

Amended
The City of Warwick
Docket of the City Council
Regular Public Hearing Meeting
For
March 18, 2019
@
Warwick Police Department
Community Room
99 Veterans Memorial Drive
Warwick, RI 02886
@ 7:00 P.M.

Steve Merolla, President

Roll Call: 9/0
Time: 7:09 PM
Salute To The Flag: Howe

Executive Communications

General Communications –

Merolla –temporary situation chamber under construction – appreciates staff time and efforts to accommodate

Merolla statement should be coming out in press next few days re: incident in 2012-2015 re: contracts negotiated by Avedesian Admin & WFD. Number of grievances filed several years back re: provisions that were/were not included in FD Contracts, most famous not included side agreement – that was not included in council ratification – side agree and sick time calculations, signed by the Fire Chief and Union Pres at the time time witnessed by the city solicitor w/ agreement sent to Finance Director and paid out. All unknown to Council. This is not what the council ratified. All came to light when C.P. Solomon became Mayor when Former Mayor Avedesian tok RIPTA Director Position. Meanwhile arbitration continued on provision to do w/ pension and what pension new fire hires should go into – Pen I more lucrative or Pen II designed to save the city money.1992 Ordinance states all new hires to Pen II – language/provision mysteriously left out of contract negotiated by Avedesian Admin 2012 + 2015. The past council ratified agreement with understanding it complied w/ all local laws ordinances. A lot of legalese go into contracts – rely on attorney to tell meaning of contract – that’s was represented to council at the time that new fire firefighters to pension tier II according to ordinance. Several years after the contract was signed the fire department file a grievance saying Tier I not Tier II. Mayor Avedesian testified not his intent, not how he interpreted, not what he negotiated or agreed on. American Arbitrators ruled language not in contract so all new fire fighters now go into Tier

I – calculation put at about 2.4 million. During the state of the city address mayor Solomon addressed issues that may or may not come to fruition, this is one that came to fruition. City is not stuck w/ how it was negotiated. Budget, planning, implementing ideas, fixing aging schools, playgrounds, roads, recreational will now be effected as 2.4 million will now go into retirement for fire fighters hired after 2012. To say he is infuriated is an understatement. Moe comes out every day since mayor Solomon has taken office. Mistakes made six years ago – meaning language intent meant “X” and didn’t –
The same provisions re: municipal and police – language included to NOT be put in more lucrative pensions. Language for fire mysteriously left out. A separate side deal not shown to council in 2012 and again 2015. We now have to absorb the blows, only so many you can take.

A. Acceptance of minutes from council meeting held on:

1. **March 4, 2019**

Moved by: **Ladouceur**

Seconded by: **McAllister, Howe**

Vote: **vv**

Accepted

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.

Bill Russo – RE: Contractual issue – that hurts. Quotes Flip Wilson – “What you see is what you get”. He worked for the WPD for 34 years, a member of the FOP dealing w/ contracts, etc. Thinks very poor decision of the arbitrators. This now throws a monkey wrench into finances. He follows the “PILOT” program w/ State Airport as host City – studies airport and his recent visit to RIAC website – city should be allowed to get liaison between airport and city. Maybe they should make some type of vehicle or furniture available to the city. Opening remarks by council president took his thunder away – we need to make public aware

1. **Announcement of Appointments – None**
2. **Appointments Requiring Confirmation – None**
3. **Consent Calendar –**

1. **PCR-41-19 Resolution Relative to Bids**
(Councilman Ladouceur)

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

Action: **Favorable As Amended**
Moved by: **Ladouceur**
Seconded by: **McAllister, Howe**

Adopted as Amended
R-19-38

Consent calendar vote: 9/0

ITEMS REMOVED FROM THE CONSENT CALENDAR

1. **PCR-43-19 2019-246 Fire Apparatus Annual Pump Testing & Services**

Committee Report: (Finance) Hold 4-1-19

2. **PCR-44-19 Turnkey Operation for Printing & Mailing of Water, Sewer and Tax Billing**

Committee Report: (Finance) To Amend

Action: **Favorable**
Moved by: **Ladouceur**
Seconded by: **McAllister, Howe**
~~Vote:~~

Action: **Favorable to Amend**
Moved by: **Ladouceur**
Seconded by: **McAllister, Howe**
Vote: **9/0**

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

Adopted, As Amended
R-19-39

3. **PCR-45-19 2019-252 Rescue Service Billing**

Committee Report: (Finance) Favorable to Amend

Action: Favorable
Moved by: Ladouceur
Seconded by: McAllister, Howe
Vote:

Action: Favorable To Amend
Moved by: Ladouceur
Seconded by: McAllister, Howe
Vote: 9/0

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

Adopted As Amended
R-19-40

Referred Business

1. **PCO-5-19 – An Ordinance Amending the Zoning Ordinance of the City of Warwick Joanne Dicenso, individually and in her capacity as Administratrix of the Estate of Joseph Dicenso and Joseph Dicenso, III, Petitioners**
(Councilwoman Travis)

Public Hearing First Passage

Committee Report: (Land Use): Recommends Public Hearing

Action: To Open Public Hearing
Moved by: Travis
Seconded by: McAllister
Vote: vv

Speaking for:
Joseph D'Angelis, Esq.
Bill DePasquale

Speaking Against:
None

Action: **To Close Public Hearing**
Moved by: **Travis**
Seconded by: **Ladouceur, McAllister**
Vote: **vv**

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

First Passage
4-22-19

2. **PCO-6-19 An Ordinance Amending the Zoning Ordinance of the City of Warwick Great Point Group, LLC, Petitioner** (Councilman Sinapi)

Public Hearing First Passage

Committee Report Land Use: Recommends Public Hearing

Action: **To Open Public Hearing**
Moved by: **Sinapi**
Seconded by: **McAllister, Ladouceur**
Vote: **vv**

Speaking for:
John C. Revens, Esq.
Bill DePasquale

Speaking Against:
None

Action: **To Close Public Hearing**
Moved by: **Sinapi**
Seconded by: **McAllister, Ladouceur, Rix**
Vote: **vv**

Action: **Favorable**
Moved by: **Sinapi**
Seconded by: **McAllister, Travis, Ladouceur, Rix**
Vote: **9/0**
First Passage
4-22-19

Unfinished Business

1. **PCO-21-18 (Sub A) An Ordinance to Amend Section 4-13 keeping and feeding wildlife**

(Councilman Rix)

Second Passage

Committee Report: Ordinance: **Favorable**

Action: **Favorable**

Moved by: **Rix**

Seconded by: **McAllister**

Vote: **8/0/1 (Travis Abstains)**

Adopted

O-19-1

2. **PCO-24-18 (Sub A) - An Ordinance amending the Zoning of the City of Warwick, DT Retail Properties LLC Petitioner, Sordam Development, LLC & Expo Realty, LLC – Owner** (Councilman Rix)

Second Passage

Committee Report Land Use: **Favorable**

Action: **Favorable**

Moved by: **Rix**

Seconded by: **Howe, McAllister**

Vote: **8/0/1 (Travis Abstains)**

Adopted

O-19-2

3. **PCO-1-19 (Sub A) An Ordinance amending the Zoning of the City of Warwick, Stephen Fairbanks, Chief Investment Officer PHM Providence, LLC, Petitioner** (Councilman Howe)

Second Passage

Committee Report: Land Use: **Favorable**

Action: **Favorable**

Moved by: **Howe**

Seconded by: **Ladouceur, McAllister**

Vote: **8/0/1 (Travis Abstains)**

Adopted

O-19-3

4. **PCO-2-19 Ordinance in regards to Rescue Service Fees**
(Councilman Ladouceur on behalf of Mayor Solomon, **McAllister, Howe, Sinapi, Rix, Corley, McElroy**)

Second Passage

Committee Report: Finance: **Favorable**

Action: **Favorable**
Moved by: **McAllister**
Seconded by: **Ladouceur, McElroy, Howe**
Vote: **9/0**
Adopted
O-19-4

5. **PCO-4-19 - An Ordinance prohibiting traffic from Evergreen from turning Westbound on Pavillion** (Councilman Howe)

Second Passage

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

Action: **Favorable**
Moved by: **Howe**
Seconded by: **McAllister**
~~Vote:~~

Action: Favorable to Amend
Moved by: Howe
Seconded by: McAllister
Vote: 9/0

Action: Favorable As Amended
Moved by: Howe
Seconded by: McAllister
Vote: 9/0

First Passage, As Amended
4-22-19

6. **PCO-19-18 Ordinance in regards to working without a building permit**
(Councilman Ladouceur, **Merolla, Corley, Rix, Howe, McElroy, Travis, McAllister, Sinapi**)

First Passage

Committee Report: Ordinance: **Favorable to Amend**

Action: **Favorable**

Moved by: **Ladouceur**
Seconded by: **McAllister**
Vote:

Action: Favorable to Amend
Moved by: Ladouceur
Seconded by: McAllister
Vote: 9/0

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

First Passage, As Amended
4-22-19

7. **PCO-18-15 Neighborhood Improvement Program- An Ordinance that will make Landlords responsible for the costs to pick up debris left on the street by tenants.** (Councilman Ladouceur, Councilwoman Travis)

First Passage – Not Drafted

Committee Report: Ordinance: **Hold 4-22-19**

8. **PCR-94-17 Bid 2017-147 State of RI Telecommunication Services/Installation & Parts** (Councilman Ladouceur)

Committee Report: Finance: **Hold 4-22-19**

9. **PCR-148-17 Bid 2018-143 Installation of Sprinklers @ Cooper Bldg. Drill Hall** (Councilman Ladouceur)

Committee Report: Finance: **Hold 4-22-19**

10. **PCR-16-18 Tree Damage Claims** (Councilman McAllister)

Not Drafted

Committee Report: Public Safety: **Hold 4-22-19**

11. PCR-154-18 (Sub A) Resolution regarding Airport Air Quality (Council President Merolla, Councilman Rix, Councilman Howe, Councilman Ladouceur Councilwoman Travis, Councilman McAllister, Councilman McElroy)

Committee Report: Intergovernmental: **To Withdraw**

Action: **To Withdraw**

Moved by: **Rix**

Seconded by: **Ladouceur, Travis, McAllister**

Vote: **9/0**

To Withdraw

12. PCR-9-19 – A Resolution requesting that the Rhode Island Airport Corporation Consider Additional factors in its 2019 14 CFR Part 150 Noise Study.

(Councilman Rix)

Not Drafted

Committee Report: Intergovernmental: **Hold 4-22-19**

13. PCR-21-19 A Resolution relative to Educational Outreach Committee

(Councilman Ladouceur)

Not Drafted

Committee Report: (Health, Education & Welfare): **Hold 4-1-19**

Unanimous Consent

PCR-42-19 – Resolution to the General Assembly in Support of Amendments to the Sewer Authority Enabling Act to Add 2 Board Members, Financing Terms and Septic Systems

(Councilman Ladouceur) **Hold 4-1-19**

Motion to Adjourn: Travis

Seconded by: McAllister, Ladouceur

Vote: vv

Time: 8:09 PM

**Next Available Numbers: PCR-43-19
PCO-7-19**

DOCKET SESSION

All Pass

Time: 8:09 PM

Attest,

A handwritten signature in black ink, appearing to read "Lynn D'Abrosca". The signature is written in a cursive style with a large initial "L".

Lynn D'Abrosca
Deputy City Clerk

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.