

**CITY OF PROVIDENCE
RHODE ISLAND**

IN CITY COUNCIL



DEC 21 1972

APPROVED:

Vincent Vespa

CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 43 City Council Regular Meeting, Thursday, December 7, 1972, 8:00 P.M. (EST)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Lorenzo, Moran, J. Murphy, Payne, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—20.

Absent: Councilmen Ahern, Goldin, Lynch, Mascia, McKiernan and W. Murphy—6.

COUNCILMAN PISATURO:

Resolution Authorizing the Committee on Public Welfare to Grant Permission for All Future Night Sports Events Proposing to Use the Neutaconkanut Park Complex.

Referred to the Committee on Public Welfare, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN BEATINI**.

Resolution Requesting the Traffic Engineer to Investigate and Report Relative to the Necessity of the Safety Island Constructed on Central Avenue.

Resolution Requesting "No Parking to Corner" Signs along Both Sides of Deborah Street at Dorchester Avenue and along the Northerly Side of Dorchester Avenue at Deborah Street.

Severally Referred to the Committee on Public Works, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN BEATINI**.

COUNCILMAN SCIARRETTA:

Resolution Requesting His Excellency the Governor of the State of Rhode Island and Providence Plantations to Call a Constitutional Convention.

Resolved, That His Excellency, the Governor of the State of Rhode Island and Providence Plantations, is Requested to Call a Constitutional Convention.

Read and Passed, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN BEATINI**.

Resolution Congratulating the Nickerson House, the United Star Markets, and the Senior Citizens' Association of Rhode Island, Upon the Commencement of the Senior Citizens' Transportation System.

Whereas, A joint sponsorship with the Nickerson House, the United Star Markets, and the Senior Citizens Association of Rhode Island has been commenced of the Senior Citizens Transportation System designed for and in the interest of our Senior Citizens.

Now, Therefore, Be It Resolved, That His Honor, Mayor Joseph A. Doorley, Jr., and the Members of the City Council do hereby congratulate and express their pleasure at this signal innovation of the Nickerson House, the United Star Markets, and the Senior Citizens Association of Rhode Island, that the community's Senior Citizens can avail themselves to this jointly sponsored transportation system.

Read and Passed, on motion of **COUNCILMAN SCIARRETTA**, seconded by **COUNCILMAN BEATINI**.

COUNCILMAN SCIARRETTA, for Himself and **COUNCILMAN LYNCH** in Absentia (By Request):

Resolution Approving and Providing for the Execution of a Proposed Contract for Demolition Grant Under Title I of the Housing Act of 1949, As Amended, Numbered Contract No. R. I. M-4 (G), By and Between the City of Providence and the United States of America.

Whereas, The United States of America (herein called the "Government") has tendered to The City of Providence (herein called the "Grantee") a proposed Contract for Demolition Grant Under Title I of the Housing Act of 1949, as amended, under which the Government would make a grant of Federal Funds to the Grantee to aid in financing the cost of demolition work designated

Program No. R. I. M-4 in the demolition area described in such proposed Contract; and

Whereas, The Grantee has given due consideration to said proposed Contract:

Be It Resolved By The City Council of Providence, Rhode Island as follows:

Section 1. The proposed Contract for Demolition Grant under Title I of the Housing Act of 1949, as amended, designated Contract No. R. I. M-4 (G), under and subject to the terms and conditions of which the Government would make a grant of Federal funds to the Grantee to aid in financing the cost of demolition work designated Program No. R. I. M-4, situated in the City of Providence, Rhode Island, is hereby in all respects approved.

Sec. 2. The Mayor of the Grantee is hereby authorized and directed to execute said proposed Contract in two counterparts on behalf of the Grantee, and the Mayor is hereby authorized and directed to impress and attest the official seal of the Grantee on each such counterpart and to forward such counterparts to the Department of Housing and Urban Development for execution on behalf of the Government, together with such other documents relative to the approval and execution thereof as well as to this Resolution as may be required by the Government.

Sec. 3. The Mayor is hereby authorized to file requisitions, together with necessary supporting documents, with the Government, from time to time as grant funds are required, requesting payments to be made on account of the grant provided for in the said Contract, and to do and perform all other things and acts required to be

done or performed in order to obtain such payments.

Sec. 4. This Resolution shall take effect immediately.

Read and Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Lorenzo, Moran, J. Murphy, Payne, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—20.

Noes: None.

Absent: Councilmen Ahern, Goldin, Lynch, Mascia, McKiernan and W. Murphy—6.

COUNCILMAN XAVIER and COUNCILMAN J. MURPHY:

Resolution Requesting the Replacing of Appropriate Signs Identifying "George M. Cohan Boulevard."

Resolved, That the Director of Public Works is requested to cause the replacement of appropriate street signs identifying "George M. Cohan Boulevard."

Read and Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMEN BEATINI, J. MURPHY and XAVIER.

REPORTS FROM COMMITTEES

COUNCILMAN PHILIP F. ADDISON, JR., Chairman

COMMITTEE ON PUBLIC WELFARE

**Transmits the following with Recommendation
the Same be Severally Adopted:**

Resolution Requesting a Crossing Guard Post at the Intersection of Camden Avenue with Chad Brown Street.

Resolved, That the Commissioner of Public Safety is requested to establish a crossing guard post at the intersection of Camden Avenue with Chad Brown Street.

Read and Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

Resolution Requesting the Department of Recreation to Provide an Appropriate Area for Use Primarily for the Babe Ruth Baseball League Teams and Other Recognized Organized League Teams.

Resolved, That the Department of Recreation is requested to provide an appropriate area to be allocated for use primarily for the Babe Ruth

Baseball League Teams and other recognized Organized League teams.

Read and Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

Resolution Requesting the Director of the Department of Public Property to Cause Two Tennis Courts and a Bocchia Court to be Constructed on the Site of the Former Bowling Green, Neutaconkanut Park.

Resolved, That the Director of the Department of Public Property is requested to cause two tennis courts and a Bocchia Court to be constructed on the site of the former Bowling Green located in Neutaconkanut Park.

Read and Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

**COUNCILMAN ANTHONY B. SCJARRETTA, Vice Chairman, for
COUNCILMAN EDWARD S. GOLDIN, Chairman, In Absentia**

COMMITTEE ON ORDINANCES

**Transmits the following with Recommendation
the Same be Severally Approved:**

An Ordinance in Amendment of the Code of Ordinances of the City of Providence, Rhode Island, approved October 21, 1968, as Amended by Chapter 68-41, approved June 10, 1968, regulating the control of dogs and other animals.

Read and Passed the First Time, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMAN BEATINI.

Resolution Directing the City Solicitor to cause an Act to be introduced into the 1973 Session of the General Assembly Relative to a Tort Action against any Dog Owners whose Dog has Bitten or Injured any Person.

Resolved, That the City Solicitor is requested to cause to be introduced into the 1973 Session of the General Assembly an Act making it prima facie evidence of negligence in a tort action against any dog owner whose dog has bitten or injured any person arising out of an action of said dog while violating any ordinance of any city or town regulating the control of Dogs.

Resolution Directing the Chief of Police and the Dog Officer to cause to be Collected all At-Large-Dogs in the City of Providence and to be Held until Claimed by their Owners.

Resolved, That the Chief of Police and the Dog Officer are directed to cause to be collected all at-large-dogs in the City of Providence to be held until claimed by their owners or for a waiting period not to exceed ten (10) days, at the City Pound located at Fields Point. This Activity shall be pursued after completion of said Dog Pound and after suitable public notice of this activity by the City Clerk in the appropriate City Newspapers and other media, but in no event shall same be later than August 1, 1973.

Resolution Creating a Standing Committee of the City Council for the Purpose of Naming all Buildings, Bridges, Edifices and Other City Constructions.

Whereas, The City of Providence is responsible for the construction and maintenance of new buildings, expressways, bridges, edifices, and other constructions in certain instances approved by City of Providence voter referendum, and

Whereas, The City Council of the City of Providence, in each instance, is responsible for the appropriation of funds to carry out these same projects, often in its entirety or in joint sponsorship with Federal or State Agencies, and

Whereas, It is the opinion of the Members of the City Council that the naming of such new projects should be the prerogative of the City Council for and in behalf of the Citizens of the City of Providence,

Now, Therefore, Be It Resolved, That a Standing Committee of the City Council is hereby created for the purpose of naming all new buildings, expressways, edifices, bridges, and other constructions erected in the City of Providence, or upon any City owned property within the State of Rhode Island, whether the same shall be financed in whole or in part by the City of Providence; said Committee shall consist of the Mayor and Five Members of the City Council, who shall be appointed by the President, thereof, and shall serve until their respective terms of office expire on the First Monday in January, 1975, and

Be It Further Resolved, That Rule 20 of Resolution of the City Council No. 1, effective January 4, 1971, is hereby amended by incorporating the following language "Committee on Naming of Buildings, Expressways, Bridges, Edifices, and Other City Constructions."

The Committee on Naming of Buildings, Expressways, Bridges, Edifices, and Other City Constructions may consult and counsel with agencies of the State and Municipal government and such agencies of Federal Government and others as are now, or may become concerned with such constructions.

The said Committee shall transmit to the City Council its recommendations for such names, for its consideration.

Resolved, That the City Solicitor is hereby authorized to apply to the General Assembly and urge passage of an Act repealing certain sections of Chapter 10 of the General Laws, Rhode Island, 1957, entitled "Canvassing the Lists of Qualified Electors," substantially in accordance with the accompanying draft act. (For Draft of Act, See Files of City Council.)

Resolution Authorizing the City Solicitor to Apply to the General Assembly and Urge Passage of an Act Repealing Certain Sections of Chapter 10 of the General Laws of Rhode Island, 1957, entitled, "Canvassing the List of Qualified Electors."

Severally Read and Collectively Passed, on motion of COUNCILMAN SCIARRETTA, seconded by COUNCILMEN BEATINI and DARI-GAN.

**COUNCILMAN MICHAEL E. KELLY, Chairman
COMMITTEE ON CITY PROPERTY**

**Transmits the following with Recommendation
the Same be Severally Adopted:**

Resolution Authorizing His Honor the Mayor to Grant to John Rao, Jr., and Verna Rao, all the Right, Title and Interest of the City of Providence in that Certain Parcel of Land adjoining West Exchange Street on the North, near Gaspee Street, for the Sum of Twenty Thousand Dollars (\$20,000).

Whereas, On July 22, 1896, the City of Providence conveyed to the New York, New Haven and Hartford Railroad a certain parcel of land, hereinafter described, which land was conveyed to said Railroad for railroad purposes; and

Whereas, It appears that said land has ceased to be used for railroad purposes; and

Whereas, The City of Providence may have some right, title or interest in the land hereinafter described; and

Whereas, George P. Baker, Richard C. Bond, Jarvis Langdon, Jr. and Willard Wirtz, Trustees of the Property of Penn Central Transportation

Company are successors in interest to the New York, New Haven and Hartford Railroad Company; and

Whereas, The aforementioned Trustees do not admit that the City of Providence has any interest in the land hereinafter described; and

Whereas, John Rao, Jr. and Verna Rao of the City and County of Providence, State of Rhode Island, have offered to the City of Providence the sum of twenty Thousand dollars (\$20,000.00) for the transfer to them of all the right, title and interest, if any, of the City of Providence in and to the land hereinafter described; and

Whereas, It is in the best interest of the City of Providence to accept such sum.

Now, Then, Be It Resolved:

1. That His Honor, the Mayor, be and is hereby authorized and empowered to grant to said John Rao, Jr. and Verna Rao all the Right, title

and interest of the City of Providence in and to the following parcel of land:

That certain parcel of land adjoining West Exchange Street on the north, in the City and County of Providence and State of Rhode Island, delineated and shown on plan attached to Lease from the New York, New Haven and Hartford Railroad Company to Variety Realty Corporation dated September 29, 1955 and recorded in the office of the Recorder of Deeds in said City of Providence in Book 1042 at page 11, entitled: "New York, New Haven and Hartford Railroad Office of Engineer — Real Estate Surveys Land in Providence, R. I. To be Leased to Variety Realty Corporation Scale 1"=50' Feb. 1955" and bounded and described as follows:

Beginning at a point in the northerly line of West Exchange Street, said point being distant three hundred twenty two and 89/100 (322.89) feet westerly, measured in said street line, from the first angle point therein westerly of Gaspee Street; and thence making an interior angle of 90° with said street line and running northerly one hundred nine and 46/100 (109.46) feet, bounding westerly on land now or lately of The New York, New Haven and Hartford Railroad Company, to a point; thence making an interior angle of 77° 57' 17" with said last described line and running southeasterly two hundred seven and 81/100 (207.81) feet, bounding northeasterly on land now or lately of Variety Realty Corporation to a point; thence continuing southeasterly one hundred ninety three and 81/100 (193.81) feet in the arc of a curve to the left of 4,586.99 feet radius, tangent to said last described line, still bounding northeasterly on land now or lately of Variety Realty Corporation, to a point in a curved line of 21.50 feet radius connecting the southwesterly line of Gaspee Street with the northwesterly line of West Exchange Street; thence running southwesterly three and 21/100 (3.21) feet in the arc of said curve of 21.50 feet radius to a point; thence continuing southwest-erly seventy two and 93/100 (72.93) feet in said northwesterly line of West Exchange Street to said angle point; and thence deflecting to the right and running westerly three hundred twenty two and 89/100 (322.89) feet in said northerly

line of West Exchange Street to the point of beginning, and containing 25,767 square feet of land.

Said parcel is further shown on that plat entitled "New York, New Haven and Hartford Railroad Office of Engineer — Real Estate Surveys Land in Providence, R. I. To Be Leased to Variety Realty Corporation Scale 1"=50' Feb. 1955" Approved A. L. Barnes, Supervisor of Surveys which is appended hereto and made a part hereof.

2. That His Honor, the Mayor, is hereby authorized and empowered upon receipt of the aforementioned twenty thousand dollars (\$20,000.00) to execute any and all deeds, releases or other documents required to carry out and to effectuate the foregoing.

3. This Resolution shall take effect immediately.

Resolution Authorizing His Honor the Mayor to Execute a Deed of Conveyance to Capital Development, Inc., of Lot 96 on City Assessor's Plat 8 for the Sum of Two Thousand Dollars (\$2,000.00).

Resolved, That His Honor the Mayor is authorized to execute a deed of conveyance to Capital Development, Inc. of Providence, Rhode Island, of Lot 96, as set out and delineated on City Assessor's Plat 8, as further delineated on Plan entitled "Providence Phode Island, P. W. Dept., Engineering Office, City Property Section, Plan No. 063587, date November 29, 1972," a copy of which is attached hereto for the sum of two Thousand Dollars (\$2,000) and upon such terms and conditions that His Honor the Mayor and the City Solicitor shall deem necessary.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lot 212 on City Assessor's Plat 99, located at 54-58 Anchor Street to Overhill Associates of 583 Cranston Street, Providence, for the Sum of

Two Thousand One Hundred Fifty Seven Dollars and Fifty Cents (\$2,157.50).

Resolved, That the City Treasurer may give notification in writing addressed to the owner of Lot No. 212 on Plat 99 located on (54-58 Anchor Street) made for the use of the Board of Assessor's as said plat appeared in the office of the said Board June 15, 1945, said lot having been sold to the City of Providence at tax sale held March 27, 1947, said notice in writing addressed to the owner of record at the time of the sale, his heirs, assigns or devisees at their last usual place of abode, and notifying them that said real estate will be offered for sale unless redeemed within thirty days of said notification.

The City Treasurer has received an offer by Overhill Associates of 583 Cranston Street, Providence, R. I. of \$2,157.50 for Lot No. 212 on Plat 99 and as the period for the redemption of this property has expired, this offer is hereby approved in accordance to the law thereto appertaining.

If said real estate shall not be redeemed within said thirty days, the City Treasurer is hereby authorized to sell and convey to the said Overhill Associates, or nominees, for the price herein approved.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lots 173 and 174 on City Assessor's Plat 123, located at 793-797 River Avenue, to Overhill Associates of 583 Cranston Street, Providence, for the Sum of Four Thousand Five Hundred Forty Two Dollars and Ninety Cents (\$4,542.90).

Resolved, That the City Treasurer may give notification in writing addressed to the owner of Lots Nos. 173 and 174 on Plat No. 123 (located on 793 and 797 River Avenue) made for the use of the Board of Assessors as said plat appeared in the office of the said Board on June 15, 1944, said lots having been sold to the City of Providence at tax sale held March 28, 1946, said notice in writing addressed to the owner of record at

the time of the sale, his heirs, assigns or devisees at their last usual place of abode, and notifying them that said real estate will be offered for sale unless redeemed within thirty days of said notification.

The City Treasurer has received an offer made by Overhill Associates, 583 Cranston Street, Providence, R. I. of \$4,542.90 for Lots Nos. 173 and 174 on Plat No. 123 and as the period for the redemption of this property has expired, this offer is hereby approved in accordance to the law thereto appertaining.

If said real estate shall not be redeemed within said thirty days, the City Treasurer is hereby authorized to sell and convey to the said Overhill Associates, or nominees, for the price herein approved.

Resolution Requesting the Providence Civic Center Authority to Authorize the Erection of a Suitable Plaque within the Civic Center upon which would be Inscribed the Names of Citizens of the City of Providence who Lost Their Lives in World War II.

Whereas, World War II Monument located on City Hall Park along Kennedy Plaza, which was erected immediately following the cessation of World War II, has been damaged to the extent that several of the names, which were listed thereon, of Citizens of the City of Providence who paid the supreme sacrifice in that war, no longer exist, and

Whereas, In its present state of disrepair, it is an insult to the memory of those gallant former members of our Armed Forces, and

Whereas, That monument, so-called, which due to the economic and shortage of material problems at the time of its erection, was intended to be temporary until a permanent one was erected.

Now, Therefore, Be It Resolved, That in view of the state of disrepair and the fact that the

cost of erection of a permanent monument is not now incorporated in the current budget of the City of Providence, that the Providence Civic Center, a structure of which the citizens of the City of Providence can well be proud of, it is hereby earnestly requested that the Providence Civic Center Authority authorize the erection of a suitable plaque within a portion of the said Civic Center, upon which plaque shall be inscribed the names of the Citizens of the City of Providence who lost their lives in World War II, and

Be It Further Resolved, That upon the approval of such authority, the President of the City Council shall appoint a committee composed of five members, thereof, for the purpose of implementing the provisions of this Resolution to the end that those Citizens of the City of Providence who lost their lives in World War II, be suitably inscribed on an appropriate plaque, and then to cause the temporary monument, so-called, to be razed.

Severally Read and Collectively Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Lorenzo, Moran, J. Murphy, Payne, Pearlman, Pisaturo, Prete, Sciarretta and Xavier—20.

Noes: None.

Absent: Councilmen Ahern, Goldin, Lynch, Mascia, McKiernan and W. Murphy—6.

The Following is Returned with Recommendation the Same be Denied:

Resolution Rescinding the Easement Restriction Incorporated in Resolution of the City Council No. 103, Approved February 13, 1969, Conveying Certain Property to Ernest DiGregorio of North Providence, Rhode Island.

Denied, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

**COUNCILMAN SALVATORE A. BEATINI, Acting Chairman for
COUNCILMAN ROBERT F. LYNCH, Chairman In Absentia**

COMMITTEE ON FINANCE

**Transmits the following with Recommendation
the Same be Severally Adopted:**

An Ordinance in Amendment of Chapter 1210 of the City Ordinances of 1958, entitled: "An Ordinance Providing for Payment of Annuities to Widows of Policemen or Firemen," Approved August 8, 1958.

An Ordinance in Amednment of Chapter 778 of the City Ordinances of 1953, and Chapter 1860 of 1967, Entitled, "An Ordinance Providing Additional Payments to Retired Employees of the City of Providence," Approved September 18, 1953 and Amendment Approved July 13, 1967.

An Ordinance Amending the Appropriation Ordinance Chapter 1972-32 Approved June 23, 1972, by Transferring Certain Sums of Money within the School Department.

Severally Read and Collectively Passed the First Time, on motion of COUNCILMAN SCJARRETTE, seconded by COUNCILMAN BEATINI, by the following Roll Call vote:

Ayes, Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Lorenzo, Moran, J. Murphy, Payne, Pearlman, Sciarretta and Xavier—18.

Noes: None.

Absent: Councilmen Ahern, Goldin, Lynch, Mascia, McKiernan, W. Murphy, Pisaturo and Prete—8.

Resolutions Refunding to Certain Taxpayers Sums of Money Representing Overpayment of Taxes to the City Collector for the Years 1971 and 1972.

Resolved, That the accompanying certificates, numbers 1243 thru 1247, Representing Overpayment of the City Taxes for the Years 1971 and 1972 are hereby Refunded in the Amounts Overpaid. (For Certificates, See Files of City Council.)

Resolved, That the accompanying Certificates Nos. 1251 thru 1322 (except nos. 1257, 1278, 1298, 1299, 1302 and 1306) Representing Over-

payment of City Taxes for the Years 1971 and 1972 are hereby Refunded in the Amounts Overpaid. (For Certificates, See Files of City Council.)

Resolutions Accepting Gifts of Money for Specified Burial Lots in North Burial Ground.

Resolved, That the following gifts of the following sums of money to the Board of Park Commissioners in Trust, the Income thereof to be applied under the provisions of Chapter 367 of the Public Laws, January Session 1861, to the Preservation and Care of the following specified Burial Lots in said Ground be and the same are hereby respectively accepted. (For Names and Sums of Money Incorporated in subject Resolutions, see files of the City Council.)

Severally Read and Collectively Passed, on motion of COUNCILMAN SCJARRETTE, seconded by COUNCILMAN BEATINI, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Lorenzo, Moran, J. Murphy, Payne, Pearlman, Sciarretta and Xavier—18.

Noes: None.

Absent: Councilmen Ahern, Goldin, Lynch, Mascia, McKiernan, W. Murphy, Pisaturo and Prete—8.

COUNCILMAN JOSEPH F. PRETE, Chairman
COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with Recommendation
the Same be Severally Adopted:

An Ordinance Approving and Adopting the Official Redevelopment Plan for the Federal Hill East NDP Urban Renewal Area.

An Ordinance Approving the Urban Renewal Plan and the Feasibility of Relocation for the Federal Hill East Renewal Area.

An Ordinance Granting the Consent of the City of Providence to the Acquisition of its Interest in Certain Lands in the Federal Hill East NDP Urban Renewal Area by the Providence Redevelopment Agency.

An Ordinance in Amendment of an in Addition to Chapter 1575 of the Ordinances of the City of Providence entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Weybosset Hill Project No. R. I. R-7."

An Ordinance in Amendment of and in Addition to Chapter 1972-47 of the Ordinances of the City of Providence, entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for West Broadway NDP Urban Renewal Area (1)."

An Ordinance in Amendment of and in Addition to Chapter 1797 of the Ordinances of the City of Providence, Approved November 7, 1966, and entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the East Side Project No. R. I. R-4."

Severally Read and Collectively Passed the First Time, on motion of COUNCILMAN SCIA-RRETTA, seconded by COUNCILMAN BEATINI, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Lorenzo, Moran, J. Murphy, Payne, Pearlman, Sciarretta and Xavier—18.

Noes: None.

Absent: Councilmen Ahern, Goldin, Lynch, Mascia, McKiernan, W. Murphy, Pisaturo and Prete—8.

Resolution Consenting to the Acquisition by the Providence Redevelopment Agency of Certain Parcels of Land and Improvements, thereon, within the West Broadway NDP Urban Renewal Area I.

Be It Resolved by the City of Providence:

Section 1. Pursuant to the provisions of Title 45, Chapter 32, Section 25 of the General Laws of Rhode Island, 1956, the City of Providence hereby consents to the acquisition by the Providence Redevelopment Agency by eminent domain proceedings in connection with the West Broadway NDP Urban Renewal Area (1) of the fee to and/or all of the estate or interest of the City of Providence in the following described lots or parcels of land with all buildings or improvements thereon:

Assessor's Plat	Lot
32	484
35	77
35	535

Sec. 2. This Resolution shall take effect on its passage.

Resolution Approving the Altering of the Character of the Fresh Water Wetlands in Certain Portions of the East Side Renewal Project R.I. R-4 and Authorizing the Sale of a Certain Area located therein to Richmond Realty Company.

Whereas, 2-1-21 of the General Laws of the State of Rhode Island, entitled, "An Act Relating to Fresh Water Wetlands" provides in part that no person, firm or corporation may excavate, drain, fill, divert water flow into or out of or add to or take from or otherwise alter any fresh water wetlands as defined in 2-1-20 of said Act without first obtaining the approval of the Director of Natural Resources of the State of Rhode Island; and

Whereas, Said Chapter 2-1-21 also provides that such approval shall not be granted unless the City Council of the City within whose borders the land lies shall approve the same prior thereto; and

Whereas, The Providence Redevelopment Agency seeks to dispose of certain land in its East Side Renewal Project, No. R. I. R-4 designated as Parcel 19 E which land is located within an area designated as a "Fresh Water Wetlands" under said Act to Abraham and Bedea Badway, husband and wife and Peter J. and Preziosa Petrarca, husband and wife, a partnership known as Richmond Realty Co.

Now, Therefore, Be It Resolved by the City Council of the City of Providence:

1. That the City Council of the City of Providence, pursuant to the provision of 2-1-21 of the General Laws of the State of Rhode Island, hereby approves any excavating, draining, filling, the placement of earth, rock, borrow, gravel sand and other materials upon and the altering of the character of the fresh water wetlands in Parcel 19 E of the East Side Project, No. R. I. R-4 by Abraham and Bedea Badway, husband and wife Peter J. and Preziosa Petrarca, husband and wife, a partnership known as Richmond Realty Co.

2. This Resolution shall take effect immediately.

Severally Read and Collectively Passed, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Cola, Crowley, Darigan, DeVito, Johnson, Kelly, Moran, J. Murphy, Payne, Pearlman, Sciarretta and Xavier—17.

Noes: None.

Absent: Councilmen Ahern, Goldin, Lorenzo, Lynch, Mascia, McKiernan, W. Murphy, Pisaturo and Prete—9.

The following are Returned with Recommendation the Same be Severally Received:

Report from the Providence Redevelopment Agency informing the City Council of its proposed sale of real property to the Providence Journal Company, a parcel of land within the Weybosset Hill Project, consisting of approximately 6,270 square feet, for a purchase price of \$125,400; all in accordance with the provisions of Paragraph 10 of Chapter 1575 of the Ordinances of the City of Providence, approved October 18, 1963, and Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956.

Report from the Providence Redevelopment Agency informing the City Council of its proposed sale of real property within the East Side Renewal Project, West Broadway NDP Area A2-1 and Weybosset Hill Project, as follows:

EAST SIDE RENEWAL PROJECT

a) Parcels 19a, 19b, and 19c to Davenport Associates, Inc., consisting of approximately 309,-

002 square feet, for a purchase price of \$306,500.00,

b) Parcel 19e to Richmond Realty Company, consisting of approximately 42,306 square feet, for a purchase price of \$20,095.00,

c) Parcel 107a to Our Lady of the Rosary Church, consisting of approximately 32,719 square feet, for a purchase price of approximately \$16,400.00, and

d) Parcels 11, 12 and 13 to Constitution Hill Realty, Inc., consisting of approximately 79,166 square feet, for a purchase price of \$38,200.00;

WEST BROADWAY NDP PROJECT A2-1

a) Parcel 47a to Providence Health Centers, consisting of approximately 34,500 square feet, for a purchase price of \$27,600.00;

WEYBOSSET HILL PROJECT

a) Parcel 11 to a joint venture of Weybosset Hill Development Corp. and Downtown Realty Company, consisting of approximately 62,223 square feet, for a purchase price of \$59,600.00;

All in accordance with the provisions of Paragraph 10 of Chapter 1797 of the Ordinances of the City of Providence, approved November 7, 1966, Paragraph 10 of Chapter 71-24 of the Ordinances of the City of Providence, approved May 10, 1971, Paragraph 10 of Chapter 1575 of the Ordinances of the City of Providence approved October 18, 1956 and Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956.

Severally Received.

COMMUNICATIONS AND REPORTS

FROM PEAT, MARWICK, MITCHELL and COMPANY

Report Submitting a Plan for Improving the Maintenance Operation at the Municipal Garage.

Received.

FROM PORT MANAGER

First Quarterly Report for the Period July 1, 1972, to September 30, 1972.

Received.

FROM HIS HONOR THE MAYOR OF PROVIDENCE

Four Year Action Plan Model Cities Program.

Received.

FROM CITY CONTROLLER

Monthly Statement of Capital, General and School Funds for the Four Months ended October 31, 1972.

Received.

**FROM ACTING CHIEF OF THE DIVISION OF
COASTAL RESOURCES**

Communication informing the City Council of application of Davol, Inc., of Providence, for State of Rhode Island Assent to Maintain an Existing Discharge of Effluent into the Providence River.

Referred to the Committee on Public Works, on motion of **COUNCILMAN SCJARRETTA**, seconded by **COUNCILMAN BEATINI**.

**FROM PROVIDENCE REDEVELOPMENT
AGENCY**

Report Informing the City Council of its Proposal to Sell Certain Real Property within the East Side Renewal Project, West Broadway NDP Area A2-1 and Weybosset Hill Project.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of **COUNCILMAN SCJARRETTA**, seconded by **COUNCILMAN BEATINI**.

FROM THE CITY CLERK

Report of all Monies Received in the Depart-

ment of City Clerk and Transmitted to the City Collector for the Fiscal Year Quarter of July 1, 1972, to and Including September 30, 1972.

Received.

**FROM BOARD OF CANVASSERS AND
REGISTRATION**

Certification of the Approval of the Four Questions by the Voters of the City of Providence, Submitted at the General Election held Tuesday, November 7, 1972.

Received.

FROM CITY ASSESSOR

Certificates (29-H, 36-H, 40-H and 42-H) Recommending the Same be Cancelled, Pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, 1956, as Amended.

Severally Referred to the Committee on Claims and Pending Suits, on motion of **COUNCILMAN SCJARRETTA**, seconded by **COUNCILMAN BEATINI**.

PETITIONS

COUNCILMAN DARIGAN for Himself and **COUNCILMAN GOLDIN** in Absentia (By Request):

Petition of Edward M. Doorley, 180 Ontario Street, Providence, for Appointment as an Auctioneer.

Referred to the Committee on Licenses, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

Petition of Robert E. Wilkinson, 97 Butler Avenue, for Appointment as an Auctioneer.

Referred to the Committee on Licenses, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

COUNCILMAN J. MURPHY and COUNCILMAN XAVIER (By Request):

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries, Damages and/or Refund, viz:

Elmer K. Crowell and Bertha Crowell

Ralph A. DeAngelis

Joseph DeCubellis and Cynthia DeCubellis ppa
Ann Marie and Joanne DeCubellis

Nicholas DelVicario

Rosemary Frances Grant
Robert H. Hamlin

Carolyn and Joseph Jennings

John MacDonald

James J. Magurn

Kathryn McKiernan

Edmund Oliver, Jr.

Joseph M. O'Reilly

V. Procaccini ppa John

Clara Soares

Mr. and Mrs. Anthony Spero

Anni L. Yates

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN SCJARRETTA, seconded by COUNCILMAN BEATINI, the City Council adjourns at 9:30 o'clock P.M. (EST) to meet again on THURSDAY, DECEMBER 21, 1972, at 8:00 o'clock P.M. (EST), In Respect to the Memory of those Members of the Armed Forces who Lost Their Lives at Pearl Harbor, December 7, 1941.

Vincent Vespia

City Clerk