

CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 36 City Council Regular Meeting, May 15, 1980, 8:00 P.M. (E.D.T.)

IN CITY COUNCIL
JUN 5 1980

PRESIDING

APPROVED:

Rose M. Mendonça CLERM

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pen-nine, Petrosinelli, Salvatore, Snowden and Xavier—25.

Absent: Councilman Stravato—1.

INVOCATION

The Invocation is given by REVEREND
MONSIGNOR DANIEL M. O'GRADY OF
THE CATHEDRAL OF S.S. PETER AND
PAUL.

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

COUNCILMAN HARRY A. JOHNSON
leads the Members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 34 of the
Regular Meeting of the City Council held
April 17, 1980 and Posted May 2, 1980 on
that Bulletin Board located on the Ground
Floor Level of City Hall, is Approved as
Printed, on motion of COUNCILMAN
ADDISON, seconded by COUNCILMAN
FLYNN.

MAYOR'S BUDGET MESSAGE AND PRESENTATION OF BUDGET ORDINANCE

COUNCIL PRESIDENT FARGNOLI appoints MAJORITY LEADER ADDISON and MINORITY LEADER PEARLMAN to escort HIS HONOR MAYOR VINCENT A. CIANCI, JR., to the Chamber of the City Council where he delivers the following Budget Message and Submits the Budget Ordinance.

May 15, 1980

To The Honorable
The City Council
City of Providence
City Hall
Providence, Rhode Island 02903

Honorable Members:

We meet again to follow the prescribed official task of presenting the annual budget message by the Chief Executive Officer of the City of Providence to the Legislative Branch of Government. I begin with this underlining of the shared responsibility that is ours in order to reaffirm the real nature of our governmental process, and also to note for you once again that this budget that I submit to you is but a guideline for our fiscal responsibility for the coming year, and it is now up to you and your Finance Committee to begin deliberation, to ensure that our community continues to be on sound fiscal footing, with continuing commitment to serve our fellow citizens as fully as we can.

Were these ordinary times, without a severe economic recession already beginning to grip our nation and our state, and exorbitant interest rates and severe inflationary rises continuing to tax our citizens beyond their capacities, in many cases, we might act differently. But it has been clear for some time now that despite all that we have accomplished here in the City of Providence in increasing our tax base, in revitalizing both

our commercial and business centers and our residential neighborhoods, all around us there are serious economic problems that have an impact on our budgeting process here in the City of Providence, whether it be staggering fuel and energy costs, substantive increases in the products that we buy for our community, and the daily costs of doing the City's business with all facets of society.

We have faced these issues squarely, with the courage to continue to serve our citizens in a host of ways through the sound investment of our tax dollars and aggressively sought federal grant monies toward the present and the future of this community. Hundreds of families have watched their homes renewed, their streets paved, their parks rebuilt and rejuvenated, their neighborhoods enriched by the presence of community centers. And with the substantial change in the quality of life in our neighborhoods continuing, so, too, has the investment in our business and commercial centers undergone transformation through a public-private partnership. Indeed, at a time in our nation when others have looked with trepidation at our rising costs in every area of life, we have boldly and wisely continued to change our city for the better.

Thus, I am extremely proud to announce to you this evening that this budget that I am proposing for fiscal 1980-1981 is a balanced budget once again, with no increase in taxes for our fellow citizens, for the second year in a row; a sound basis for substantial increases in our revenues; as

well as highly responsible and thoughtful proposals for increases in expenditures, that will increase our services to our fellow citizens, continue our planned elimination of our deficit, and continue to provide for all who are employed by this capital city, a reasonable increase in wages and benefits, that continue to fall within the guidelines which we were required to adhere to by the President. This budget reaffirms our commitment to the sound fiscal management of our City's resources and to the maximum use of each tax dollar to enhance the quality of life within our community, and it does so without raising taxes once again. With prudent use of our resources and with continuing concern for maintaining our expenditures at appropriate levels, I am confident that we can continue to act in service to our fellow citizens with reason and responsibility.

Specifically, in order to meet the needs of the City of Providence for this next fiscal year of 1980-1981, I present to you a budget totalling \$139,367,077 in revenues, a substantial increase based upon the significant achievement we have realized in increasing our tax base, as well as our more aggressive collection of taxes due our community. Our expenditures for this fiscal year will total \$139,365,775. This increase of \$15 million dollars underlines our continuing concern for providing the best possible municipal services in education, in public works, and in all facets of the maintenance and the improvements of our total community's resources. This plan of expenditures includes, as well, a substantial increase in our line item to totally eliminate our inherited deficit over a five year period, and in increasing this line item from \$500,000 to \$1.2 million dollars, we continue to accept the responsibility that we have for ensuring the fiscal soundness of our community.

In serving the young people of our City through significant increases in our budget for education, we again reaffirm our support for our City's public schools and for the need for additional funding to provide the best quality of education that we can for our children. No other department in the City has grown in expenditures as has the School Department, and yet in providing this

substantial increase of some 9 per cent over the previous year, we continue to be mindful that an adopted budget by this municipality is a legal act that must be adhered to by all department heads as they administer these funds.

Nor have we forgotten those career employees of this capital city who have contributed their talent and their years in service to their fellow citizens. With one of the finest pension systems in the region now available to these dedicated citizens, we shall continue to fund it with fiscal responsibility, and we add to it again this year the appropriate sums of money to keep it on sound footing. The increase in this line item underlines our awareness of our commitment to those who each day provide the finest professional services to their fellow citizens. The City of Providence is rich in the unusually high quality of its municipal employees, and we continue to have the deepest respect and admiration for our many colleagues in city government and for their dedication to excellence.

I might note for you in passing that the increase in our revenues for this coming year is dependent upon the achievements of past years in increasing our tax base, with the growth in quality and number of commercial and residential properties, now bearing fruit. Add as well the aggressive method of collecting taxes and revenues due the City of Providence, and our thoughtful decision to sell surplus municipal properties in order to return them to the tax rolls to reduce the burden on our fellow citizens, and we can now see how we have been able to have an increase in our municipal budget of such proportion, and yet be able to keep taxes at the same level that they have been for the past two years.

This budget that I present to you is fiscally sound and highly responsible, reflecting thoughtful decisions and prudent use of our city's fiscal resources in a time of both national and regional economic difficulties of major proportions. But it is an outline, a guideline for the legislative branch of government to follow in its deliberations and in its shared responsibility to our fellow citizens. I urge you to study it well; to accept your

task in serving this community with thoughtfulness and full regard for the use of each tax dollar; and to act with courage and concern as you review each line item most judiciously. It is your responsibility to raise or lower it, or to leave it as it is. Accept your role in this process as I have mine.

I respectfully submit this budget to you, ladies and gentlemen of the Providence City Council, for your review and approval.

VINCENT A. CIANCI, JR.
Mayor of Providence

**MAJORITY LEADER ADDISON and
MINORITY LEADER PEARLMAN there-
upon escort HIS HONOR MAYOR VINCENT
A. CIANCI, JR., back to the Executive
Chamber and the Council is declared to be
at Ease.**

**COUNCIL PRESIDENT FARGNOLI
directs the Clerk to Call the Roll to
Ascertain if there is a Quorum Present:**

**Present: Council President Fagnoli and
Councilmen Addison, Almagno, Boyle
Councilwoman Brassil, Councilmen Cirelli,**

**Cola, Dillon, Easton, Farmer, Flynn, Glavin,
Griffin, Johnson, Lynch, Mansolillo, Moise,
O'Connor, Paolino, Pearlman, Pennine,
Petrosinelli, Salvatore, Snowden and
Xavier—25.**

Absent: Councilman Stravato—1.

PRESENTATION OF ORDINANCE

MAYOR CIANCI presents:

An Ordinance Making an Appropriation of One Hundred Thirty-Nine Million, Three Hundred Sixty-Five Thousand, Seven Hundred Seventy-Five Dollars and Twenty-Three Cents (\$139,365,775.23) for the Support of the City Government for the Fiscal Year Ending June 30, 1981.

**Referred to Committee on Finance, on
motion of COUNCILMAN ADDISON, sec-
onded by COUNCILMAN FLYNN.**

The motion to Refer is Sustained.

VETO BY HIS HONOR THE MAYOR

Communication dated May 2, 1980, Informing the Honorable City Council of His Disapproval and Veto of that "Resolution Urging the Introduction and Passage in the Rhode Island General Assembly of An Act in Amendment to the Providence City Charter Relating to Purchasing" as it attempts to unlawfully interfere with the Executive Branch of Government Function.

May 2, 1980

The Honorable Members
The City Council of the
City of Providence

City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

I hereby disapprove and veto the Resolution because it attempts to unlawfully interfere with the Executive Branch of Government's function.

Respectfully submitted,

Vincent A. Cianci, Jr.
Mayor of Providence

Received.

SCHEDULE OF BILLS

FROM ACTING PUBLIC SERVICE ENGINEER:

Street Lighting Bill for April, 1980 in the amount of Eighty-Four Thousand, Nine Hundred Sixty-Two Dollars, Thirty-Six Cents (\$84,962.36).

Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and

Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Xavier—24.

Absent: Councilmen Mansolillo and Stravato—2.

The motion to Approve is Sustained.

ORDINANCE SECOND READING

The Following Ordinance was in City Council May 1, 1980, Read and Passed the First Time, and is Returned for Passage the Second Time:

An Ordinance in Amendment of Article I of the Code of Ordinances of the City of Providence by Adding Section 2-41 to be entitled: "Leases entered into, renewed or extended shall be accompanied with a statement from the City Collector".

Be It Ordained by the City of Providence:

Section 1. Article I of the Code of Ordinances of the City of Providence is hereby amended by adding the following:

Section 2-41. Leases Entered into, Renewed or Extended Shall be accompanied with a Statement from the City Collector.

All leases to be entered into extended or renewed by the Committee on City Property and the City Council shall be accompanied with a statement from the City Collector that all rents and/or taxes due are current and up to date on all property leased from the City by said lesser.

Any lease approved in violation of this Section shall be considered null and void."

Sec. 2. This Ordinance shall take effect upon its Passage.

Read and Passed, the Second Time, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, by the following Roll Call Vote:

Ayes: Council President Fargnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Xavier—25.

Absent: Councilman Stravato—1.

The motion for Passage the Second Time, is Sustained.

PRESENTATION OF ORDINANCES

COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):

An Ordinance Establishing the Classes of Positions, The Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordin-

ance Chapter 1979-32 Approved June 22, 1979 and All Amendments Thereto.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1979-31 Approved June 22, 1979, and All Amendments Thereto.

An Ordinance Providing for the Assessment and Collection of 1980 Taxes in a Sum Not Less Than Seventy-Five Million, Eight Hundred Thousand (\$75,800,000.00) Dollars and Not More than Seventy-Seven Million, Four Hundred Thousand (\$77,400,000.00) Dollars being Based on One Hundred Percent (100%) of the 1980-1981 Fiscal Year Tax Collection, As Amended.

Severally Referred to Committee on Fin-

ance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

COUNCILMAN MOISE desires to be recorded as "Not Voting" relative to "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1979-32, approved June 22, 1979, and all Amendments Thereto," and also "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1979-31, approved June 22, 1979, and all Amendments Thereto".

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI:

Resolution Requesting the Commissioner of Public Safety and the Chief of the Providence Police Department, to Order Those Persons Selling Flowers along Sidewalks or City Property to Cease.

Whereas, Various people have engaged in the selling of flowers along City Sidewalks and Streets, during Holidays, and

Whereas, In the setting up of these enterprises, the flow of Pedestrian Traffic is blocked by the placing of such flowers upon the Sidewalks,

Now, Therefore. Be It Resolved, That the Commissioner of Public Safety and the Chief of the Providence Police Department are hereby requested to order the cessation of selling flowers along the sidewalks and/or City Property.

COUNCILMAN ADDISON (By Request):

Resolution Requesting the Committee on Urban, Redevelopment, Renewal and Planning to change the name of Lonsdale Street, from South Main Street to Canal Street, to Park Row.

Resolved, That the Committee on Urban Redevelopment, Renewal and Planning is hereby Requested to change the name of Lonsdale Street, from South Main Street to Canal Street, to Park Row.

COUNCILMAN ALMAGNO (By Request):

Resolution Requesting the Director of Public Works to Cause a Survey to be Undertaken of the Sewer Connection along Silver Lake

Avenue, from the Street to the Property of Tirocchi Enterprises to determine if there is a blockage.

Resolved, That the Director of Public Works is requested to cause a survey to be undertaken of the Sewer Connection along Silver Lake Avenue, from the Street to the Property of Tirocchi Enterprises to determine if there is a blockage.

Resolution Requesting the Acting Public Service Engineer to Order the Installation of a High Pressure Sodium Vapor Light on Pole No. 15, located along Prudence Avenue.

Resolved, That the Acting Public Service Engineer is requested to order the installation of a High Pressure Sodium Vapor Light on Pole No. 15, located along Prudence Avenue.

Resolution Requesting the Director of Public Works to Cause All Sewers, Catch Basins and French Drains, within the Seventh Ward, to be Cleaned.

Resolved, That the Director of Public Works is requested to cause all Sewers, Catch Basins and French Drains, within the Seventh Ward to be Cleaned.

Resolution Requesting the Superintendent of the Park Department to cause Signs to be Posted at All Conspicuous Places, along Neutaconkanut Park, to state "No Trail Bikes, Motorcycles, or Any Other Motor Vehicles Allowed".

Resolved, That the Superintendent of the Park Department is requested to cause Signs to be

Posted at All Conspicuous Places along Neutaconkanut Park, to state "No Trail Bikes, Motorcycles, or Any Other Motor Vehicles Allowed".

COUNCILMAN DILLON and COUNCILMAN FLYNN (By Request):

Resolution Requesting the Director of Public Property to Cause the Sergeant John W. Major Memorial Park located along Ellery Street to be Cleaned and Repaired.

Resolved, That the Director of Public Property is requested to cause the Sergeant John W. Major Memorial Park located along Ellery Street to be Cleaned and Repaired.

COUNCILMAN FARMER:

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Laurel Court, on Saturday, May 31, 1980 between the Hours of 9:00 o'clock A.M. to 2:00 o'clock P.M. (E.D.T.) in order to Accomodate a Neighborhood Gathering.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Laurel Court on Saturday, May 31, 1980, between the hours of 9:00 o'clock A.M. to 2:00 o'clock P.M. (E.D.T.) in order to accomodate a Neighborhood Gathering.

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Olney Street, between Hope Street and Morris Avenue on Sunday, June 1, 1980, between the Hours of

3:00 o'clock P.M. to 10:00 o'clock P.M. (E.D.T.) in order to Accomodate the Olney Street Neighborhood Association's Annual Fair.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Olney Street, between Hope Street and Morris Avenue on Sunday, June 1, 1980, between the Hours of 3:00 o'clock P.M. to 10:00 o'clock P.M. (E.D.T.) in order to accomodate the Olney Street Neighborhood Association's Annual Fair.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

COUNCILMAN LYNCH desires to be recorded as "Not Voting" on the several Resolutions.

COUNCILMAN MANSOLILLO desires to be recorded as "Not Voting" relative to "Resolution Requesting the Commissioner of Public Safety and the Chief of the Providence Police Department, to Order Those Persons Selling Flowers along Sidewalks or City Property to Cease".

The motion for Passage is Sustained.

Resolution Requesting the Traffic Engineer to Cause the Installation of Parking Meters along both sides of Thayer Street between Bowen and Cushing Streets.

Resolved, That the Traffic Engineer is requested to cause the installation of Parking Meters along both sides of Thayer Street, between Bowen and Cushing Streets.

COUNCILMAN FARMER and COUNCILMAN PEARLMAN:

Resolution Requesting the Director of Public Works to Cause a Barrier to be Installed in front of 133 and 137 South Angell Street.

Resolved, That the Director of the Department of Public Works is hereby requested to install a barrier in front of 133 and 137 South Angell Street for the purpose of preventing automobiles from careening off South Angell Street and damaging the homes and property located at said addresses, such barrier to extend west from the barriers recently constructed by the State of Rhode Island on adjacent State-owned property.

COUNCILMAN FLYNN, COUNCILMAN CIRELLI, COUNCILMAN BOYLE, COUNCILMAN GLAVIN, COUNCILMAN LYNCH, COUNCILMAN MANSOLILLO, COUNCILMAN MOISE, COUNCIL PRESIDENT FARGNOLI AND COUNCILMAN PENNINE:

Resolution Extending appreciation to John A. Doherty for His Fine Services Rendered the City of Providence as a Member and Chairman of the Water Supply Board and Extending Best Wishes to Him in His New Postion as Water Supply Board Co-Ordinator.

Whereas, John A. Doherty has been a member of the Water Supply Board from November 15, 1945 to April 25, 1980, and

Whereas, He served as Chairman from January 6, 1956 to May of 1979, a position he served with pride and distinction, and

Whereas, In his capacity as Chairman, he was a Member of the Water Supply Board of which he was elected Acting Chairman continuously in the absence of the Mayor, and

Whereas, He has recently been appointed as Water Supply Board Coordinator, thereby resigning as a Member of said Board, and

Whereas, Due to his span of years serving that Department, his outstanding qualifications are known by all, together with his gentlemanly and courteous mannerisms,

Now, Therefore, Be It Resolved, That the Members of the City Council hereby extend their appreciation to John A. Doherty for the fine services he rendered the City of Providence as Chairman and Member of the Water Supply Board, and

Be It Further Resolved, That the best wishes of the Members are hereby expressed to him in his new position as Water Supply Board Coordinator, being aware of the fine job he will do in his new endeavor.

COUNCILMAN FLYNN, COUNCILMAN DILLON, COUNCILMAN EASTON, COUNCILMAN MANSOLILLO, COUNCILMAN MOISE, COUNCILMAN SNOWDEN, and COUNCILMAN PAOLINO:

Resolution Declaring June 8, 1980, as Providence Tenth Community Congress Day and Urging All Citizens in the City to Support People Acting Through Community Effort in their Dedication Toward Improving the Quality of Life in Providence.

Whereas, People Acting through Community Effort (PACE) is a community organization, working in the five neighborhoods of Elmwood, South Providence, Washington Park, West End and West Broadway, and

Whereas, PACE is composed of 150 separate neighborhood based organizations, such as block clubs, church groups, and business organizations, and

Whereas, PACE deals with any issue of neighborhood concern, working to guarantee that the members of the community have a voice in what goes on in their neighborhood, and

Whereas, PACE will conduct the 10th Annual Community Congress on June 8, 1980, and

Whereas, The Congress provides a forum for all citizens and community groups to join together to discuss common goals and methods of addressing the problems of the City, and

Whereas, These goals can be met only through a coordinated effort of all segments of the Providence Community, and

Whereas, At a time when apathy is so prevalent, it is healthy for residents to show their concern by playing active roles in solving community problems.

Now, Therefore, Be It Resolved, That June 8, 1980 be declared Providence's 10th Annual Community Congress Day and we hereby urge all the citizens in the City to support People Acting through Community Effort in their dedication toward improving the quality of life in Providence, and

Be It Further Resolved, That the Members of PACE extend an invitation to all Honorable Members of the City Council and all residents of Providence, to attend the 10th Annual Community Congress to be held at Central High School.

COUNCILMAN JOHNSON and COUNCILMAN EASTON:

Resolution Requesting the Traffic Engineer to Cause the Installation of A "Dead End Street" Sign on Hamlin Street, at Elmwood Avenue.

Resolved, That the Traffic Engineer is Request-

ed to Cause the Installation of a "Dead End Street" Sign on Hamlin Street, at Elmwood Avenue.

COUNCILMAN JOHNSON, COUNCILMAN BOYLE, COUNCILMAN ADDISON, COUNCILMAN FLYNN, COUNCILMAN GLAVIN and COUNCILMAN MOISE:

Resolution Requesting the Committee on City Property to investigate the proposed negotiations of Biltmore Plaza Associates to Transfer the Vacant Lot bounded by Fountain, Eddy and Worcester Street, to C. E. Maguire, Inc.

Resolved, That the Committee on City Property is requested to investigate the proposed negotiations of Biltmore Plaza Associates to transfer the vacant lot bounded by Fountain, Eddy and Worcester Streets, to C. E. Maguire, Inc.

COUNCILMAN PENNINE, COUNCILMAN MOISE and COUNCILMAN PAOLINO (By Request):

Resolution Requesting the Traffic Engineer to Cause the installation of Four-Way "Stop" Signs along each Intersection with Battey Street, from Broadway to Westminster Street.

Resolved, That the Traffic Engineer is requested to cause the installation of Four-Way "Stop" Signs along each intersection with Battey Street, from Broadway to Westminster Street.

COUNCILMAN SNOWDEN (By Request):

Resolution Authorizing the Providence Municipal Court to Reimburse H. P. Lesselbaum, M.D., the Sum of Eight Dollars (\$8.00) for Overpayment of a Traffic Violation.

Resolved, That the Clerk of the Providence Municipal Court is hereby authorized to reimburse H. P. Lesselbaum, M.D., 106 Nayatt Road, Barrington, Rhode Island, the Sum of Eight Dollars (\$8.00) for payment of a Traffic Violation on February 8, 1980, due to an error made in recording Tag Number on payment receipt, payment for violation having been paid twice.

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Burlington Street, from Bayard Street to Summit Avenue, on Friday, July 4, 1980 between the Hours of 2:00 o'clock P.M. to 10:00 o'clock P.M. (E.D.T.) to Accomodate the Neighborhood Holiday Cookout.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Burlington Street, from Bayard Street to Summit Avenue, on Friday, July 4, 1980, between the Hours of 2:00 o'clock P.M. to 10:00 o'clock P.M. (E.D.T.) to Accomodate the Neighborhood Holiday Cookout.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN DAVID G. DILLON, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with Recommendation the Same be Severally Approved for Cancellation:

Certificates from the City Assessor (74-E, 80-E, 86-E, 90-E through 96-E inclusive) Recommending the Same be Severally 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 Approved for Cancellation, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, by the following Roll Call Vote:

Ayes: Council President Fargnoli and

Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Xavier—24.

Absent: Councilmen Glavin and Stravato—2.

The motion to Approve for Cancellation is Sustained.

COUNCILMAN LAURENCE K. FLYNN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Ordering the Abandonment of a Portion of Tallman Street, as a Public Highway.

Resolved, Decreed and Ordered, That Tallman Street, from Richmond Street to Chestnut Street, shown as shaded area and designated by the letters A-B-C-D-E-F-A, on the Accompanying Plan entitled "Providence, R.I. P.W. Dept. — Engineering Office, street line section, Plan No. 064102, date December 14, 1979," has ceased to be useful to the public and the same is abandoned as a Public Highway and the damage to the abutters is

appraised at nothing and so awarded, and it is further

Ordered, That the Director of Public Works be and he is hereby directed to cause a sign to be placed on those certain portions of Tallman Street, from Richmond Street to Chestnut Street, abandoned as aforesaid, having thereon the words "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to

be published in a newspaper published in the County of Providence at least once each week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting that certain portion of Tallman Street, from Richmond Street to Chestnut Street, which has been abandoned, who is known to reside within this State.

Resolution Approving and Accepting as a Public Street, that Certain Road Described as Arbor Drive.

Resolved, Decreed and Ordered, That Arbor Drive from Smith Street to Wyndham Avenue, which grade has been defined, is hereby approved and accepted as a Public Street as the same appears on the record of survey map for Elmhurst Arboretum, dated May 2, 1979, in the Office of Recorder of Deeds in Condominium, Book 1, Page 31.

Resolution Granting Permission to Kates Properties Management Company, to Alter the Sidewalk along the Side of the Wayland Building at 126-128 North Main Street to Provide Handicapped Access, Another Exit, Access to Future Passenger Elevator at Rear of

Building and to Provide Access to Lobby Serving Upper Floors.

Resolved, That permission is hereby granted to Kates Properties Management Co., 144 Westminster Street, Providence, to alter that sidewalk along the north side of the Wayland Building at 126-128 North Main Street to provide handicapped access to the upper floors of the building; to provide another exit from the building other than the two (2) approved fire exits (enclosed stairways); to provide access to the future passenger elevator to be located in the rear of the building and to provide access to the lobby serving the upper floors; all in accordance with the Plan entitled "Wayland Building Entry Ramp", prepared by Michael L. Ertel, Associates Architects.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

COUNCILMAN MOISE desires to be recorded as voting "No" relative to "Resolution Granting Permission to Kates Properties Management Company, to Alter the Sidewalk along the Side of the Wayland Building at 126-128 North Main Street to provide Handicapped Access, Another Exit, Access to Future Passenger Elevator at Rear of Building and to Provide Access to Lobby Serving Upper Floors."

The motion for Passage is Sustained.

**COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman
COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND
PLANNING**

Transmits the following with Recommendation the Same be Severally Adopted:

An Ordinance in Amendment of and in Addition to Article IV, Section 13-100 of the Code of Ordinances of the City of Providence entitled, "Liens and Charges for Expenses of Director".

An Ordinance in Amendment of and In Addition to Article I of the Code of Ordinances of the City of Providence, by Adding Section 5.4 to be entitled: "Protection of Lots".

An Ordinance Amending Article VI of the Code of Ordinances of the City of Providence by Adding Section 2.99.1 to be entitled: "Division of Housing and Buildings".

An Ordinance in Amendment of and In Addition to Chapter 27, of the Code of Ordinances of the City of Providence by Adding Section 27-3 to be entitled: "Correcting Violations Prior to Exceptions".

An Ordinance in Amendment of and in Addition to Article I of the Code of Ordinances of the City of Providence by Adding Section 5.5 to be entitled: "Correcting Violations Prior to Exceptions".

Severally Read and Collectively Passed, the First Time, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, by the following Roll Call Vote:

Ayes: Council President Fargnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pennine, Petrosinelli, Salvatore and Snowden—21.

Absent: Councilmen Cola, Glavin, Pearlman Stravato and Xavier—5.

The motion for Passage the First Time, is Sustained.

Resolution Requesting the Presiding Justice of the State Courts Having Jurisdiction over Minimum Housing Standards to Make Appropriate Additional Time and Space Available on their Calendars to Hear and Expeditiously Act on all such Cases brought before it by the City of Providence.

Whereas, The City of Providence is severely plagued by an alarming rate of violations of its Minimum Housing Standards, and

Whereas, The staff of the Division of Code Enforcement has successfully identified a large number of such violations and referred them to the appropriate authorities for prosecution, and

Whereas, The City has attempted to make

provision for more vigorous prosecution of such violations,

Now, Therefore, Be It Resolved, That the Presiding Justices of the State Courts having jurisdiction over such cases be requested to make appropriate additional time and space available on their calendars to hear and expeditiously act on all such cases brought before it by the City of Providence.

Read and Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion for Passage is Sustained.

REPORTS

FROM THE PORT DIRECTOR:

Monthly Report for March, 1980.

Received.

FROM THE BUREAU OF LICENSES:

Report for the Quarter Ended March 31, 1980.

Received.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Bay View Towing

St. Angelo Buick

Charles F. Burke

Mary Janigian

Frank M. Maniatakos

New England Telephone

Michael Palmieri

David Ransom p.p.a Norma Ransom

Elizabeth Vinacco

Eleanor J. Webb

Severally Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT FARGNOLI and the MEMBERS of the CITY COUNCIL:

Resolutions Extending Congratulations to the following:

Mr. and Mrs. Joseph DiMase, Upon the Occasion of their Fiftieth Wedding Anniversary.

The Members of the Special Committee for an Appropriate Observance of the Feast of St. Joseph, the Worker, 1980, for their Fine Achievements in Making the Celebration of the Festa Di San Giuseppe a Success.

The Members of the Providence Fire and Police Departments for their Dedication and Professional Services Rendered during the Three-Alarm Fire at the Holiday Inn.

Mrs. Ann F. Goodwin, Upon the Celebration of her Ninetieth Birthday.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT FARGNOLI and the MEMBERS of the CITY COUNCIL:

Resolution Extending Sympathy of the Members of the City Council to the Families of Various Decedents:

Resolved, That the Sympathy of the Members of the City Council is hereby expressed to the families of the following:

James E. Walsh

Charles C. Andoscia

Louis J. Pesatauro, Sr.

Joseph Pari

Harry Costantino, Sr.

Edward F. McGarry

Raymond J. Flynn

Helen MacColl

Benton A. Odessa

Earl A. Morris

Leo R. Choquette

Salvatore Martucci

Celia Federici

Maurice N. Crepeau

Raymond A. Salisbury

Severally Read and Collectively Passed by
a Unanimous Rising Vote, on motion of
COUNCILMAN ADDISON, seconded by
COUNCILMAN FLYNN.

The motion for Passage is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN ADDISON,
seconded by COUNCILMAN FLYNN, it is
voted to Suspend Rule 16, of the Rules of the
City Council in Order to Allow the Introduc-
tion of the Following Matters not Appearing
on the Printed Docket.

REPORTS FROM COMMITTEES

COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman
COMMITTEE ON URBAN REDEVELOPMENT RENEWAL AND
PLANNING

and

COUNCILMAN HARRY A. JOHNSON, Chairman
COMMITTEE ON CITY PROPERTY

Jointly transmit the following with Recom-
mendation, the Same be Adopted, as
Amended:

Resolution Authorizing the Office of Economic
Development on Behalf of the City of Provi-
dence to Prepare and Submit an Application for
an Urban Development Action Grant.

Whereas, the filing of Urban Development

Action Grants by the City of Providence is
authorized by Title I, Section 119, Part 570,
Subpart G, of the Housing and Community
Development Act of 1974, as amended by Section
110 of the Housing and Community Development
Act of 1977, and as finalized on January 10, 1978;
and

Whereas, the aforesaid Federal regulations authorize the Department of Housing and Urban Development to make grants to assist distressed cities and distressed urban counties in revitalizing their economic bases and reclaiming deteriorated neighborhoods by means of public and private sector cooperation; and

Whereas, the City of Providence deems it necessary and in the public interest (1) to develop the Port of Providence, (2) to increase the City's employment base, (3) to increase the City's tax base, (4) to provide new industrial uses, and (5) to encourage the cooperation of the public and private sectors; and

Whereas, the City of Providence deems it appropriate to contribute to the aforementioned efforts by assuring the attraction of new industrial uses in the Port of Providence, and by arranging funding for the construction of a flour mill complex in the Port of Providence; and

Whereas, Urban Development Action Grants are available for the activities and undertakings proposed herein.

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

1. It is hereby found necessary and in the public interest to file an application to the Department of Housing and Urban Development for an Urban Development Action Grant for a loan of \$2,750,000 for the construction of a flour mill complex, and \$1,700,000 for a rail system to support subject use. The total grant request is \$4,450,000.

2. The Office of Economic Development is hereby authorized and designated as the repre-

sentative of the City for filing the application with the Department of Housing and Urban Development, and assist in performing all the work necessary to carry out the terms of the contract between the City and the Department of Housing and Urban Development relative to said Urban Development Action Grant, subject to the review and approval of the City Council.

3. That the United States of America and the Department of Housing and Urban Development be, and they are hereby assured of full compliance by the City of Providence with all regulations of the United States Government effectuating the receipt of Federal Grants under the Housing and Community Development Act, as amended.

Read and Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Pen-nine, Petrosinelli, Salvatore and Snowden—19.

Not Voting: Councilman Moise—1.

Absent: Councilmen Cirelli, Cola, Glavin, Pearlman, Stravato and Xavier—6.

The motion for Passage is Sustained.

**COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman
COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND
PLANNING**

**Transmits the following with recommen-
dation the Same be Adopted, as Amended:**

An Ordinance Authorizing the City Council of the City of Providence, Rhode Island, to File an Application for the Funding Under the Housing and Community Development Act of 1974, for Funds for the Community Development Block Grant Entitlement Funds for the Fiscal Year, 1981.

COUNCILMAN MANSOLILLO moves the Ordinance be Amended by deleting in section 2, Line 5, the following : "and shall be by Ordinance of the City Council. The Citizens Review Board may comment on the plan for the expenditure of funds so received. The City Council will consider the views of the Citizens Review Board but it shall retain to itself the final approval for the expenditure of funds. No funds received under said Act shall be allocated for specific projects nor expended without the approval of the City Council".

This motion being seconded by **COUNCILMAN ALMAGNO** is Put to Vote and Not Passed by the following Roll Call Vote:

Ayes: Councilmen Almagno, Farmer, Griffin and Mansolillo—4.

Noes: Council President Fagnoli and Councilmen Addison, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Johnson, Lynch, Moise, O'Connor, Paolino, Pennine, Petrosinelli, Salvatore and Snowden—15.

Absent: Councilmen Cirelli, Cola, Flynn, Glavin, Pearlman, Stravato and Xavier—7.

The motion for Amendment is Not Sustained.

COUNCILMAN MANSOLILLO moves the Ordinance be amended by deleting in Section 4, Line 4, the following: "and shall require that all employees of the said program shall be qualified electors and residents in the City of Providence, Rhode Island".

This motion being seconded by **COUNCILMAN ALMAGNO** is put to Vote and Not Passed by the following Roll Call Vote:

Ayes: Councilmen Almagno, Griffin and Mansolillo—3.

Noes: Council President Fagnoli and Councilmen Addison, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Johnson, Lynch, Moise, O'Connor, Paolino, Pennine, Petrosinelli and Salvatore—15.

Absent: Councilmen Cirelli, Cola, Flynn, Glavin, Pearlman, Snowden, Stravato and Xavier—8.

The motion for Amendment, is Not Sustained.

COUNCILMAN MANSOLILLO moves the Ordinance be Amended by deleting in Section 7, Line 2 the following: "subject to approval by Ordinance of the City Council".

This motion being seconded by **COUNCILMAN ALMAGNO** is put to Vote and Not Passed by the following Roll Call Vote:

Ayes: Councilmen Almagno, Griffin and Mansolillo—3.

Noes: Council President Fagnoli and Councilman Addison, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Johnson, Lynch, Moise, O'Connor, Paolino, Pennine, Petrosinelli, Salvatore and Snowden—15.

Absent: Councilmen Boyle, Cirelli, Cola, Flynn, Glavin, Pearlman, Stravato and Xavier—8.

The motion for Amendment, is Not Sustained.

COUNCILMAN ADDISON moves Passage of the Ordinance for the First Time.

This motion being seconded by COUNCIL-

MAN FLYNN is Put to Vote and Passed, by the Following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pennine, Petrosinelli, Salvatore and Snowden—18.

Absent: Councilmen Boyle, Cirelli, Cola, Flynn, Glavin, Pearlman, Stravato and Xavier—8.

The motion for Passage the First Time, is Sustained.

PERSONAL PRIVILEGE

COUNCILMAN DILLON requests and is granted the Privilege of the Floor and states:

Mr. President, I would like to speak on a Point of Personal Privilege regarding a news report that was made on Channel 12 this evening and last evening concerning the Committee on Claims and Pending Suits.

I want to object in that it was an inaccurate report on the part of the newscaster there.

Mr. Clifford Myers was involved in an accident with a Police Vehicle back in December, he hit the police vehicle, the police vehicle did not hit him. He sent a letter to Councilman Farmer and at Councilman Farmer's request I immediately put his name on the Docket for February of 1980. Mr. Myers felt that was a long time to make you wait. When we discussed this the first time, there were questions as to whether the City of Providence

was liable in this case, because Mr. Myers did hit the marked police car because another car came on the wrong side of the street and forced him to swerve to avoid hitting that car and he went into the police car. Now, there was a question, a very valid question on the part of the members of the Committee, as to whether that was a Police car or not, so we continued it one meeting, to allow Mr. Rotondi from the Solicitor's Office to determine whether or not, in fact, that was a police car that caused the swerving of the other car.

We scheduled a meeting for March 19th posted in City Hall sent to the Journal, I assume, as a matter of Public Record. That meeting was cancelled due to a death in my family. Mr. Myers was calling me on a regular basis and called the City Clerk's Office on a regular basis because he felt that the delay was excessive and that—and I can understand that and could we please meet as soon as possible.

We held a meeting on the 21st of March because the Law Department had gained all reports, they asked for us to have a meeting, so they could be authorized settlement in this case. That meeting was also posted in City Hall, sent to the Providence Journal and I assume, and it was my belief, that Mr. Myers knew about the meeting because he was calling City Hall everyday and I assume that when he called again today, if not yesterday or the day before, they would tell him in the Clerk's Office, they would have notified him.

There was no action on the part of the Claims Committee to make this meeting a secret as it read in the newscast.

The Claims Committee and I believe that's read back on, and serves actually three, sometimes conflicting roles. The first, it acts as an Insurance Agency to settle the claim for the least possible cost for the City of Providence. Secondly, as a policy making body of the City, to insure that if something happens, that shouldn't happen, if a police car that was driving with no sirens on for example, or there was something that you think should have been corrected by the Administration to make a suggestion that the correction take place. Thirdly, I think as a Public Body we want

to make sure that everyone that comes before us has a reasonably equal chance of being heard and having their claim settled, and that includes the people who cannot afford a lawyer and all those people who would be afraid to call Television Stations and say "I want to be on T.V." and say "What will I tell the Problem is?"

We know that there are thousands of people represented by those files in the drawers, who have claims that are equally legitimate as Mr. Myers, so I am concerned about the method in which it was reported and I am also concerned with Mr. Myers attitude that he would have done nothing had he not contacted Mr. Blanchard.

If the press feels as though they can accompany every claim, if they want to go with everyone and hold their hand, and make sure that they ought to take that action upon themselves let them do that, but I don't think it is fair to let him criticize us when we can't, because of a backlog we can't take care of everybody the day after an accident happens. I don't think it is fair for them to criticize us unless they want to take that position that they want to go with everybody, they could probably start a program and have "Claims Pending with the City Show".

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN ALMAGNO, the City Council Adjourns at 10:50 o'clock P.M. (E.D.T.) to meet again on THURSDAY, JUNE 5, 1980 at 8:00 o'clock P.M. (E.D.T.).

Rose M. Mandonea

City Clerk

May 15]

875

[1980

May 15]

876

[1980
