

CITY OF PROVIDENCE
RHODE ISLAND



IN CITY COUNCIL
JUN 2 1977

APPROVED:

Vincent Zappia
CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 66 City Council Regular Meeting, Thursday, May 16, 1977, 8:00 P.M. (E.D.T.)

PRESIDING
COUNCIL PRESIDENT
ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Cirelli, Fargnoli, Flynn, Garan, Glavin, Gorodetsky, Henries, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Stravato, Tomasso, Turchetta and Xavier—21.

Absent: Councilman Ahern, Councilwoman Brassil, Councilmen Cola, Johnson and Salvatore—5.

INVOCATION

The Invocation is given by COUNCILMAN
WILLIAM G. BRADSHAW.

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

COUNCILMAN CHARLES R. MANSOLILLO
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. 65 of the
Regular Meeting of the City Council held
THURSDAY, MAY 15, 1977, and Posted May 12,
1977 on the Bulletin Board located on the ground
floor of the City Hall, is Approved as Printed,
on motion of COUNCILMAN LYNCH, seconded
by COUNCILMEN ADDISON and MEROLA.

MAYOR'S BUDGET MESSAGE AND PRESENTATION OF BUDGET ORDINANCE

COUNCIL PRESIDENT HAXTON Appoints MAJORITY LEADER LYNCH and MINORITY LEADER PEARLMAN to Escort HIS HONOR MAYOR VINCENT A. CIANCI, JR., to the Chamber of the Council where he Delivers the following Budget Message and Submits the Budget Ordinance:

May 16, 1977

To The Honorable
City Council of the
City of Providence
City Hall
Providence, RI 02903

Ladies and Gentlemen:

In the light of this third budget message please take a moment to reflect upon the numerous projects undertaken to revitalize our city and improve the quality of life for all our citizens.

We have begun to see our planning and our solid preparation for the future begin to be translated into bricks and mortar, into sound commitments by leading industrialists and developers for the future of our city, that reflect a partnership for the citizens of Providence that has long been missing from our midst. With the work begun at the Biltmore Hotel, Union Station, the Westminster Center, the auto-restricted zone in Kennedy Plaza, the Federal Hill area of the City, and other neighborhood revitalization, we have moved from verbal pledges to realized changes throughout the length and breadth of this city, and we shall continue to do so with even brighter prospects for the future.

In every area from the Biltmore Hotel, to Union Station and Federal Hill to the Mall, we have achieved a solid foundation for our future. Through Federal Funds, local business co-operation and the sound commitments of leading industrialists and developers our prospects have

never looked brighter, our future never more secure.

Unfortunately, flying in the face of this optimism is the minimal growth and creeping inflation of our state and local economies, the high cost of providing each citizen with the services he expects continues to burden our taxpayers to such a degree that any prudent budget planning must consider this first and foremost. Consequently, for the years 1977-1978, I am requesting a modest tax increase of only \$1.90 to realize a budget income of \$107,593,039.00.

The increase in the budget over last year is the effect of federal and state mandated increases in FICA costs, benefit and pensions, health insurance, unemployment compensation and the un-abated monetary needs of our school system.

These previous commitments and increases beyond our control present a challenge every year on how to meet or minimize their effect on the current budget. This year we've decided to offset these increases by reducing our payroll costs by approximately 300 employees. It is just not fair to continue to look to the homeowner for every dime every time a new law is passed or a new labor contract is signed.

In the next fiscal year the needs of the City of Providence can be met with minimum distress by following an austere program designed to plant our financial feet on solid ground. This, to me is responsible stewardship of the taxpayer's money and the maintenance of quality municipal services at the lowest possible cost.

In this budget you'll also find an item entitled deficit reduction in the amount of \$1,200,000.00; this allocation is made to offset a \$3 million deficit in the City resulting from a \$1.2 million shortfall in revenue from last year and \$1,800,000.00, deficit which had been carried for years prior to this administration took office.

If you will recall we operated the City for ten (10) months last year without a budget, in that period expenditures were made and operation expenses were met from necessity. This resulted in a number of over charges in several accounts while tax collections fell below projections. I believe its just good fiscal management to set aside a certain amount each year until such time as a negative balance is reached in this account.

It is clear that this budget represents a fair and equitable balance between the City's needs and ability to pay. We have made every effort to conserve and innovate, to preserve and plan for our future requirements. I ask for your commit-

ment and cooperation and respectfully submit this budget for your approval.

Respectfully submitted,

VINCENT A. CIANCI, JR.
Mayor of Providence

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

PRESENTATION OF ORDINANCE

MAYOR CIANCI Presents:

An Ordinance Making Appropriation of One Hundred Seven Million, Five Hundred Ninety-Two Thousand, Four Hundred Seventeen Dollars and Thirty-Four Cents (\$107,592,417.34) for the Support of the City Government for the Fiscal Year Ending June 30, 1978.

Referred to Committee on Finance, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON, MANSOLILLO and PEARLMAN.**

VETO BY HIS HONOR THE MAYOR

Communication dated May 10, 1977, Informing the Honorable City Council of His Disapproval and Veto of That Resolution Authorizing the

Conveyance of Lot 340 and Improvements on City Assessor's Plat 15, located at 392 Waterman Street, Providence, viz:

May 16]

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[1977

May 10, 1977

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

Dear Honorable Members:

I am this day disapproving and vetoing a Resolution authorizing me to execute a conveyance of Lot 340 as set out and delineated on City As-

essor's Plat 15, and Improvements thereon, located at 392 Waterman Street, Providence, to Ronald Oakes, Providence. I take this step because the title search of this property has not yet been completed and thus has not determined the clear ownership of this property by the City of Providence

Respectfully submitted,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

APPOINTMENT BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President Robert J. Haxton, Informing the City Clerk of His Appointment of Councilman Philip F. Addison, Jr., to the Committee on Finance, caused by the Resignation of Councilman Donald E. McKiernan to said Committee.

Mr. Vincent Vespia
City Clerk
Providence RI 02903

Dear Mr. Vespia:

This is to advise that I have, effective this date,

appointed Councilman Philip F. Addison, Jr., to the Committee on Finance of the City Council.

Councilman Addison's appointment to the subject Committee fills the vacancy created by the resignation of Councilman Donald E. McKiernan.

Very sincerely yours,

ROBERT J. HAXTON
President — City Council

Received.

ORDINANCES SECOND READING

**The Following Ordinances Were in City Council
May 5, 1977, Read and Passed the First Time
and Are Returned for Passage the Second
Time:**

An Ordinance in Amendment of Chapter 1079 of the Ordinances of the City of Providence Approved December 21, 1956, Which Said Ordinance is Entitled, "Building Ordinances of the City of Providence" to Delete Therefrom a Certain Section of the East Side Redevelopment Project Area of the Providence Redevelopment Agency from Fire District One.

Be it Ordained by the City of Providence:

Whereas, The City Council of the City of Providence did on the 20th day of December, 1956, adopt Chapter 1079 of the Ordinances of the City of Providence, which said Ordinance was duly approved December 21, 1956, and this Ordinance is entitled "Building Ordinance of the City of Providence," and

Whereas, Said Ordinance sub-divides the City of Providence into Fire Districts for the purpose of controlling all use and construction of buildings; and

Whereas, The Providence Redevelopment Agency is desirous of deleting a certain section of the East Side Redevelopment Project area from Fire District I under Section 301.1 of Chapter 1079 of the Ordinances of the City of Providence entitled "Building Ordinances of the City of Providence" approved December 21, 1956.

Be it Ordained by the City of Providence:

Section 1. That Chapter 1079 of the Ordinances of the City of Providence entitled "Building Ordinance of City of Providence" approved December 21, 1956, be and the same is hereby

amended by deleting therefrom in Section 301.1 of the said Ordinance a certain section of the East Side Redevelopment Project area which is described as follows:

Beginning at the northeasterly corner of the tract herein described; said corner being the intersection of the southeasterly line of Doubloon Street and the southwesterly line of South Main Street;

thence running S 27°-44'-11" E bounded easterly by said South Main Street; a distance of nineteen one hundredths (0.19) feet to an angle;

thence turning an interior angle of 186°-22'-04" and running, S 34°-06'-15" E bounded northeasterly by said South Main Street, a distance of one hundred eighty-six and one hundred ninety-nine one thousandths (186.199) feet to an angle;

thence turning an interior angle of 180°-30'-00" and running S 34°-36'-15" E bounded northeasterly by said South Main Street; a distance of one hundred and twenty-nine one hundredths (100.29) feet to the northwesterly line of James Street;

thence turning an interior angle of 89°-40'-20" and running S 55°-43'-25" W bounded southeasterly by said James Street; a distance of one hundred twenty-one and two one hundredths (121.02) feet to the northeasterly line of South Water Street;

thence turning an interior angle of 89°-31'-11" and running N 33°-47'-46" W bounded southwesterly by said South Water Street; a distance of

sixty-three and eighty-one one hundredths (63.81) feet to an angle;

thence turning an interior angle of $181^{\circ}-17'-00''$ and running $N 35^{\circ}-04'-46''$ W bounded southwesterly by South Water Street; a distance of two hundred twenty-three and twenty-eight one hundredths (223.28) feet to the southeasterly line of said Doubloon Street;

thence turning an interior angle of $89^{\circ}-00'-54''$ and running $N 55^{\circ}-54'-20''$ E bounded northwesterly by said Doubloon Street; a distance of one hundred twenty-three and sixty-three one hundredths (123.63) feet to the point and place of beginning;

the last mentioned course making an interior angle of $83^{\circ}-38'-31''$ with the first mentioned course.

The above described tract contains thirty-four thousand eight hundred forty-six and seven one hundredths ($34,846.07\pm$) square feet of land, more or less.

Sec. 2. That said Section 301.1 of Chapter 1079 of the Ordinances of the City of Providence entitled "Building Ordinance of City of Providence" is hereby ratified and affirmed in all other respects.

Sec. 3. This Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

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."

Be it Ordained by the City of Providence:

Section 1. That 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" as heretofore amended, be and is hereby further amended as follows:

In Part III, "Land Use Plan," sub-paragraph B3.c.(2) (b) "Off-Street Parking" (found on page 18 of the original Official Redevelopment Plan as amended to date) is hereby deleted and the following sub-paragraphs are hereby substituted therefore:

(b) "Off-Street Parking" — Except for that area bounded by James, South Water, Doubloon and South Main Street, one off-street parking space shall be provided for each 500 square feet of gross floor area excluding automobile parking space; provided nevertheless that at least one off-street parking space shall be provided for each 350 square feet of gross floor area directed to retail uses.

For that area bounded by James, South Water, Doubloon and South Main Street, off-street parking shall be governed by applicable provision of the Zoning Ordinance of the City of Providence.

Sec. 2. That said Chapter 1797 of the Ordinances of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

Sec. 3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

An Ordinance Requiring Operators of Self-Service Multi-Decked Parking Garages to Provide Roving Security Guards During Periods When the Same Are Operational.

Be it Ordained by the City of Providence:

Section 1. All operators of self-service multi-decked parking garages in the City of Providence shall provide roving security guards during such periods when the said garages are operational.

Sec. 2. Violation of this ordinance will cause immediate suspension of license by the license board until a hearing can be given by same and a ruling be handed down.

Sec. 3. This Ordinance shall take effect upon its passage by the City Council and approved by the Mayor.

An Ordinance in Amendment of Chapter 1976-36, approved October 29, 1976, Being, "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1976-11, Approved April 13, 1976," as Amended, and as further Amended, Relative to Zoo Director.

Be it Ordained by the City of Providence:

Section 1. Chapter 1976-36, approved October 29, 1976, as amended being, "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1976-11, approved April 13, 1976," as amended, is hereby further amended as follows:

Delete:

Zoo Director — Pay Grade or Rate 29, and Insert:

Zoo Director — Pay Grade or Rate 34, Step 5.

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

An Ordinance Authorizing the Transfer of the Sum of Five Thousand Dollars (\$5,000.00) from Item "0" City Treasurer to Item "1" Department of City Clerk, for the Publication of the Records of the Town Meetings of Providence.

Be it Ordained by the City of Providence:

Section 1. The sum of Five Thousand Dollars (\$5,000), or so much thereof that may be necessary, is hereby transferred from Treasurer's Office Item "0", Personal Services, to City Clerk Item "1", Services other than Personal, for the publication of records of the Town Meetings of Providence.

Sec. 2. Such sums as may be necessary shall be expended upon submission of vouchers to the City Clerk, who shall submit the same to the Committee on Finance for its approval for payment.

Sec. 3. This Ordinance shall take effect upon its passage.

Severally Read and Collectively Passed the

Second Time, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, MEROLA and XAVIER by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Cirelli, Fargnoli, Flynn, Garan, Glavin, Gorodetsky, Henries, Lynch, Mansolillo, McKiernan, Merola, Pearl-

man, Petrosinelli, Stravato, Tomasso, Turchetta and Xavier—21.

Absent: Councilman Ahern, Councilwoman Brassil Councilmen Cola, Johnson and Salvatore—5.

PRESENTATION OF ORDINANCES

COUNCILMAN PEARLMAN AND COUNCILMAN BRADSHAW (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 Ordinance Chapter 1976-37, Approved November 10, 1976.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1976-36, Approved October 29, 1976, as Amended.

Severally Referred to Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, FARGNOLI and MANSOLILLO.

REPORT FROM COMMITTEE

COUNCILMAN LAURENCE K. FLYNN, Chairman

COMMITTEE ON PUBLIC WORKS

Transmits the Following with Recommendation
the Same Be Adopted:

Resolution Ordering the Abandonment as a Public Highway of That Portion of Russell Street, Starting at a Point Two Hundred Eighty-Six

and 67/100 Feet, More or Less (286.67±) from Elmwood Avenue to Melrose Street.

Resolved, Decreed and Ordered:

That the following portion of named street as shown as cross-hatched area on the accompanying Plan entitled, "Providence, R.I., P.W. Dept. — Engineering Office, Street Line Section, Plan No. 063955, dated January 28 1976, revised May 5, 1977,"

viz:

to abandon as a Public Highway, that portion of Russell Street, starting at a point Two Hundred Eighty-Six and 67/100 Feet, more or less (286.67±) from Elmwood Avenue to Melrose Street, depicted on the above noted and accompanying plan as cross-hatched area, having ceased to be useful to the public and the same is proposed to be abandoned as a Public Highway, subject to granting of Right-of-Way easements to the Water Supply Board of the City of Providence; New England Telephone; the Narragansett Electric Company and Providence Gas Com-

pany, 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 the above-named highway 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 a week for three successive weeks, and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

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

MATTER NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, it is Voted to Suspend Rule 16 of the Rules of the City Council in Order to Allow the Introduction of the following Matter Not Appearing on the Printed Docket.

PRESENTATION OF EMERGENCY ORDINANCE

COUNCILMAN PEARLMAN AND COUNCILMAN BRADSHAW (By Request):

An Emergency Ordinance in Amendment of the Appropriation Ordinance Chapter 1976-38, approved November 27, 1976, by Appropriating a Sum Not to Exceed One Million, Six Hundred Thousand Dollars (\$1,600,000.00) to School Department (08-01), Item 0.

Whereas, The protective executive measure which led to the Veto of that Ordinance in amendment of the appropriation Ordinance Chapter 1976-38, approved November 27, 1976, by appropriating a sum not to exceed One Million, Six Hundred Thousand Dollars (\$1,600,000.00) to School Department, 08-01, Item 0, is no longer necessary and accordingly, His Honor the Mayor recommends the adoption of the following as an Emergency Ordinance:

Section 1. Chapter 1976-38 of the Ordinances of the City of Providence, as approved November 27, 1976, entitled: "An Ordinance Making Appropriation of \$104,335,240.60 for the support of City Government for the Fiscal Period beginning July 1, 1976, and ending June 30, 1977, is hereby amended by appropriating the sum of One Million, Six Hundred Thousand Dollars (\$1,600,000.00) to Providence School Department (08-01), Item 0.

Sec. 2. The said sum of One Million, Six Hundred Thousand Dollars (\$1,600,000.00) as thus added and appropriated shall be obtained by

authorizing the City Controller and City Treasurer to transfer One Million, Six Hundred Thousand Dollars (\$1,600,000.00) from the Reserve for Extraordinary Expenditures Account to the Receipt Account.

Section 3. The estimated Receipts from the Reserve for Extraordinary Expenditures Account are hereby increased by One Million, Six Hundred Thousand Dollars (\$1,600,000.00).

Sec. 4. This Ordinance shall take effect upon its passage.

Read and Passed as an Emergency Ordinance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, BRADSHAW and PEARLMAN by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Cirelli, Fargnoli, Flynn, Garan, Glavin, Gorodetsky, Henries, Lynch, McKiernan, Merola, Pearlman, Petrosinelli, Stravato, Turchetta and Xavier—19.

Noes: Councilman Mansolillo—1.

Not Voting: Councilman Tomasso—1.

Absent: Councilman Ahern, Councilwoman Brassil, Councilmen Cola, Johnson and Salvatore—5.

PRESENTATION OF RESOLUTION

COUNCIL PRESIDENT HAXTON:

Resolution Requesting the Acting City Controller to Submit the 130th Annual Financial Report of the City of Providence, Rhode Island, for the Fiscal Year Ended June 30, 1976.

Whereas, His Honor the Mayor has submitted his proposed Budget of Revenues and Expenditures estimated for the Fiscal Period beginning July 1, 1977 and ending June 30, 1978, in the amount of One Hundred Eight Million, Eighty-Seven Thousand, Four Hundred Seventeen Dollars, Thirty-Four Cents (\$118,087,417.34), the same having been referred to the Committee on Finance of the City Council, and

Whereas, The scheduled Annual Financial Report of the City of Providence, for the Fiscal Year Ended June 30, 1976, has not as yet, been

filed with the City Council and of which the Committee on Finance of the City Council will require in its proposed study of the Budget referred to it,

Now, Therefore, be it Resolved, That the Acting City Controller is requested to cause the 130th Annual Financial Report of the City of Providence, Rhode Island, for the Fiscal Year Ended June 30, 1976, to be filed with the City Clerk who shall submit it to the City Council so that it may be available to the Committee on Finance of the City Council in its study of the proposed Budget of Revenues and Expenditures submitted this date by His Honor the Mayor.

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

On motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, it is Voted to Suspend Rule 2 of the Rules of the City Council in Order to Allow the 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, FLYNN, MEROLA and TURCHETTA, the City Council adjourns at 5:10 o'clock P.M. (E.D.T.), to meet again on THURSDAY, JUNE 2, 1977 at 8:00 o'clock P.M. (E.D.T.).

Vincent Vespia

City Clerk

May 16]

1379

[1977
