



Providence Noise Project

"Noise is the New Smoking"

March 29, 2023

Ms. Helen Anthony, Esq.
Chair, Finance Committee

Ms. Rachel Miller, President
Providence City Council
25 Dorrance Street
Providence, RI 02903

Councilmember Anthony and Council President Miller,

We are writing to follow up on the Jan. 24 meeting of the City Council's Finance Committee, during which it considered and voted to advance the re-appointment of Providence Board of Licenses chair Dylan Conley on to the full City Council for confirmation.

During the meeting, Committee Chair Anthony and other members of the Committee raised several legal matters that we wanted to learn the disposition of, as part of our efforts to try to reduce excessive, unhealthy, and unnecessary noise in the city. These issues include:

1. Several times during the meeting, Mr. Conley asserted that the Board of Licenses lacks a clear understanding of what constitutes a noise violation, as well as the authority to act to address them.

Given that no one on the Finance Committee or the full City Council has challenged this claim, has either of you or any members of the City Council introduced legislation or taken any other steps to clarify Providence sound restrictions or strengthen the Board's legal authority to enforce them?

If not, why not?

2. Toward the end of the Finance Committee meeting and before the vote to pass his re-appointment on to the full City Council, Committee Chair Anthony told Mr. Conley that she was "concerned" about the appearance of conflicts of interest regarding his representation of companies with matters before the city government, and asked if he was registered as a lobbyist with the city.

Mr. Conley answered by claiming that there is a specific exemption for attorneys, and Chair Anthony responded by saying that he was wrong and should re-visit the issue. Is the City Council aware of whether Mr. Conley has subsequently registered as a lobbyist? If not, will you act in your respective capacities as City Council president and Finance Committee chair to find out and let us know?

3. Finance Committee member Juan Pichardo asked Mr. Conley if the Board of Licenses had submitted its legally required annual report to the City Council and the mayor, and Mr. Conley responded that he wasn't sure and "kind of forgot" about the report.

It was subsequently revealed that the Board of Licenses had not submitted annual reports for four consecutive years, dating back to 2019.

The Board finally submitted the four reports together on Feb. 8, 2023, with coversheets indicating they were being sent to former Mayor Jorge Elorza, on letterhead indicating that Mr. Elorza was still the mayor of Providence — effectively “backdating” them to appear as if they had been submitted during the previous mayoral administration.

Was the City Council aware the reports had not been submitted each year, as legally required, as part of its oversight function?

If not, why not? Has the Council taken any steps to prevent this from happening in the future?

Why are City Solicitor Mario Martone and private attorney Louis DeSimone still serving as legal counsel to the Board, when they both demonstrably failed over multiple years to ensure that it complied with Providence municipal law by submitting legally required reports on time?

Thank you for your attention to these questions. We look forward to your responses.

Submitted on behalf of the Providence Noise Project,

John Wilner
Communications Coordinator