

**C I T Y O F P R O V I D E N C E
R H O D E I S L A N D**



C I T Y C O U N C I L

JOURNAL OF PROCEEDINGS

No. 47 City Council Regular Meeting, Thursday, October 16, 1980, 8:00 P.M. (E.D.T.).

PRESIDING

COUNCIL PRESIDENT

RALPH FARGNOLI

IN CITY COUNCIL

NOV 6 1980

APPROVED:

Rose M. Mendonca CLERK

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Councilwoman Brassil, Councilmen Cirelli, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, Paulino, Pearlman, Pennine, Petrosinelli, Salvatore, Stravato and Xavier—22.

Absent: Councilmen Boyle, Cola, O'Connor and Snowden—4.

INVOCATION

The Invocation is given by COUNCILMAN
ANTHONY P. PENNINE.

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

COUNCILMAN LLOYD T. GRIFFIN, JR.,
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. 46 of the
Regular Meeting of the City Council held
October 2, 1980 and Posted October 14,
1980 on that Bulletin Board located on the
Ground Floor Level of City Hall, 0532
Approved as Printed, on motion of COUN-
CILMAN ADDISON, seconded by COUN-
CILMAN FLYNN and COUNCILMAN
GLAVIN.

0. VOL.

SCHEDULE OF BILLS

FROM ACTING PUBLIC SERVICE ENGINEER:

Street Lighting Bill for September, 1980, in the Amount of Eighty-Five Thousand, Seven Hundred Forty-Five Dollars, Twenty-Nine Cents (\$85,745.29).

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

Ayes: Council President Fargnoli and Councilmen Addison, Almagno, Council-

woman Brassil, Councilmen Cirelli, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, Moise, Paolino, Pearlman, Pen-
nine, Petrosinelli, Salvatore, Stravato and Xavier—20.

Absent: Councilmen Boyle, Cola, Dillon, Lynch, O'Connor and Snowden—6.

The motion to Approve is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council October 2, 1980, Read and Passed, the First Time, and are Returned for Passage, the Second Time:

An Ordinance in Amendment of Article III of the Code of Ordinances of the City of Providence, entitled "Garbage, Trash and Refuse" by Certain Amendments and Additions to Sections 12-46, 12-57 and 12-79, as Amended.

Be It Ordained By the City of Providence:

Section 1. Article III of the Code of Ordinances of the City of Providence entitled "Garbage, Trash and Refuse" is hereby amended and added to as follows:

Section 12-46 "Definitions", shall be amended by adding a new definition to read as follows:

(d) Litter. Any discarded, used or unconsumed substance or waste. Litter may include, but is not limited to any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, magazines, glass, metal, plastic or paper containers or other packaging construction material, motor vehicle parts, furniture, oil, carcass of a dead animal, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard or anything else of an unsightly nature, which has been discarded, abandoned or otherwise disposed of improperly.

Section 12-57 of the Code of Ordinances entitled "Placing rubbish, garbage, refuse on streets,

public places prohibited unless in receptacles; exceptions" shall be replaced with the following new section:

(a) No person shall dump, deposit, drop, throw, discard, leave, cause or permit the dumping, depositing, dropping, throwing, discarding or leaving of litter upon any public or private property in this City, or upon or into any river, lake, pond or other stream or body of water in this City unless:

(1) The property has been designated by the City for the disposal of litter;

(2) The litter is placed in a receptacle or other container intended by the owner or tenant of that property for the deposit of litter.

(b) No person shall dump, deposit, drop, throw, discard or otherwise dispose of litter from any motor vehicle upon any public highway, upon any public or private property or upon or into any river, lake, pond, stream or body of water in this City except as permitted by law, nor shall any person transport by any means garbage or refuse from any dwelling, residence, place of business, farm or other site to and deposit such material in, around or on top of trash barrels or other receptacles placed along public streets or in public parks.

(c) The owner or person in control of any property which is held out to the public as a place for assemblage, the transaction of business, recreation or as a public way and including but not limited to restaurants, shopping centers, fastfood outlets, convenience stores, stores, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, construction sites, loading and unloading docks, gas stations, and hospitals and clinics shall at all times keep the premises clean of all litter thrown or left on said premises and shall take measures including daily cleanup of the premises to prevent litter from drifting or blowing to adjoining premises.

(d) The owner or person in control of any property which is held out to public as a place for assemblage, the transaction of business, recreation or as a public way shall conspicuously identify receptacles for the disposal of litter.

(e) It shall be unlawful for any person going upon the premises of another to in any manner dispose of litter except in receptacles provided for such purposes.

Section 12-79 "Violations and Penalties" shall be amended to read as follows:

Any person found guilty of violating the provisions of this Article or the rules and regulations of the director of public works or the superintendent of health as the case may be, promulgated hereunder, shall be punishable as provided in section 1-10 of the Code of Ordinances.

In addition to any fine imposed under this chapter, a person convicted of such a violation may be ordered to remove and properly dispose of the litter and in the event such disposal is not accomplished within a reasonable period of time the director of public works may cause such removal and for such purpose may enter upon any real property necessary to cause the removal.

In the event that the director of public works is required to remove litter from any real property, the City shall obtain a special lien against said real property for the cost of said litter removal which lien shall be removed only upon reimbursement of the cost of litter removed by the owner of the property.

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

An Ordinance Amending Section 4-37 (a) of the Code of Ordinances of the City of Providence relative to Certain Types of Dogs, by creating Sections 4-53, 4-54 and 4-55 of Said Code, as Amended.

Be It Ordained By the City of Providence:

Whereas, It has come to the attention of the City Council of the City of Providence, Rhode Island, that a certain breed of dog, commonly known as an "American Pit Bull" dog, or also known as a "Pit Bull Terrier" dog, or "Staffordshire Terrier" dog, may have certain vicious propensity towards humans, and

Whereas, The City Council has determined that this certain type of dog is a danger to the citizens of the City in that it may be, and sometimes is, unpredictable with persons other than its owner or custodians, and

Whereas, This certain type of dog is particularly strong and sometimes vicious, and has the capability and propensity to inflict serious, permanent, and life-threatening damage and injuries on humans, and

Whereas, There have been at least thirty (30) reported pit bull dog attacks in the City of Providence within the last year, and

Whereas, There have been documented incidents where these types of dogs have caused serious life-threatening injuries to the citizens of the City, and

Whereas, It is the intention of the City Council to strictly regulate the ownership and keeping of these dogs within the limits of the City, and

Whereas, It is within the knowledge of the members of the City Council that these types of dogs are unique and infamous for strength, stamina, and viciousness, when bred and trained for fighting, and have a powerful muzzle far beyond that of other breeds, and

Whereas, The City Council has decided to exercise its power and responsibility to protect the health, safety and welfare of the citizens of the City in that it has decided to restrict and regulate these certain breeds of dogs, as well as those other breeds of dogs which are by definition "vicious dogs".

Now, Therefore, Be It Ordained By The City Council Of The City of Providence, Rhode Island,

Section 1: Section 4-37 (a) is hereby repealed by creating Section 4-53, entitled "Vicious Dogs Running at Large Defined", to include within that term, vicious dogs and any dog known to have bitten any other dog, without provocation, or any person without provocation.

1. It shall be unlawful for any owner or keeper of any mischievous or vicious dog to permit such dog to run at large or without the enclosure of the owner or keeper thereof within the City limits, without being properly leashed and muzzled.

2. Any dog known to have bitten any person or other animal without provocation, on three or more separate occasions is hereby defined as a "vicious dog", but the term "vicious dog" shall not be limited to only those dogs who are known to have bitten any person or animal, if the owner or anyone has knowledge of the dog's fierce or vicious behavior in the past.

Section 2. Chapter 4, entitled "Animals and Fowl", Article 3 entitled "Control of Dogs and Other Animals" is hereby amended by creating Sections 4-54 and 4-55 to read as follows:

"4-54. Registration of Certain Breeds of Dogs Required. Any person having the custody, ownership or control of any American Pit Bull dog, Pit Bull Terrier dog, or Staffordshire Terrier dog, must register said dog with the City on a form to be provided by the City. Said form shall require the following information: Name, address and telephone number of the dog's owner; the address where said dog is harbored, if different

from owner's address; dog's sex, color, Providence County rabies certificate and tag number and other distinguishing physical characteristics of the dog, as well as proof of public liability insurance of not less than \$25,000 for such registration. The fee for registration shall be Twenty Dollars (\$20.00)."

"4-55. *Owners Responsible.* In accordance with the General Laws of the State of Rhode Island 1956, as amended, owners of dogs shall be liable for any damage done by their dogs to any domestic animal or livestock or persons. Additionally, the owners of any dog which shall bite any person while such person is on or in a private place, including the property of the owner, shall be liable for such damages as may be suffered by persons bitten, regardless of the former viciousness of such dog or the owner's knowledge of such viciousness.

A person is lawfully upon private property of such owner within the meaning of this act when he or she is on such property in the performance of any duty imposed upon him by the laws of this state or by the laws or postal regulations of the United States, or when he or she is on such property upon invitation, expressed or implied, of the owner thereof; or when he or she is on such property in the performance of a duty relative to public safety, which shall include policeman, fireman, or other authorized members of boards or agencies of City government; provided, however, no owner of any dog shall be liable for any damages to any person or his property when such person shall mischievously or carelessly provoke or aggravate the dog inflicting such damage; nor shall any such owner be so liable if at the time of any such injury he had displayed in a prominent place on his premises a sign easily readable including the words 'Bad Dog', 'Beware of Dog' or some other language which shall give sufficient warning to any individual".

Section 3. Any person convicted of violating the provisions set forth in Sections 4-53, 4-54 and 4-55 shall be punished by a fine as specified by

the General Laws of the State of Rhode Island, 4-13-11 inclusive. Each day any violation of this Ordinance shall continue, shall constitute a separate offense.

Section 4. If any word, phrase, clause, subsection or sections of this Ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 5. This Ordinance shall take effect upon its passage, and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

An Ordinance Authorizing Inoculation of At-Large Dogs Impounded by the City of Providence Dog Pound Against Distemper and Rabies.

Be It Ordained By the City of Providence:

Section 1. Definitions. As used in this ordinance the following terms shall mean:

At-Large: Any dog shall be deemed to be at-large when he is off the property of his owner and not wearing a current, valid license and not under restraint. Dog is under restraint if he is leashed or within a vehicle being driven or parked on the streets or within the property limits of its owner or keeper.

Animal Control Officer: The person or persons employed by the City of Providence as its enforcement officer(s) and shall include any police officer of the City of Providence.

Valid License: A license to be obtained in the office of the Bureau of Licenses or at the municipal dog pound in the City where the owner of said dog resides. Such license shall have a registered number assigned by the Bureau of

Licenses or the dog pound and the name and address of the rightful owner of the dog. A valid license issued to a dog outside the municipality will be honored.

Rightful Owner: Any person, or persons acquiring a valid license for his dog.

Section 2. Impoundment and Inoculation of at-large dogs. Any at-large dog impounded by an animal control officer in the City of Providence and not wearing a current, valid license issued and traceable to the dog's rightful owner will be inoculated against distemper and rabies immediately upon impoundment. Such inoculation to be administered by a licensed veterinarian.

Section 3. Liability. The animal control officer(s), the veterinarian providing his services for inoculating at-large dogs, the City of Providence, its agents and employees shall not be held liable for cost of said inoculations. The cost for said inoculations will be paid by the owner, once his identification is known, at the time of reclaiming or by the new owner at the time of the adoption of the dog. Also, the animal control officer(s), veterinarian, City of Providence, and

its agents and employees shall not be held liable if any harm comes to the dog through inoculation.

Section 4. 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 Fagnoli and Councilmen Addison, Almagno, Councilwoman Brassil, Councilmen Cirelli, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Stravato and Xavier—21.

Absent: Councilmen Boyle, Cola, Dillon, O'Connor and Snowden—5.

The motion for Passage the Second Time, is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI (By Request):

Resolution Requesting the Acting Public Service Engineer to Order the Installation of a Street Light on Pole No. 17, located along Canton Street.

Resolved, That the Acting Public Service Engineer is requested to cause the installation of

a Street Light on Pole No. 17, located along Canton Street.

Resolution Requesting the Acting Public Service Engineer to Order the Installation of High Pressure Sodium Vapor Lights along Mt. Pleasant Avenue, from Chalkstone Avenue to Smith Street.

Resolved, That the Acting Public Service Engineer is requested to cause the Installation of High Pressure Sodium Vapor Lights along Mt. Pleasant Avenue, from Chalkstone Avenue to Smith Street.

Resolution Requesting the Acting Public Service Engineer to Order the Installation of High Pressure Sodium Vapor Lights along Pleasant Valley Parkway, from Academy Avenue to Rosebank Avenue.

Resolved, That the Acting Public Service Engineer is Requested to Order the Installation of High Pressure Sodium Vapor Lights along Pleasant Valley Parkway, from Academy Avenue to Rosebank Avenue.

Resolution Requesting the Acting Public Service Engineer to Order the Installation of High Pressure Sodium Vapor Lights along Rosebank Avenue, from Chalkstone Avenue to Pleasant Valley Parkway.

Resolved, That the Acting Public Service Engineer is Requested to Order the Installation of High Pressure Sodium Vapor Lights along Rosebank Avenue, from Chalkstone Avenue to Pleasant Valley Parkway.

COUNCILMAN ALMAGNO (By Request):

Resolution Requesting the Rhode Island Public Transit Authority to conduct a survey along Pocasset Avenue, Hartford Avenue and Plain-

field Street with a view towards the Installation of Bus Shelters, where deemed advisable.

Resolved, That the Rhode Island Public Transit Authority is requested to conduct a survey along Pocasset Avenue, Hartford Avenue and Plainfield Street, with a view towards the installation of Bus Shelters, where deemed advisable, and

Be It Further Resolved, That said Rhode Island Public Transit Authority cause the installation of a Bus Shelter along Plainfield Street, in front of the Multi-Purpose Center.

COUNCILMAN BOYLE and COUNCILMAN GLAVIN (By Request):

Resolution Requesting the Traffic Engineer to cause the Installation of "Stop" Signs to be erected along Camden Avenue, traveling in a Northerly Direction at Chad Brown Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Stop" signs to be erected along Camden Avenue, traveling in a Northerly Direction at Chad Brown Street.

COUNCILMAN CIRELLI (By Request):

Resolution Requesting the Traffic Engineer to invoke "No Parking" regulations along one side of Curtis Street from Teresa Street to Bosworth Street.

Resolved, That the Traffic Engineer is requested to invoke "No Parking" regulations along one side of Curtis Street from Teresa Street to Bosworth Street.

COUNCILMAN FARMER:

Resolution Requesting the Acting Public Service Engineer and Narragansett Electric Company to conduct a feasibility study of Upgrading the Street Lighting on River Road along the Seekonk River.

Resolved, That the Acting Public Service Engineer and Narragansett Electric Company are requested to conduct a feasibility study of upgrading the street lighting on River Road along the Seekonk River.

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

The motion for Passage is Sustained.

COUNCILMAN FLYNN, COUNCILMAN EASTON and COUNCILMAN FARMER:

Resolution Requesting the Commissioner of Public Safety to Submit a Supplement to the Appropriation Ordinance for an Additional Twenty Policemen to the Police Department.

Referred to Committee on Finance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

COUNCILMAN FLYNN and COUNCILMAN DILLON (By Request):

Resolution Requesting the Traffic Engineer to invoke "No Parking" regulations along one side of Molter Street.

Resolved, That the Traffic Engineer is requested to Invoke "No Parking" Regulations along one side of Molter Street.

Resolution Requesting the Superintendent of the Park Department to cause those damaged benches in Mansion Park along Waverly Street and Sorrento Street, to be removed.

Resolved, That the Superintendent of the Park Department is Requested to Cause those damaged benches in Mansion Park along Waverly Street and Sorrento Street, to be removed.

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

The motion for Passage is Sustained.

COUNCILMAN MANSOLILLO (By Request):

Resolution Authorizing His Honor the Mayor to execute and deliver a corrective deed to Providence Automotive Engineering Company, Inc., 773 Broad Street, Providence, Rhode Island.

Referred to Committee on City Property, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

COUNCILMAN PAOLINO and COUNCILMAN PENNINE (By Request):

Resolution Requesting the Traffic Engineer to cause Crosswalks to be Painted in front of 280 Broadway.

Resolved, That the Traffic Engineer is Requested to cause Crosswalks to be Painted in front of 280 Broadway.

COUNCILMAN PEARLMAN (By Request):

Resolution Requesting the Director of Public Works to cause a survey to be undertaken to raise or relocate that sewer in front of 10 Woodlawn Terrace due to Drainage Problems.

Resolved, That the Director of Public Works is Requested to cause a survey to be undertaken to raise or relocate that sewer in front of 10 Woodlawn Terrace due to Drainage Problems.

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

The motion for Passage is Sustained.

COUNCILMAN PETROSINELLI, COUNCILMAN SALVATORE and COUNCILMAN MOISE (By Request):

Resolution, accompanied by Petition, that O'Neil Street be made a One-Way Street, from Veazie Street to Douglas Avenue in a Southerly Direction.

Referred to Committee on Public Works, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

Resolution Requesting the Acting Public Service Engineer to Order the Installation of a High Pressure Sodium Vapor Light on Pole No. 27, located along Seamans Street.

Resolved, That the Acting Public Service Engineer is requested to cause the installation of a High Pressure Sodium Vapor Light on Pole No. 27, located along Seamans Street.

Resolution Requesting the Acting Public Service Engineer to order the installation of a Street Light on Pole No. 9, located along Northup Avenue.

Resolved, That the Acting Public Service Engineer is requested to order the installation of a Street Light on Pole No. 9, located along Northup Avenue.

Resolution Requesting the Acting Public Service Engineer to Order the Installation of a Street Light on the Corner of Corina Street and Douglas Avenue.

Resolved, That the Acting Public Service Engineer is requested to order the Installation of a Street Light on the Corner of Corina Street and Douglas Avenue.

COUNCILMAN SNOWDEN:

Resolution Requesting the Director of Public Works to cause Nashua Street and Cemetery Street to be resurfaced.

Resolved, That the Director of Public Works is Requested to cause Nashua Street and Cemetery Street to be resurfaced.

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

The motion for Passage is Sustained.

cent to the Biltmore Hotel, they being in violation of Sections 12-63 and 23-20 of the Code of Ordinances of the City of Providence.

Resolved, That the Director of Public Works is requested to order those Dumpsters located along Eddy Street, adjacent to the Biltmore Hotel to be removed they being in violation of Sections 12-63 and 23-20 of the Code of Ordinances of the City of Providence.

COUNCILMAN XAVIER:

Resolution Requesting the Chief of the Providence Police Department to conduct a concentrated drive to arrest and prosecute the many people who have numerous parking violations.

Referred to Committee on Ordinances, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

Resolution Requesting the Director of Public Works to cause the Removal of the Dumpsters located along the Eddy Street sidewalk adja-

COUNCILMAN XAVIER (By Request):

Resolution Requesting the Traffic Engineer to Cause "Stop for Pedestrian" signs to be erected along Gano Street, at the corner of East Transit Street.

Resolved, That the Traffic Engineer is Requested to Cause "Stop for Pedestrian" signs to be erected along Gano Street, at the corner of East Transit Street.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEE

COUNCILMAN LAURENCE K. FLYNN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with recommendation the same be severally Adopted:

Resolution Requesting the Traffic Engineer to Study the Feasibility of Establishing Roosevelt Street, from Laurel Hill Avenue to Webster Avenue as a One-Way Street and to Prohibit Parking along One Side.

Resolved, That the Traffic Engineer is Requested to study the feasibility of establishing Roosevelt Street from Laurel Hill Avenue to Webster Avenue as a One-Way Street and to prohibit parking along one side of said street, and

Be It Further Resolved, That it be the Traffic Engineer's discretion as to the direction the one-way traffic will travel and as to the side parking will be prohibited.

Resolution that Andrew Street, from Grove Street southerly to Broadway, be established as a One-Way Street.

Resolved, That Andrew Street, from Grove Street southerly to Broadway, be established as a One-Way Street.

Resolution Requesting the Rhode Island Public Transit Authority to Cause a Bus Shelter to be erected in front of Our Lady of Fatima Council, located along Gano Street.

Resolved, That the Rhode Island Public Transit Authority is hereby requested to cause a Bus Shelter to be erected in front of Our Lady of Fatima Council, located along Gano Street.

Resolution Requesting the Traffic Engineer to study the feasibility of closing River Road, from Waterman Street to the Intersection of Loring Avenue and Gulf Avenue, to Vehicular Traffic from 9:00 P.M. to 7:00 A.M. every day.

Resolved, That the Traffic Engineer is hereby requested to study the feasibility of closing River Road, from Waterman Street to the intersection of Loring Avenue, and Gulf Avenue to all vehicular traffic from 9:00 o'clock P.M. to 7:00 o'clock A.M. every day.

Resolution Requesting the City Forester to Cause the Removal of those Poplar Trees located around Columbia Park.

Whereas, Resolution Number 699, Approved August 12, 1979, Requested the City Forester to cause the removal of those Poplar Trees located around Columbia Park,

Now, Therefore, Be It Resolved, That the City Forester is Requested to enforce the Provisions of that Resolution to remove those Poplar Trees.

Resolution Requesting the City Forester to Trim the Trees in Columbia Park and in Washington Park as they Obstruct the Rays of the Sun for the Solar Panels at 80 California Avenue.

Resolved, That the City Forester is Requested to Trim the trees in Columbia Park and Washington Park as they obstruct the rays of the sun for the Solar Panels at 80 California Avenue.

Resolution Opposing Senate Bill 80-S 2292 Now Pending before the Senate Committee on Judiciary, Relative to Certain Changes in the Wetlands Act.

Whereas, Senate Bill 80-S 2292 makes certain changes in the Wetlands Act and sets out the forms to be used in making application to alter or for applicability determination,

Now, Therefore, Be It Resolved, That the City Council of the City of Providence hereby opposes Senate Bill 80-S 2292 presently pending before the Senate Committee on Judiciary, relating to Wetlands.

Resolution and Agreement Granting a Perpetual Easement to the New England Telephone and Telegraph Company.

Whereas, NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, a New York Corporation, authorized to do business in the State of Rhode Island as a public utility corporation, is desirous of obtaining a perpetual easement from the CITY OF PROVIDENCE, and

Whereas, the said NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY seeks

said easement for the purpose of obtaining the right to lay, construct, reconstruct, operate, maintain, replace and remove lines for the transmission of intelligence including the necessary wires, cables, pipes, conduits, fixtures, concrete pad(s) and appurtenances in, upon, under, and over a certain parcel of real estate located in the Town of Scituate, County of Providence, State of Rhode Island, comprising an area of approximately 723.75 square feet more or less, and is the same parcel as shown on the drawing entitled "LOCATION OF EASEMENT GRANTED FROM CITY OF PROVIDENCE (GRANTOR) TO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY (GRANTEE) PREPARED BY ALAN FULTON, N.E.T. & T. CO. — JUNE 18, 1980, SCALE 1" = 20'," which is appended to that certain agreement between NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY and the CITY OF PROVIDENCE of an even date hereof, which is incorporated by reference and made a part of this Resolution, and

Whereas, in consideration of the grant of said perpetual easement to NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, as hereinbefore set forth, the said NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY shall upon the execution of said Easement Deed and Collateral Agreement thereto pay to the said CITY OF PROVIDENCE the sum of Four Hundred Fifty Dollars (\$450.00), and as further consideration for said grant of easement, the said NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY agrees to pay all taxes assessed on any fixtures, lines of towers, poles, cables, and conduits and other appurtenances which may be placed on said land, and

Whereas, the said CITY OF PROVIDENCE is agreed to grant said perpetual easement, as hereinbefore set forth, under the terms and conditions and considerations hereinbefore recited and those recited in the proposed Easement Deed and Collateral Agreement thereto.

Now, Therefore, be it resolved that His Honor, the Mayor, be and he hereby is authorized to execute an Easement Deed and a Collateral Agreement thereto, both of which are incorporated by reference, as set forth above, to NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY, its successors and assigns, for the purposes as set forth above on that certain strip of land located in the Town of Scituate, County of Providence, State of Rhode Island, comprizing approximately 723.75 square feet more or less, and being the same parcel as shown on the drawing entitled "LOCATION OF EASEMENT GRANTED FROM CITY OF PROVIDENCE (GRANTOR) TO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY (GRANTEE) PREPARED BY ALAN FULTON, N.E.T. & T. CO. — JUNE 18, 1980, SCALE 1" = 20'," which is appended to the Collateral Agreement of even date herewith.

Resolution, accompanied by Petition, requesting the Director of Public Property to cause the Basketball Court located in Bucklin Park to be Resurfaced, to cause new single pole backboards to be Installed within the perimeter of said Basketball Court and cause fence poles adjacent to the Court to be Removed.

Resolved, That the Director of Public Property is requested to cause the basketball court located in Bucklin Park to be resurfaced, to cause new single pole backboards to be installed within the perimeter of said basketball court, and to cause those fence poles adjacent to the Court to be removed.

Resolution Ordering the Abandonment of Rollins Street.

Resolved, Decreed, and Ordered:

That the following named street shown as cross-hatched area on accompanying plan entitled, "Providence, Rhode Island, Department of Public Works — Engineering Office, Street Line Section Plan No. 064107, dated February 20, 1980",

Rollins Street, from Ellenfield Street to Johnson and Ernest Streets, shown as cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway,

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 City 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.

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

COUNCILMAN MANSOLILLO desires to be Recorded as voting "No" relative to that "Resolution Requesting the City Forester to Cause the Removal of Those Poplar Trees located around Columbia Park" and "Resolution Requesting the City Forester to Trim the Trees in Columbia Park in Washington Park as they Obstruct the Rays of the Sun for the Solar Panels at 80 California Avenue."

The motion for Passage is Sustained.

The following are transmitted with Recommendation the Same be Severally adopted, as amended:

Resolution Requesting the Traffic Engineer to invoke "One Hour Parking" Regulations along the Westerly Side of Melrose Street at Thackeray Street, Fifty Feet Northerly.

Resolved, That the Traffic Engineer is requested to invoke "One Hour Parking" regulations along the westerly side of Melrose Street at Thackeray Street, fifty feet northerly.

Resolution Requesting the Traffic Engineer to Cause the installation of "Keep Right" Signs at the Southerly Entrance of Freeman Parkway at its Intersection with Elmgrove Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "Keep Right" Signs at the southerly entrance of Freeman Parkway at its intersection with Elmgrove Avenue in order to remedy a serious traffic hazard at that location.

Resolution Requesting the City Forester to take Immediate Action in Trimming All City Owned Trees in the City of Providence that are Interfering with People's Solar Panels.

Whereas, Residents within the City of Providence are attempting to conserve energy by installing Solar Panels at their homes or businesses, and

Whereas, This process costs a numerous amount of dollars, and the operation of the system is being obstructed by trees within the City of Providence,

Now, Therefore, Be It Resolved, That the City Forester is requested to take immediate action in trimming all City owned trees within the City of Providence that are interfering with people's Solar Panels by giving those persons priority by placing an advertisement in the newspaper informing the Public those services are available.

Severally Read and Collective Passed, as Amended, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

COUNCILMAN MANSOLILLO desires to be recorded as voting "No" relative to "Resolution Requesting the City Forester to Take Immediate Action in Trimming all City Owned Trees in the City of Providence that are Interfering with People's Solar Panels."

The motion for Passage as Amended, is Sustained.

The following is transmitted with recommendation the Same be Denied:

Resolution Requesting the Traffic Engineer to cause the Installation of Four-Way "Stop" Signs at the Intersection of Whitehall Street and Sterling Avenue.

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

The motion to Deny is Sustained.

COMMUNICATION AND REPORT

FROM THE CITY ASSESSOR:

Certificates (40-H 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 Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

FROM THE PORT DIRECTOR:

Monthly Report for July, 1980.

Received.

PETITION

COUNCILMAN XAVIER (By Request):

Petition of Richard Cote to abandon as a Public Highway Williams Street, from Gano Street in an Easterly Direction, to its termination.

Referred to Committee on Public Works, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Joseph Dempsey

Eleanor DiSandro

Terrence Dougherty

Larry M. Gardner

Jerome Appraisal Company

Sheila Mack

Jean Melancon

Denis Roberge

George Seiler

Club Steambath

Stephen Thibodeau

Stan Topliff

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"

COUNCILMAN PRESIDENT FARNOLI and the MEMBERS of the CITY COUNCIL:

Resolution Extending Congratulations to the following:

Resolved, That the Congratulations and best wishes of the Members of the City Council are hereby extended to the following:

Mr. and Mrs. Scott K. Norberg, Sr., in recognition of the Birth of their Daughter, Born September 19, 1980.

Mr. and Mrs. Ernest A. Bergeron, in recognition of the Birth of their Son, Born, September 19, 1980.

Mr. and Mrs. Wayne Henrique, in recognition of the Birth of their Son, Born September 13, 1980.

Mr. and Mrs. Charles Campbell, in recognition of the Occasion of their Sixtieth Wedding Anniversary.

Mr. and Mrs. William Allen, in recognition of the Occasion of their Twenty-Fifth Wedding Anniversary.

Arthur Wright in recognition of His being Named Recipient of Lecount Scholarship Fund Grant.

Read and Passed, on motion of COUNCIL-
MAN ADDISON, seconded by COUNCIL-
MAN FLYNN.

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT FARGNOLI and
the MEMBERS OF THE CITY COUNCIL:**

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

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

Judge John Doris

Perry Borrelli

Dominick T. Volino

Bernice J. Wilson

Mary E. McClain

Lunora Woods

Angelina Natalizia

John R. MacDonald

Nancy W. Patterson

William Flynn

Charles Isabella

Angelina Capraro

Guido Canzone

Donna M. Pisaturo

Orlando Marzilli

William J. Sullivan

Harold S. Moskol

George A. Halstead

Austin N. A. Hall

Daniel Hecker

Alfred Farina, Jr.

Vincenzo Parisi

Joseph A. Blazuk

Paul Litwin

Nicola D'Ambra

Eugenia Pagnozzi

Christine Cotugno

Elizabeth D'Andrea

Edward A. Mendonca

Frank Pilozzi

Daniel E. Sullivan

**Read and Passed, by a Unanimous Rising
Vote, on motion of COUNCILMAN ADDI-
SON, seconded by COUNCILMAN FLYNN.**

The motion for Passage is Sustained.

MATTER 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 Matter Not Appearing
on the Printed Docket.**

PRESENTATION OF RESOLUTION

**COUNCIL PRESIDENT PRO TEMPORE
STRAVATO, COUNCILMAN EASTON
and COUNCILMAN MOISE:**

**Resolution Unequivocally Opposing the Mayor's
Bold Action of Wholesale Discharge of Provi-
dence City Workers and the Reduction and
Crippings of Essential Services.**

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

**COUNCILMAN MANSOLILLO AND
COUNCILMAN PEARLMAN desire to be
Recorded as voting "No".**

The motion to Refer is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, the City Council adjourns at 10:00 o'clock P.M. (E.D.T.) to meet again on THURSDAY, NOVEMBER 6, 1980 at 8:00 o'clock P.M. (E.S.T.).

Rose M. Mendonca

City Clerk