilman Foley re: Sewer Reduction – residents of O'Donnell Hill

Gebhart – Majority of us walked in the Gaspee Day Parade, congratulates the committee for putting together a nice event coming out of covid. A celebration that everyone needed, fantastic day

Foley – Thanks Councilman Gebhart for the snacks

****Council President McAllister moves the Public Hearing
No Objections

- A. Acceptance of minutes from council meeting held on:
None

Public Comment

RULE 41. After the General Communications and prior to the Consent Calendar at each City Council Public Hearing meeting there shall be a fifteen minute period during which citizens may comment about Warwick city government issues subject to the following stipulations:

- a) The total period of time for public comment shall be 15 minutes.
Comments need to be brief in order to allow as many citizens as possible to participate.
- b) The topics for comment shall be issues directly affecting City government.
- c) City Council members will not respond to questions during the public comment period.
- d) The public comment session will terminate at the expiration of 15 minutes.
Waiver of this provision requires unanimous consent.

(Zoom) Phil D'Ercole – who pays for the Warwick City Councils defense for OMA violation

Howe & McElroy – approximately 80 families living on Warwick Pond experiencing property loss due to flooding-not be able to access their backyards as well as public road flooding – it's been 5 years 6 months issue not resolved – what are your plans?

Barbara Walsh – Thanks Rix and Ladouceur for attempts to put \$ into unfunded liability, great article in the journal. Thanks for being fiscally responsible, and several council to put to GA to look at the law re: FF overtime

Michael Zarum – comments from him as President of the Buckeye Coalition – a RI designated watershed counsel - need to apply to be stewards
A lot of issues in Warwick Lake – scientifically it is a lake – flooding started in 2015 – McElroy would like to get together w/ you. No Emergency flooding of Warwick lake or Warwick pond. If you do not have a seawall, flooding will come up. It is not up to the City to do the landscaping – it's up to the home owner. Has reached out to the Speaker and RE Attorney's he knows Done research in archives and assessor's office – cannot find who owns Warwick lake – City is not responsible – Homeowners are responsible for their own landscaping so that they don't get erosion.

Announcement of Appointments –

Harbor Management Commission

Michael E Jarbeau
66 Landon Rod
Warwick, RI 02888
Vice: Nancy Dickerman

Ward 1
Term to Expire: December 1, 2023

1. Appointments Requiring Confirmation – None

2. Consent Calendar –

1. PCR-93-21 Resolution Relative to Bids
(Councilman Howe)

Committee Report: (Finance): **Favorable as Amended**

Action: **Favorable**

Moved by: **Howe**

Seconded by: **Ladouceur**

Adopted As Amended

Consent calendar vote: 9/0

ITEMS REMOVED FROM THE CONSENT CALENDAR

1. PCR-94-21 2022-031 Purchase Automated Side Loader Refuse Vehicle

Committee Report: (Finance): Hold 7-19-2021

2. PCR-95-21 2022-032 Purchase Rear Loader Sanitation Vehicle

Committee Report: (Finance): Hold 7-19-2021

3. **PCR-96-21 2022-048 Purchase 2022 or newer Rolloff Refuse Vehicle**

Committee Report: (Finance): Hold 7-19-2021

4. **PCR-97-21 2022-035 Janitorial & Cleaning supplies for the Fire Department**

Committee Report: (Finance): Favorable As Amended

Action: To Amend
Moved by: Howe
Seconded by: Gebhart
Vote: 9/0

Favorable as Amended
Moved by: Howe
Seconded by: Ladouceur
Vote: 9/0

Adopted As Amended
R-21-87

Referred Business

1. **PCO-6-20 An Ordinance relative to Amendment of the Warwick Zoning Ordinances: Regulations for the Installation of Solar Energy Systems**
(Councilman Sinapi)

First Passage, Public Hearing

Committee Report: (Ordinance): **Favorable Recommend Public Hearing**

Action: **Favorable to open Public Hearing**
Moved by: **Sinapi**
Seconded by: **Ladouceur, Gebhart**
Vote: **vv**

Speaking For:
Lucas Murray

Motion to Accept Amendments: Sinapi
Seconded by: Rix, Howe, McElroy, Foley, Gebhart
Vote: 9/0

Speaking For (Continued)
Council Members (Sinapi, Rix, Gebhart)
Nathan Cornell – Member of the Land Trust
Russell Maymon – A 21-Solar Energy Developer

Speaking Against:
Phillip D'Ercole – Friends of Warwick Pond (Via Zoom)

******City Council Solicitor Pecchia addresses Mr. D'Ercole's concerns re: advertising. Ordinance was advertised in accordance w/ state law and published for 3 consecutive weeks in the Warwick Beacon******

**Speaking Against (continued)
Jane Austin – (Via Zoom)**

**Motion to Recess: Rix
Seconded by: Ladouceur
Time: 8:59 PM – 9:11 PM**

**Speaking Against (continued)
Barbara Walsh – dropped off the call
Michael Zarum – member of the Land Trust, President of Buckeye Brook Coalition, member of The Environmental Council of RI
Barbara Walsh
Michael Zarum – additional comments**

**Action: Motion to Close the Public Hearing
Moved by: Howe
Seconded by: Rix, Foley, McElroy
Ladouceur – comments before closing public hearing and taking a vote**

**Motion to Continue the Public Hearing to July 19, 2021: Ladouceur
Seconded by: NO SECOND
MOTION FAILS**

**(back to original motion to close the public hearing)
Vote: 9/0**

**Action: Favorable as Amended
Moved by: Rix
Seconded by: Howe, Foley, Sinapi
Vote: 9/0**

**Action: Favorable as Amended
Moved by: Sinapi
Seconded by: Howe, Foley Travis
Vote: 9/0**

First Passage, As Amended

Unfinished Business

(Items to be considered may include second passage of ordinances not tabled, first passage of ordinances not tabled, resolutions, reports of committees on items referred and previously tabled, removal of items from the table, and action on items removed from the table)

1. **PCO-12-21 AN AMENDED AND RESTATED ORDINANCE OF THE CITY OF WARWICK APPROVING THE FINANCING OF THE DESIGN, CONSTRUCTION, EQUIPPING AND EXTENSION OF THE CITY'S SEWER LINES AND SEWAGE COLLECTION SYSTEM, INCLUDING BUT NOT LIMITED TO THE GOVERNOR FRANCIS III WASTEWATER COLLECTION SYSTEM, THE NORTHWEST GORTON POND WASTEWATER COLLECTION SYSTEM, THE O'DONNELL HILL AREA WASTEWATER COLLECTION SYSTEM, THE BAYSIDE I WASTEWATER COLLECTION SYSTEM, THE BAYSIDE II WASTEWATER COLLECTION SYSTEM, THE BAYSIDE III WASTEWATER COLLECTION SYSTEM AND THE OAKLAND BEACH INTERCEPTOR AND APPROVING THE ISSUANCE OF SEWER SYSTEM REVENUE BONDS AND NOTES THEREFOR IN AN AMOUNT NOT TO EXCEED \$33,000,000** (Councilwoman Travis)

Second Passage

Committee Report: (Intergovernmental): **Favorable**

Action: **Favorable**
Moved by: **Travis**
Seconded by: **Howe, Foley**
Vote: **9/0**

Second Passage
O-21-8

2. **PCO-13-21 An Ordinance in regards to Amending Section 40-66 Alarm Review Panel – 2 year terms** (Council President McAllister)

Second Passage

Committee Report: (Ordinance): **Favorable**

Action: **Favorable**
Moved by: **Travis**
Seconded by: **Ladouceur, Howe**
Vote: **9/0**

Second Passage
O-21-9

3. **PCO-10-19 Ordinance in regards to water discharge** (Councilman Ladouceur, Councilwoman Travis, Councilman McElroy, Councilman McAllister, Councilman Sinapi)

First Passage – Not Drafted

Committee Report: (Ordinance): **To the Pending File**

Action: **Move to the Pending File**

Moved by: **Sinapi**

Seconded by: **No Objections**

~~Vote:~~

4. **PCO-17-19 Ordinance relative to Senior & Veteran Exemptions**
(Councilman Ladouceur, Councilman Howe, Councilman McAllister, Councilman Gebhart, Councilwoman Travis, Councilman Sinapi)

First Passage – Not Drafted

Committee Report: (Finance): **Hold 9-20-2021**

5. **PCO-30-19 Ordinance involving state law regarding unutilized commercial property** (Councilman Sinapi)

First Passage

Committee Report: (Finance): **Hold 7-19-2021**

6. **PCO-9-20 Ordinance in regards to amending Chapter 40-30, PCO-8-18 Smoking prohibited in public schools and on school grounds**
(Councilman Travis, Ladouceur, Howe, Rix, McElroy, Sinapi, Foley, McAllister, Gebhart)

First Passage

Committee Report: (Ordinance): **Favorable**

Action: **Favorable**

Moved by: **Travis**

Seconded by: **Ladouceur**

Vote: **9/0**

First Passage

7. **PCO-23-20 Ordinance in regards to Omnibus Reforms, Updates, and Amendments to Chapter 4 of the Warwick Code of Ordinances Entitled Animals and Fowl** (Councilman Rix and Councilman Sinapi)

First Passage, Not Drafted

Committee Report: (Ordinance): **Hold 10-4-2021**

8. **PCR-29-20 Resolution Memorializing the General Assembly to Enact Legislation Authorizing the City of Warwick to Issue Not to Exceed \$10,000,000 General Obligation Bonds, Notes and Other Evidences of Indebtedness to Finance the Construction, Renovation, Improvement, Alteration, Repair, Furnishing and Equipping of Athletic and/or Recreational Fields and Facilities for the City's High Schools Subject to Approval of State Housing Aid at a Reimbursement Rate or State Share Ratios of not less than 35% at the Time of Issuance and Provided that the Authorization shall be reduced by the amount of Certain Grants Received from State Bond Proceeds, from the Rhode Island Department of Education or from the Rhode Island School Building Authority**
(Councilman Sinapi)

Committee Report: (Finance): **Hold 8-30-2021**

9. **PCR-41A-20 Resolution addressing Fiscal Request for Education for Fiscal Year 2020-2021** (Councilman Sinapi)

Not Drafted

Committee Report: (Finance): **Hold 8-30-2021**

10. **PCR-95-20 – Resolution in regards to erecting stop signs on the secondary roadways of Grimshaw Place, Hackman Place, Worth St., Crystal Dr. and Lockwood St.** (Councilman Ladouceur)

Not Drafted

Committee Report: (Public Safety): **Hold 7-19-2021**

11. **PCR-97-20 – Resolution regarding ratification of the Cooper Building Lease**
(Councilman Sinapi)

Committee Report: (Finance): **Hold 8-30-2021**

12. **PCR-34-21 Resolution in regards to leases for City Owned property, terms to include but not limited to rental fees and other considerations.**

(Councilman Ladouceur)

Not Drafted

Committee Report: (Public Properties): **Hold 7-19-2021**

13. **PCR-39-21 A Resolution Extending a Commission to Examine Possible Means of Tax Relief for Warwick Property Owners through Tax Exemptions and Altering Composition of the Membership of the same Commission**

(Councilman Rix)

Not Drafted

Committee Report: (Ordinance): **Hold 8-16-2021**

2. PCR-70-21 Resolution Relative to Claims – John Sylvia
(Councilman Foley)

Committee Report: (Public Safety): **Favorable \$300.17**

Action: **Favorable**
Moved by: **Foley**
Seconded by: **Gebhart**
Vote: **9/0**

Adopted
R-21-88

3. PCR-88-21 Resolution Relative to Claims – Marc Paolilli
(Councilman Foley)

Committee Report: (Public Safety): **Favorable \$343.14**

Action: **Favorable**
Moved by: **Foley**
Seconded by: **Ladouceur, Rix**
Vote: **9/0**

Adopted
R-21-89

4. PCR-89-21 Resolution Relative to Claims – Brian Wager
(Councilman Foley)

Committee Report: (Public Safety): **Favorable \$200.00**

Action: **Favorable**
Moved by: **Foley**
Seconded by: **Rix**
Vote: **9/0**

Adopted
R-21-90

New Business

1. PCO-15-21 An Ordinance in regards t No Parking in front of 20 Ottawa Ave.
(Councilwoman Travis)

First Passage – Not Drafted

Committee Report: (Public Safety): **Hold 7-19-2021**

2. **PCO-17-21 An Ordinance relative to tangible property tax regarding vacant store fronts** (Councilman Sinapi)

First Passage, Not Drafted

Committee Report: (Ordinance): **Hold 7-19-2021**

3. **PCR-90-21 A Resolution in observance of Pride Month**

(Council President McAllister, Councilman Foley, Councilman Rix, Councilman Howe, Councilman McElroy, Councilman Ladouceur, Councilwoman Travis, Councilman Sinapi, Councilman Gebhart)

Committee Report: (Community Affairs): **Favorable**

Action: **Favorable**
Moved by: **Rix**
Seconded by: **Howe**
Vote: **9/0**

Adopted
R-21-91

4. **PCR-91-21 Resolution to the General Assembly in support of legislation allowing for the restriction of the sale of firearms in the vicinity of a school or daycare by any seller except that any such sellers currently operating under such circumstances shall be exempt thereof at that particular location**
(Councilman Sinapi)

Not Drafted

Committee Report: (Intergovernmental): **Hold 7-19-2021**

5. **PCR-92-21 A Resolution amending the Council Rules** (Councilman Sinapi)

Not Drafted

Committee Report: (Ordinance): **Hold 8-30-2021**

Unanimous Consent
All Pass

Motion to Adjourn: **Travis**
Seconded by:
Vote:
Time: **10:17 PM**

**Next Available Numbers: PCR-94-21
PCO-18-21**

Attest,

A handwritten signature in black ink, appearing to read "Lynn D'Abrosca".

Lynn D'Abrosca
City Clerk

DOCKET SESSION

**McAllister Ordinance re: No Parking South Side Chapmans (PS)
Sinapi Ordinance re: Regulations for vacant houses in COW (ORD)**

10:18 PM

Individuals requesting interpreter services for the hearing impaired must notify the City Clerk's Office at 738-2006 ext. 6 at least 48 hours in advance of the hearing.

Date Posted: June 17, 2021