

**CITY OF PROVIDENCE
RHODE ISLAND**



IN CITY COUNCIL

MAY 13 1976

APPROVED:

Vincent Zappella
CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 37 City Council Special Meeting, Monday, April 26, 1976, 7:00 P.M. (EDT)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Ahern, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fagnoli, Flynn, Garan, Gorodetsky, Henries, Johnson, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta and Xavier—25.

Absent: Councilman Crowley—1.

COUNCILMAN LYNCH moves that the Vote of the City Council at its meeting of April 13, 1976 to Adjourn to May 13, 1976 at 8:00 o'clock P.M. (EDT) be Rescinded, the City Council meeting this day, instead of May 13, 1976.

This motion being seconded by **COUNCILMEN ADDISON, ALMAGNO, FLYNN, GARAN, MAN-SOLILLO, MEROLA and TURCHETTA**, is Put to Vote and Passed.

INVOCATION

The Invocation is given by **COUNCILMAN WILLIAM G. BRADSHAW**.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILMAN RALPH FARGNOLI leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

COMMUNICATION FROM CERTAIN MEMBERS OF CITY COUNCIL

The Clerk Reads the following Communication from Certain Members of the City Council.

April 24, 1976

Mr. Vincent Vespia
City Clerk
City Hall
Providence, R. I. 02903

Dear Mr. Vespia:

You are hereby requested to call a Special Meeting, April 26, 1976 at 7:00 o'clock P.M. (EDT) in the Chamber of the City Council, City Hall, Providence.

The purpose of the meeting is to review the decision made by the Building Board of Review on April 23, 1976 relative to storage of liquified natural gas, and

"An Emergency Ordinance Relative to the

Issuance of Permission to Erect, Alter or Use a Building or Structure at the Location Named Herein for Sale of Petroleum, Kerosene, Gasoline, Coal Oil and Their Products, Compounds and Components."

Please cause notices of said meeting to be served personally on each Member of the City Council.

Very sincerely yours,

Robert J. Hayton
Laurence K. Flynn
John P. Garan
Donald E. McKiernan
Edward W. Xavier
Vincent J. Cirelli

Received.

FROM CITY CLERK

The Clerk Reads the following Warrant, with the City Sergeant's Return Endorsed thereon, Certifying that He did Notify Certain Members of the City Council of the Special Meeting to be held on Monday, April 26, at 7:00 o'clock P.M. (EDT) by Personally Delivering a Copy of the following Warrant, on April 24, 1976.

GIACOMO MARTONE, CITY SERGEANT:

Whereas, More than one-sixth (1/6) of the

Council have requested the City Clerk to call a meeting of the Honorable City Council for Monday, April 26, 1976 at 7:00 o'clock P.M. (EDT) to be held in the Chamber of the City Council.

You are, therefore, commanded and required to summon each Member of the City Council to meet as requested for the following purpose, viz:

To consider and Act upon the following:

To review the decision made by the Building Board of Review on April 23, 1976 relative to storage of liquified natural gas, and

An Emergency Ordinance Relative to the Issuance of permission to erect, alter or use a building or structure at the location named herein for sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components.

Hereof, Fail not, and make true return of this warrant with your doings thereon.

Given Under My Hand and Official Seal of the City of Providence this Twenty-fourth Day of April, 1976.

VINCENT VESPIA
City Clerk

Received. _____

The Clerk Certifies that he has Notified each of the following Members of the City Council of the Special Meeting to be held on Monday, April 26, 1976 at 7:00 o'clock P.M. (EDT) by personally handing to each of the following Members, the subject Warrant:

Council President Robert J. Haxton; Councilman Laurence K. Flynn; Councilman John P. Garan; Councilman Donald E. McKiernan; Councilman Edward W. Xavier and Councilman Vincent J. Cirelli.

Received. _____

SPECIAL BUSINESS

Review of Decision by the Building Board of Review on April 23, 1976 Relative to Storage of Liquified Natural Gas.

Discussion Ensues on the Said Decision in which Councilman McKiernan, Councilman Gar-

an, Councilman Mansolillo, Councilman Lynch and Councilman Turchetta Participate.

PRESENTATION OF EMERGENCY ORDINANCE

COUNCIL PRESIDENT HAXTON, COUNCILMAN FLYNN, COUNCILMAN GARAN, COUNCILMAN McKIERNAN, COUNCILMAN XAVIER, COUNCILMAN CIRELLI and COUNCILMAN JOHNSON:

An Emergency Ordinance Relative to the Issuance of Permission to Erect, Alter or Use a Building or Structure at the Location Named Herein for Sale of Petroleum, Kerosene, Gasoline, Coal Oil and Their Products, Compounds and Components.

COUNCILMAN LYNCH moves the Ordinance be Passed as an Emergency Ordinance.

This Motion is seconded by **COUNCILMEN ADDISON, AHERN, COUNCILWOMAN BRASSIL, COUNCILMEN CIRELLI, FARGNOLI, FLYNN, GARAN, JOHNSON, McKIERNAN, STRAVATO, TURCHETTA and XAVIER.**

COUNCILMAN MANSOLILLO moves the Ordinance be Not Passed.

This motion is seconded by **COUNCILMAN PEARLMAN.**

COUNCILMAN LYNCH moves that Rule No. 4 of the Rules of the City Council be Suspended for the Remainder of this Meeting in Order to Allow the Introduction of a Matter Not Appearing on the Agenda for this Meeting.

The Chair rules that the Motion to Not Pass, being a Main Motion, is not properly before this meeting, since the Motion effected with the consideration of the original Main Motion for Passage as an Emergency Ordinance.

The Emergency Ordinance is thereupon put to Vote and fails of Passage by a less number of affirmative votes of at least three-fourths of all the Members of the City Council by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Councilwoman Brassil, Councilmen Cirelli, Fagnoli, Flynn, Garan, Johnson, Lynch, McKiernan, Merola, Stravato, Turchetta and Xavier—15.

Noes: Councilmen Bradshaw, Mansolillo, Pearlman and Salvatore—4.

Not Voting: Councilmen Almagno, Cola, Goro-detsky, Henries, Petrosinelli and Tomasso—6.

Absent: Councilman Crowley—1.

This motion being seconded by **COUNCILMAN FLYNN**, is Put to Vote and Passed.

PRESENTATION OF ORDINANCE

COUNCILMAN McKIERNAN:

An Ordinance Relative to the Issuance of Permission to Erect, Alter or Use a Building or Structure at Locations Named for the Sale of Petroleum, Kerosene, Gasoline, Coal Oil and Their Products, Compounds and Components.

Read and Passed, the First Time and Referred to the Committee on Ordinances, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON, AHERN, COUNCILWOMAN BRASSIL, COUNCILMEN CIRELLI, FARGNOLI, FLYNN, GARAN, JOHNSON, STRAVATO, TURCHETTA and XAVIER**, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Councilwoman Brassil, Councilmen Cirelli, Fagnoli, Flynn, Garan, Johnson, Lynch, McKiernan, Merola, Stravato, Turchetta and Xavier—15.

Noes: Councilmen Bradshaw, Gorodetsky, Mansolillo, Pearlman and Salvatore—5.

Not Voting: Councilmen Almagno, Cola, Henries, Petrosinelli and Tomasso—5.

Absent: Councilman Crowley—1.

On Motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN FARGNOLI**, it is Voted to Suspend Rule 2 of the Rules of the City Coun-

cil in Order to Allow the City Council to Meet on a Day Other than Provided in Said Rule 2.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, ALMAGNO, FLYNN, GARAN, MANSOLILLO, MEROLA, TOMASSO and TURCHETTA, the City Council Adjourns at 8:50 o'clock P.M. (EDT) to meet again on THURSDAY, MAY 13, 1976 at 8:00 o'clock P.M. (EDT).

Vincent V. Vapira

City Clerk