

**CITY OF PROVIDENCE
RHODE ISLAND**

IN CITY COUNCIL



FEB 1 1979

APPROVED: *R. M. Henderson*

CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 2 City Council Regular Meeting, Thursday, January 18, 1979, 8:00 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Lynch, Manso-Hillo, Molse, O'Connor, Paolino, Pearlman, Pen-nine, Petrosinelli, Salvatore, Snowden and Stravato—24.

Absent: Councilmen Glavin and Xavier—2.

62-8 '080

INVOCATION

The Invocation is given by Reverend Paul R. Lemel, Associate Pastor, St. Augustine's Church.

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

COUNCILMAN VINCENT J. CIRELLI 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

COUNCILMAN MANSOLILLO moves to amend the Journal of Proceedings No. 1 of the Organization Meeting of the City Council held January 3, 1979 by deleting on Page 21, First Column, Line 10, "and Mansolillo" and second line from the bottom, First Column, the words, "and Mansolillo."

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

COUNCILMAN ADDISON thereupon moves

the Journal of Proceedings No. 1 of the Organization Meeting of the City Council held January 3, 1979 and Posted January 16, 1979 on that Bulletin Board located on the Ground Floor Level of the City Hall is Approved as Printed and Amended.

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

COUNCILMAN GRIFFIN desires to be recorded as Voting "No."

COMMUNICATION FROM HIS HONOR THE MAYOR

Communication, dated January 14, 1979, Informing the City Council that Pursuant to the Provisions of Section 4.1 of the Providence City Charter, He is withdrawing His Appointment dated January 3, 1979 of Robert E. Iannazzi to Replace Thomas F. O'Connor, Jr. to the Providence School Committee for a Term to Expire on the First Monday in January, 1985; and Informing that His Appointment dated January 4, 1979 as an Interim School Committee Member Replacing Thomas F. O'Connor, Jr., Who has Resigned is Not Affected by this Withdrawal.

January 14, 1979

The Honorable City Council
City Hall
Providence, Rhode Island 02903

Honorable Lady and Gentlemen:

Pursuant to Section 4.1 of the Providence City Charter I am this day withdrawing my appointment dated January 3, 1979, of Robert E. Iannazzi to replace Thomas F. O'Connor, Jr., to the Providence School Committee for a term to expire on the first Monday in January, 1985.

My appointment of Mr. Iannazzi dated January 4, 1979 as an interim School Committee Member replacing Thomas F. O'Connor, Jr. who has resigned is not affected by this withdrawal.

Sincerely,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication, dated January 15, 1979, Informing the City Council of His Appointment of Robert E. Iannazzi, 740 Academy Avenue, Providence, as a Member of the Providence School Committee for a Term to Expire on the First Monday in January, 1983 to Replace Joseph R. Masson Whose Term has Expired and Respectfully Submitting the Same for Approval.

January 15, 1979

The Honorable City Council
City Hall
Providence, Rhode Island 02903

Honorable Lady and Gentlemen:

Pursuant to Chapter 203, Section 7, of the

Public Laws of the State of Rhode Island 1968, I am this day appointing Robert E. Iannazzi of 740 Academy Avenue, Providence, to the Providence School Committee for a Term to expire on the first Monday in January, 1983, and respectfully submit the same for your approval. Mr. Iannazzi replaces Joseph R. Masson whose term has expired.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Communication Read and Received and Appointment Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN FLYNN, MANSOLILLO, COLA and PEARLMAN.

COUNCILMAN LYNCH desires to be recorded as "Not Voting."

The Communication is thereupon Received and Appointment Approved.

SCHEDULE OF BILLS

FROM ACTING PUBLIC SERVICE ENGINEER:

Street Lighting Bill for December, 1978 in the Amount of Eighty Four Thousand, Eight Hundred Nine Dollars and Sixty Five Cents (\$84,809.65).

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, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Penine, Petrosinelli, Salvatore, Snowden and Stravato—24.

Absent: Councilmen Glavin and Xavier—2.

The motion for Approval is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council January 3, 1979, Read and Passed the First Time and are Returned for Passage, the Second Time:

An Ordinance in Amendment of and in Addition to Chapter 1977-15 of the Ordinances of the

City of Providence, Approved April 28, 1977, and Entitled, "An Ordinance Approving and

Adopting the Official Redevelopment Plan for Federal Hill East."

Be it ordained by the City of Providence:

1. That Chapter 1977-15 of the Ordinance of the City of Providence approved April 28, 1977 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for Federal Hill East" be and the same is hereby amended as follows:

A. Lot No. 363 on Assessor's Plat No. 28 at 263-267 Atwells Avenue is hereby deleted from the proposed acquisition list in Paragraph E.2. entitled, "Proposed Acquisition" as contained in and set forth in page 15 of that certain booklet entitled "Federal Hill East, Official Redevelopment Plan, 1977", which is a part of the aforementioned ordinance.

B. The following Maps of the aforementioned Official Redevelopment Plan, which is a part of the aforementioned ordinance, hereinafter identified are deleted.

(1) Map No. 3. "Proposed Acquisition" sheet 1 of 2, dated March, 1977.

(2) Map No. 4. "Disposition", sheets 1 and 2 of 2, dated March, 1977.

C. Insert the following maps in its stead:

(1) Map No. 3, "Proposed Acquisition", sheet 1 of 2, dated November, 1978.

(2) Map No. 4. "Disposition", sheets 1 and 2 of 2, dated November, 1978.

2. That said Chapter 1977-15 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

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.

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

Absent: Councilmen Glavin and Xavier—2.

The motion for Passage the Second Time is Sustained.

An Ordinance Prohibiting Discrimination Against Individuals Because of Race, Color, Sex, Religion, Marital Status, Handicap, Age or Country of Ancestral Origin and Establishing a Providence Human Relations Commission, as Amended.

Be it ordained by the City of Providence:

Section 1. Findings of the Council

The practice or policy of discrimination against individuals because of race, color, sex, religion, handicap, age, country of ancestral origin or marital status is a matter of grave public concern. Such discrimination foment domestic strife and unrest, threatens the rights and privileges of our people and undermines the foundations of a free democratic state. The denial of equal opportunities because of such discrimination deprives large segments of the population of the City of Providence of the ability to maintain decent standards of living and intensifies group conflicts, thereby resulting in grave injury to the public safety, health and welfare.

The accompanying Ordinance and title "An Ordinance Prohibiting Discrimination Against Individuals because of Race, Color, Sex, Religion,

Marital Status, Handicap, Age or Country of Ancestral Origin and Establishing a Providence Human Relations Commission" is hereby incorporated by reference and made a part hereof.

Sec. 2. This Ordinance shall become effective upon its passage by the City Council and approval by the Mayor.

* * *

**CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS**

An Ordinance Prohibiting Discrimination Against Individuals because of Race, Color, Sex, Religion, Marital Status, Handicap, Age or Country of Ancestral Origin and Establishing a Providence Human Relations Commission, as Amended.

Section 1. Findings of the Council

The practice or policy of discrimination against individuals because of race, color, sex, religion, marital status, handicap, age or country of ancestral origin, is a matter of grave public concern. Such discrimination foments domestic strife and unrest, threatens the rights and privileges of our people and undermines the foundations of a free democratic state. The denial of equal opportunities because of such discrimination deprives large segments of the population of the City of Providence of the ability to maintain decent standards of living and intensifies group conflicts, thereby resulting in grave injury to the Public Safety, Health and Welfare.

Sec. 2. Public Policy.

It is hereby declared to be the public policy of the City of Providence to foster the equal opportunities of all individuals in the City in accordance with their fullest capacities and abilities, regardless of their race or color, sex, religion, marital status, handicap, age or country of ancestral origin, and to safeguard their right to be free from such discrimination in housing, education, employment, credit and public accommodation.

Sec. 3. Exercise of Police Power.

This Ordinance shall be deemed an exercise of the police power of the said City for the protection of public welfare, prosperity, health and peace of its people.

Sec. 4. Definition of Terms.

(a) "Bona fide qualifications" refers to a valid consideration of race and color, sex, religion, marital status, handicap, age or country of ancestral origin which has been certified as such by the Commission or by the Rhode Island Commission on Human Rights.

(b) "Charge" is that which is brought by a complainant alleging an unlawful practice or that which is filed by the commission following an investigation.

(c) "Commission" means the Providence Human Relations Commission, its agents and employees.

(d) "Complaint" is that which is issued by the commission on its own behalf or in the behalf of the complainant and subsequent to a probable cause determination.

(e) "Discriminate" includes any policy or practice which by design or effect segregates, separates, or has a disproportionate impact according to race or color, sex, religion, marital status, handicap, age or country of ancestral origin or because of the race or color, sex, religion, marital status, handicap, age or country of ancestral origin of any person with whom they are or may wish to be associated and which is not required by business necessity.

(f) "Employment Agency" includes any person undertaking with or without compensation to procure opportunities to work, or to procure, recruit, refer, or place employees.

(g) "Employee" does not include any person employed by his or her parents, spouse or child.

(h) "Employer" includes the City and all its

departments and authorities and all persons employing seven (7) or more individuals within the City of Providence or any person acting as the agent of an employer either directly or indirectly. The term does not apply to a religious corporation, religious association, religious educational institution or religious society with respect to the employment of individuals of its religion to perform work connected with the carrying on of its religious activities.

(i) "Educational Facilities" means any public or private institution of learning.

(j) "Housing Accommodation" includes any building or structure or portion thereof, or any parcel of land, developed or undeveloped, which is occupied, or intended, designed, or arranged to be occupied, or to be developed for occupancy, as the home, residence, or commercial business of one or more persons, but excludes any dwelling units which, under the provisions of state fair housing laws, are exempt by virtue of their location in an owner-occupied building.

(k) "Labor Organization" includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection in relation to employment.

(l) "Public Accommodation" refers to any public resort, accommodation, assemblage, amusement, business, or establishment that provides a service or function, personal, or otherwise licensed, or unlicensed, including but not limited to inns, taverns, bars, roadhouses, hotels, motels, trailer parks, camp sites, restaurants, diners, or any place where food or beverage is sold, retail stores and establishments, dispensaries, clinics, hospitals, rest homes, nursing homes, rest rooms, bathhouses, barber shops, beauty parlors, trade schools or vocational establishments, theaters, motion picture houses, music halls, race courses, skating rinks, amusement and recreation parks, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool parlors, swimming pools, athletic or recreational facilities, seashore accommodations, public libraries, ga-

rages, all public conveyances operated on land, water, in the air or underground, as well as the stations and terminals thereof, public halls and rooms and public stairs and elevators of buildings or other public accommodations, public housing projects, clubs, societies, fraternities, sororities, associations, or other organizations that are public or quasi-public, banks, finance companies, insurance companies, building and construction companies other businesses, traffic and other courts and licensing and regulating bodies and all public policies, programs, and activities. Nothing herein contained shall be construed to include, or apply to, any place of accommodation which is by its nature distinctly privately provided that where public use is permitted that use shall be covered by this Ordinance.

(m) "Handicap" means any condition or characteristic that renders a person a handicapped person as defined in Title 45, Subtitle A, Section 84.3(j) of the Code of Federal Regulations (42 FR 22678, May 4, 1977).

(n) "Sex Discrimination" shall be deemed to include situations where an individual, acting independently, is discriminated against because of marital status.

(o) "Discounts" — any reduction of the normal charge for products or services. Includes those offered on a free basis.

Sec. 5. Unlawful Housing Practices — It shall be an unlawful housing practice:

(a) For any owner, lessee, sub-lessee, assignee, managing agent, real estate agent, or other person having the right to sell, rent, lease, or manage a housing accommodation or an agent of any of those;

(1) to discriminate or directly or indirectly make or cause to be made any written or oral inquiry concerning race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of any prospective purchaser, occupant, or tenant of such housing accommodation;

(2) to discriminate or directly or indirectly

to refuse to sell, rent, lease, let or otherwise deny to or withhold from any individual, such housing accommodation because of the race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of such individual;

(3) to discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice or advertisement relating to the sale, rental, lease, or let of such housing accommodation which indicates any preference, denial, limitation, specification, qualification, or discrimination, based upon race or color, sex, religion, marital status, handicap, age or country of ancestral origin;

(4) to directly or indirectly discriminate against any person because of his or her race or color, sex, religion, marital status, handicap, age, or country of ancestral origin in the terms, conditions, or privileges of the sale, rental, lease, or let of any such housing accommodation or in the furnishing of facilities or services in connection therewith;

(b) for any person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, whether secured or unsecured;

(1) to discriminate or to directly or indirectly make or cause to be made any written or oral inquiry concerning the race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of any individual seeking such financial assistance, or of existing or prospective occupants or tenants of such housing accommodation, nor shall any such person to whom such application is made, directly or indirectly discriminate in the terms, conditions or privileges relating to the obtaining or use of any such financial assistance against any applicant because of the race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of such applicant or of the existing or prospective occupants or tenants thereof;

(2) to discriminate or to directly or indirectly deny or limit such application for financial assistance on the basis of an appraiser's, whether independent or not, evaluation of the property or neighborhood under consideration, when such evaluation is based on discriminatory criteria;

(c) for any person, agent, firm, corporation or association whether or not acting for monetary gain, to directly or indirectly induce, attempt to induce, prevent or attempt to prevent the sale, purchase, rental, or letting of any housing accommodation by

(1) implicit or explicit representations regarding the existing or potential proximity of real property owned, used, or occupied by persons of any particular race or color, sex, religion, marital status, handicap, age or country of ancestral origin;

(2) implicit or explicit representations regarding the effects or consequences of any such existing or potential proximity including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other facilities;

(3) implicit or explicit false representations regarding the availability of suitable housing within a particular neighborhood or area, or failure to disclose or offer to show all properties listed or held for sale, rent, lease, or let within a requested price range, regardless of location, so as to promote the continuance or maintenance of segregated housing or so to retard, obstruct, or discourage integrated housing on or in any street, block, or neighborhood.

(d) except where based on a valid affirmative action program or record keeping or reporting requirements,

(1) for any person, agent, manager, owner, or developer of any apartment or housing unit, complex, or development, whether commercial or residential to directly or indirectly make or keep a record of any applicant's, prospective tenant's,

or tenant's race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(2) to use any form of housing or loan application which contain questions or entries directly or indirectly pertaining to race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(3) establish, announce, or follow a pattern, practice, or policy of denying, excluding or limiting by any means whatsoever housing accommodations to any group because of the race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of such group;

(e) for any person to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this Ordinance or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this Ordinance;

(f) for any person, whether or not acting for monetary gain, to aide, abet, incite, compel or coerce the doing of any act declared by this section to unlawful housing practice, or to obstruct or prevent any person from complying with the provisions of this Ordinance or any regulations or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful housing practice.

(g) Nothing contained in this section shall be construed to prevent the operation or establishment of housing facilities designed for the exclusive use of the aged or elderly and/or handicapped, nor to prohibit the establishment of programs assigned to meet the needs of circumstances of handicapped persons.

Sec. 6. Unlawful Education Practices — It shall be an unlawful education practice:

(a) for any school, educational institution or facility

(1) to discriminate or to directly or indirectly

fail or refuse to admit or grant entrance, or provide, furnish, or make available, equal educational services, materials, or opportunities to any person because of race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(2) to discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcast, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice, or advertisement relating to education indicating any preference, denial, limitation, specification, qualification, practice, or discrimination based on race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(3) to establish, announce, or follow, a pattern, practice, or policy of denying, excluding or limiting educational services, materials, or opportunities to any group because of the race or color, sex, religion, marital status, handicap, age or country of ancestral origin of such group;

(b) for any person to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this Ordinance or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this Ordinance;

(c) for any person, whether or not acting for monetary gain, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful education practice or to obstruct or prevent any person from complying with the provision of this Ordinance or any regulation or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful education practice.

Sec. 7. Unlawful Employment Practices — It shall be an unlawful employment practice:

(a) for any employer

(1) to fail or refuse to hire any applicant for

employment or otherwise discriminate because of race or color, sex, religion, marital status, handicap, age, or country of ancestral origin, or

(2) because of such reasons, to discharge an employee or discriminate against him or her with respect to hire, tenure, compensation, promotion, terms, conditions, or privileges of employment, or any other matter directly or indirectly related to employment, or

(3) in the recruiting of individuals for employment or in hiring them, to utilize any employment agency, placement service, training school or center, labor organization, or any other employee referring source which such employer knows, or has reasonable cause to know, discriminates against individuals because of their race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(4) to treat disabilities caused or contributed to by pregnancy, miscarriage, childbirth or recovery therefrom differently than other temporary disabilities under any health or temporary disability insurance or sick leave plan available in connection with employment. Pay, tenure, benefits, seniority, and re-instatement shall be afforded in the same manner for medically necessary pregnancy related absences as they are for other medically necessary absences.

(b) for any employment agency

(1) to discriminate or to fail or refuse to classify properly or refer for employment or otherwise discriminate against any individual because of his or her race or color, sex, religion, marital status, handicap, age, or country of ancestral origin, or

(2) for any employment agency, placement service, training school or center, labor organization, or any other employee referring source to discriminate or to comply with an employer's request for the referral of job applicants if such request indicates either directly or indirectly that such employer will not afford full and equal employment opportunities to individuals regardless of their race or color, sex, religion, marital

status, handicap, age or country of ancestral origin;

(c) for any labor organization

(1) to discriminate against or deny full and equal membership rights to any applicant for membership because of his or her race or color, sex, religion, marital status, handicap, age, or country of ancestral origin, or

(2) because of such reasons, to deny a member full and equal membership rights, expel him or her from membership, or otherwise discriminate in any manner with respect to hire, tenure, compensation, terms, conditions, or privileges of employment, or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of such labor organization or by a collective labor agreement or other contract, or

(3) to fail or refuse to classify properly or refer for employment, or otherwise to discriminate against any member because of his or her race, or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(4) to treat disabilities caused or contributed to by pregnancy, miscarriage, childbirth or recovery therefrom differently than any other temporary disabilities under any health or temporary disability insurance or sick leave plan available in connection with employment. Pay, tenure, benefits, seniority, and re-instatement shall be afforded in the same manner for medically necessary pregnancy related absences as they are for other medically necessary absences.

(d) except where based on a bona-fide occupational qualification which has been certified by the commission, for any person, employer, employment agency, labor organization, placement service, training school or center, or any other employee referring source prior to employment or admission to membership of any individual, to

(1) discriminate or elicit or attempt to elicit any information directly or indirectly pertaining

to the individual's race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(2) except where based on a valid affirmative action program or record keeping or reporting requirements to make or keep a record of the individual's race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(3) use any form of application or membership blank which contains questions or entries directly or indirectly pertaining to race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(4) conduct any interview in person or otherwise where information is elicited pertaining to race or color, sex, religion, marital status, handicap, age or country of ancestral origin;

(5) to discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted or mailed any written printed or painted or oral communication, notice, or advertisement relating to employment or membership indicating any preference, denial, limitation, specification, qualification, or discrimination based upon race or color, sex, religion, marital status, handicap, age or country of ancestral origin;

(6) establish, announce, or follow a pattern, practice, or policy of denying, underutilizing or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of such group;

(e) for any person, employer, employment agency, labor organization, placement service, training school or center, or any other employee referring source to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this Ordinance, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this Ordinance;

(f) for any person, whether or not an employer, employment agency, labor organization, placement service, training school or center, or employee, to aid, abet, incite, compel, or coerce the doing of any act declared by this section to be an unlawful employment practice, or to obstruct or prevent any person from complying with the provisions of this Ordinance or any regulation or order issued hereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful employment practice.

Sec. 8. Unlawful Credit Practices — It shall be unlawful credit or loan practice:

(a) for any financial organization governed by the provision of Title 19 of the General Laws, entitled "Financial Institutions" or any other credit granting, reporting, appraising, or approving institution, agency, business or association;

(1) to discriminate in the granting, reporting, approval, or extension of any form of loan or credit, or of the privileges or capacity to obtain any form of loan or credit, on the basis of the applicant's race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(2) to directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted oral communication, notice, or advertising relating to loans or the extension of credit indicating any preference, denial, limitation, specification, qualification, or discrimination based upon race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(3) to discriminate or to use any form of loan or credit application which contains questions or entries directly or indirectly pertaining to race or color, sex, religion, marital status, handicap, age, or country of ancestral origin;

(4) to establish, announce or follow a pattern, practice, or policy of denying, excluding, or limiting the extension of loans or credit to any group

because of the race or color, sex, religion, marital status, handicap, age, or country of ancestral origin of such group;

(b) for any person to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this Ordinance or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding or hearing under this Ordinance;

(c) for any person, whether or not acting for monetary gain, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful credit or loan practice, or to obstruct or prevent any person from complying with the provisions of this Ordinance or any regulation or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this Section to be an unlawful credit or loan practice.

Sec. 9. Unlawful Public Accommodation Practice — *It shall be an unlawful public accommodation practice:*

(a) for any person, owner, lessee, proprietor, manager, director, superintendent, agent, employee, committee, officer, or board of any place of public accommodation

(1) to discriminate or to directly or indirectly refuse, withhold from or deny to any person on account of race or color, sex, religion, marital status, handicap, age, or country of ancestral origin any of the accommodations, advantages, facilities, or privileges thereof;

(2) to discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice, or advertisement relating to public accommodations indicating any preference, denial, limitation, specification, qualification, or discrimination based upon race or color, sex, religion, marital status, handicap, age, or country of ancestral origin.

(3) to discriminate or to directly or indirectly elicit or attempt to elicit any information regarding an individual's race or color, sex, religion, marital status, handicap, age or country of ancestral origin; or to use any form of application which contains questions or entries directly or indirectly pertaining to such information;

(4) to establish, announce, or follow a pattern, practice, or policy of denying, excluding, or limiting services or membership to any group because the race or color, sex, religion, marital status, handicap, age or country of ancestral origin of such group;

(b) for any person to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this Ordinance or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this Ordinance.

(c) for any person, whether or not acting for monetary gain, to aid, abet, incite, compel, or coerce the doing of any act declared by this section to be unlawful accommodation practices, or to obstruct or prevent any person from complying with the provisions of this Ordinance or any regulation or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful public accommodation practice.

Sec. 10. Exercise of Privilege — Exemption.

(a) Nothing in this Ordinance contained shall be construed in any manner to prohibit or limit the exercise of the privilege of every person to establish standards and preferences and set terms, conditions, limitations, or specifications in any manner herein discussed which are not based on the race or color, sex, religion, marital status, handicap, age or country of ancestral origin of the individual or the race or color, sex, religion, marital status, handicap, age or country of ancestral origin of any person with whom the individual is or may wish to be associated.

(b) Notwithstanding anything herein contained, the following practices shall not be violations of this Ordinance:

1. for a religious organization or institution to restrict any of its facilities of housing or accommodation which are operated as a direct part of religious activities to persons of the denomination involved, or to restrict employment opportunities for officers, religious instructors and clergy to persons of that denomination.

2. for the owner of a housing facility devoted entirely to the housing of individuals of one sex, to restrict occupancy and use on the basis of sex.

3. to refuse employment to any person under eighteen (18) years of age or refuse admission to or provision of the services of a public accommodation or financial institution to persons under (18) years of age or any other age established by law.

4. to provide discounts on products or services to minors and the aged, elderly and/or handicapped.

5. to restrict use of lavatories and locker room facilities on the basis of sex.

6. for a religious or denominational educational institution to select its pupils exclusively or primarily from members of such religion or denomination, or to give preference to such selection so as to promote the religious principle for which it was established.

7. for a public or private preschool, elementary school or secondary school (except where such schools are vocational) to discriminate on the basis of sex in relation to admissions only.

Sec. 11. Any Charge under this Ordinance must be filed within 180 days after the alleged act of discrimination.

Sec. 12. *Commission Established.*

There is hereby established a Providence Human Relations Commission which shall consist

of Thirteen (13) Members appointed by the Mayor with the approval of the City Council to serve without compensation, except for reasonable expenses incurred on commission business that those incumbent members of the Human Relations Commission on the effective date of this Ordinance shall continue to serve throughout the terms to which they have previously been appointed. Thereafter, all appointments to the Commission shall be for a term of Three (3) Years. In the event of the death or resignation of any member, his successor shall be appointed to serve for the unexpired period of the term for which such member has been appointed.

Sec. 13. *Function and Duties of Commission.*

The Commission shall act in a policy and advisory capacity and its functions and duties shall be to further amicable relations among various segments of the population which together comprise the City of Providence, to help make it possible for each citizen, regardless of race, color, sex, religion, marital status, handicap, age or country of ancestral origin, to develop talents and abilities without limitation, to aid in permitting the community to benefit from the fullest realization of its human resources and to preserve and further the good name of Providence and its people for tolerance and fair play and promote better relations among all people.

In order to accomplish the objectives herein set out, the Commission shall advise the Mayor, City Council and other offices of the City on problems affecting human and intergroup relations; make studies, surveys and investigations to provide accurate information and data for orderly and constructive community development and to recommend such measures as are deemed necessary to carry out the objectives for which the Commission has been created; consult with, obtain cooperation and coordinated effort on the part of all agencies, both public and private, which function in the field of human relations, including schools, law enforcement agencies, welfare, youth, and other similar organizations; utilize the resources of individuals and groups toward the improvement of intergroup relations, to combat those misconceptions and prejudices

which set group against group and to eliminate discriminatory practices and policies.

Sec. 14. Powers.

The Commission is hereby empowered:

(a) to provide for execution within its jurisdiction of the policies embodied in this Ordinance.

(b) to safeguard all individuals within its jurisdiction from discrimination because of race or color, sex, religion, marital status, handicap, age or country of ancestral origin.

(c) to receive, initiate, investigate, hear and determine charges of violations of the provisions of this Ordinance forbidding discrimination.

(d) Compel the Attendance of Witnesses and the production of evidence relevant to the matter in question for investigatory and determinative purposes by subpoena issued by the City Council's Committee on Public Welfare, upon request in writing by said Commission, and obtain enforcement of said subpoena in Superior Court.

(e) issue remedial orders after notice and hearing, requiring cessation of violations.

(f) employ an executive director, hearing examiners, clerks, agents and employees.

(g) accept grants, gifts or bequests, public or private, to help finance its activities.

(h) enter into deferral or other cooperative working agreements with the United States Equal Employment Opportunity Commission created by Title VII of the Federal Civil Rights Act of 1964 and with the Rhode Island Commission on Human Rights and with any federal or state agency in order to achieve the purposes of this Ordinance;

(i) to enact by majority vote of its members such rules and regulations as it may deem necessary and in the public interest to carry out the terms and conditions set out in this Ordinance.

Such rules and regulations shall be signed by the Chairperson of the Commission and attested to by the executive director and a copy shall be filed with the City Clerk;

(j) to elect a chairperson and other officers and establish committees and advisory councils as it shall deem appropriate for the purposes of this Ordinance;

(k) to render each year to the Mayor and City Council a full written report of all its activities and of its recommendations.

Sec. 15. Certification of Bona-Fide Qualification.

Upon the filing of a petition by any interested person, the commission may determine whether a bona-fide qualification should be certified for any position, housing, or public accommodation, credit or loan eligibility or education practice based on race or color, sex, religion, marital status, handicap, age, or country of ancestral origin.

Sec. 16. Power to Prevent Unlawful Practices — Preference for Informal Methods.

The commission is empowered and directed, as hereinafter provided, to prevent any person from engaging in unlawful practices, provided that before instituting a formal hearing it shall attempt by informal methods of conference, persuasion, and conciliation, to induce voluntary compliance with this Ordinance.

Sec. 17. Extraordinary Relief.

The commission, may, after preliminary investigation and upon determination that it is probable that an unlawful practice has been or is being engaged in, file a complaint in the Superior Court in Providence County seeking injunctive relief, including a temporary restraining order, against such respondent. No preliminary injunction shall be effective for more than thirty (30) days; provided that if the respondent has sought judicial review of an order of the commission issued pursuant to the Ordinance, or if the com-

mission has sought a decree of the Court for the enforcement of such order, the preliminary injunction shall remain in full force and effect until such time as judicial review or the commission's petition or the decree of enforcement is finally heard and determined. The application by the commission for injunctive relief shall not prevent the commission from continuing to prosecute the proceeding before it, out of which the application arises.

Sec. 18. Conciliation of Charges of Unlawful Practices.

Upon the commission's own initiative or whenever an aggrieved individual or an organization or group whose purposes include the combating of discrimination or racism, or of safeguarding civil liberties, or of promoting full, free, or equal opportunities, such individual, group, or organization being hereafter referred to as the complainant, makes a charge to the commission that any person, hereinafter referred to as the respondent, has engaged or is engaging in unlawful practices, the commission may initiate a preliminary investigation, and if it shall determine after such investigation that it is probable that unlawful practices have been or are being engaged in, it shall endeavor to eliminate such unlawful practices by informal methods of conference, conciliation, and persuasion, including a conciliation agreement. The terms of such conciliation agreement shall include provisions requiring the respondent to refrain from unlawful discriminatory practices in the future and may contain such further provisions as will make the complainant(s) whole or as may be agreed upon by the commission and the respondent, including a provision for the entry in Superior Court of a consent decree embodying the terms of the conciliation agreement.

Sec. 19. Complaint and Notice of Hearing.

If the commission fails to effect the elimination of such unlawful practices and to obtain voluntary compliance with this Ordinance, or, if the circumstances warrant, in advance of any such preliminary investigation or endeavors, the commission shall have the power to issue and cause

to be served upon any person or respondent a complaint stating the charge in that respect. The commission shall then serve upon the respondent a notice of hearing before the commission, a member thereof, or a hearing examiner at a place therein fixed to be held not less than Ten (10) Days after the service of such notice.

Sec. 20. Amendment of Complaint and Answer — Participation by Commissioner Assigned to Preliminary Determination.

The commission, a member thereof, or hearing examiner conducting the hearing shall have the power reasonably and fairly to amend any written complaint at any time prior to the issuance of an order based thereon. The respondent shall have like power to amend its answer to the original or amended complaint at any time prior to the issuance of such order. The commissioner assigned to the preliminary determination of any charge before the commission shall take no part in the final hearing except as a witness upon competent matters and will have no part in the determination or decision of the case after hearing.

Sec. 21. Answer to Complaint — Respondent's Rights at Hearing.

The respondent shall have the right to file an answer to such complaint, and shall appear at such hearing in person, or otherwise, with or without counsel to present evidence to examine and cross-examine witnesses.

Sec. 22. Rules of Evidence.

In any such proceeding the commission, its members, or its agent, shall not be bound by the rules of evidence prevailing in the courts of law or equity.

Sec. 23. Evidence of Patterns of Discrimination.

The commission may in ascertaining the practices followed by the respondent take into account all evidence, statistical or otherwise, which may tend to prove the existence of a pattern of

discrimination; provided that nothing in this section contained shall be construed to authorize or require any person to act in accordance with any criterion other than the individual qualifications of the applicant.

Sec. 24. Testimony at Hearing.

The testimony taken at the hearing shall be under oath and shall be reduced to writing and filed with the commission. Thereafter, in its discretion, the commission upon notice may take further testimony or hear argument.

Sec. 25. Order Dismissing Charge or Complaint.

(a) If a preliminary investigating commissioner shall find that no probable cause exists for crediting the charge, a notice shall be served upon the complainant dismissing the charge as to such respondent. The complainant may present additional evidence to that commissioner for reconsideration of the ruling, or may request a review by the commission of the preliminary finding. A quorum of the commission may overrule the preliminary investigating commissioner or may affirm the earlier decision and issue an order dismissing the charge. Judicial review of the commission's final order may be obtained in accordance with this Ordinance.

(b) If upon all the evidence at hearing, the commission shall find that the respondent has not engaged in unlawful practices, the commission shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent. The complainant may present additional evidence to the Commission for reconsideration of its order. Judicial review of the commission's final order may be obtained.

Sec. 26. Order and Compliance.

If upon all the testimony taken the commission shall determine that the respondent has engaged in or is engaging in unlawful practices, the commission shall issue and cause to be served upon such respondent an order requiring such respondent to cease and desist from such unlawful prac-

tices, and to take such further affirmative and other action as will effectuate the purposes of the Ordinance, including compliance reports, provided only that any such order establishing remedial ratios shall be limited in time and scope to that which is required to eliminate or correct the effects of practices forbidden by this Ordinance and that in no case shall the commission require the employment of a person or persons not otherwise qualified. The commission in its discretion may award the complainant for

(a) all damages sustained as a result of the unlawful act, including damages sustained through pain, humiliation and mental suffering.

(b) payment of costs, including all reasonable attorney fees incurred at any time as a result of the unlawful act, and

(c) punitive damages.

Upon submission of reports of compliance, the commission, if satisfied therewith, may issue a finding that the respondent has ceased to engage in unlawful practices.

Sec. 27. Modification of Findings of Orders.

Until a transcript of the record in a case shall be filed in a court as hereinafter provided, the commission may at any time, upon reasonable notice, and in such manner as it shall deem proper, modify or set aside, in whole or in part, any of its findings or orders.

Sec. 28. Right to Judicial Review or Enforcement.

(a) Any complainant, intervener, or respondent claiming to be aggrieved by a final order of the commission may obtain judicial review thereof and the commission may obtain an order of court for its enforcement. Such proceeding shall be brought in the Superior Court of Providence County or wherein any respondent, required in the order to cease and desist from unfair practices or to remedy or take other affirmative action, resides or transacts business.

(b) Such proceeding shall be initiated by the filing of a petition in such court, together with a transcript of the record upon the hearing before the commission and the service of a copy of the said petition upon the commission and upon all parties who appeared before the commission. Thereupon the court shall have jurisdiction of the proceeding and of the questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony and proceedings set forth in such transcript an order enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the commission.

(c) An objection that has not been under before the commission, its member, or agent shall not be considered by the court, unless failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

(d) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the commission, its members or agent, the court may order such additional evidence to be taken before the commission, its members, or agent and to be made a part of the transcript.

Sec. 29. Modification of Commission's Findings and Orders on Additional Evidence.

The commission may modify its findings as to the facts, or make new findings by reason of additional evidence so taken and filed. The commission shall file such modified or new findings and its recommendations, if any, for the modification or setting aside of its original order.

Sec. 30. Exclusive Jurisdiction of Court — Appeal to Supreme Court.

The jurisdiction of the court shall be exclusive and its judgment and order shall be, when necessary, subject to review by the Supreme Court as provided by Law, to which court appeal from

such judgment and order may be made as provided by Law.

Sec. 31. Commission's Copy of Testimony — Hearing on Transcript.

The commission's copy of the testimony shall be available at all reasonable times to all parties without cost for examination and for the purposes of judicial review of the order of the commission. The petition shall be heard on the transcript of the record without requirement of printing.

Sec. 32. Commission's Attorneys.

The commission may appear in court by the Law Department of the City or its own attorneys.

Sec. 33. Decree for Enforcement of Commission's Order.

If no proceeding to obtain judicial review is instituted by the complainant, intervener, or respondent within Thirty (30) Days from the service of an order of the commission, the commission may obtain a decree of the court for the enforcement of such order upon showing that respondent is subject to the commission's jurisdiction, and resides or transacts business within the county in which the petition for enforcement is brought.

Sec. 34. Posting of Statutory Provisions.

Every employer, employment agency and labor union subject to this Ordinance shall post in a conspicuous place or places on his premises a notice to be prepared or approved by the commission, which shall set forth excerpts of this Ordinance and such other relevant information which the commission deems necessary to explain the Ordinance. Any person refusing to comply with the provisions of this section shall be punished by a fine of not less than twenty-Five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00).

Sec. 35. Liberal Construction.

The provisions of this Ordinance shall be con-

strued liberally for the accomplishment of the purpose thereof, and any Ordinance inconsistent with any provisions hereof shall not apply.

Sec. 36. Severability of Provisions.

If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

This Ordinance will take effect 180 days after its enactment by the City Council and approval by His Honor the Mayor, and shall replace Article XVI of the Providence Code on that date.

COUNCILMAN ADDISON moves the Ordinance be Read and Passed the Second Time.

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

COUNCILMAN MOISE moves the Ordinance

be Referred Back to the Committee on Ordinances.

This motion being seconded by **COUNCILMAN SALVATORE** and having precedence over the Main Motion is Put to Vote and Not Passed.

The Ordinance is thereupon Read and Passed the Second Time, by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Snowden and Stravato—19.

Noes: Councilmen Moise, Pearlman, Pennine, Petrosinelli and Salvatore—5.

Absent: Councilmen Glavin and Xavier—2.

The motion for Passage the Second Time is Sustained.

PERSONAL PRIVILEGE

COUNCILMAN O'CONNOR requests and is granted the privilege of the floor and states:

This Ordinance was introduced in a form that many of us supported and was amended to a form some of us do not support. It represents what I would say a reasonable compromise between those in favor of subpoena power and those who did not. I would just like to state that there are

those who still feel that the subpoena power is a necessary tool for this Commission. The battle that we have waged for two years to get this Ordinance passed in my opinion is over, but there may be a new battle to reinstitute the subpoena power. I say again that the battle over this Ordinance is over but the war against discrimination has not ended and continues tonight.

PRESENTATION OF ORDINANCES

COUNCILWOMAN BRASSIL (By Request):

An Ordinance in Amendment of Chapter 1978-19, Section 46, Entitled "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 1977-39, Approved July 5, 1977, as Amended," Approved July 28, 1978 Relative to Deputy Zoo Director.

ation Ordinance Chapter 1978-18, Approved July 18, 1978, by Transferring the Sum of Forty Thousand Dollars (\$40,000.00) from 5-350 Water Depreciation and Extension Fund, to 1-16-03-272, Hydrants, Valves and Fittings, within the Water Supply Board.

An Ordinance in Amendment of Chapter 1978-20, Approved July 28, 1978, Entitled "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 1977-31, Approved July 5, 1977, as Amended" Relative to Deputy Zoo Director.

An Ordinance in Amendment of the Appropriation Ordinance Chapter 1978-18, Approved July 28, 1978, by Transferring the Sum of Twenty-Seven Thousand Dollars (\$27,000.00), from 5-350, Water Depreciation and Extension Fund, to 1-16-01-109 Fees Not Otherwise Classified, Within the Water Supply Board.

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

The motion to Refer is Sustained.

COUNCILMAN CIRELLI (By Request):

An Ordinance in Amendment of the Appropri-

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI:

Resolution Creating a Special Committee for the Proper Observance of Memorial Day, May 28, 1979.

City Council consisting of five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Memorial Day, May 28, 1979.

Resolved, That a Special Committee of the

Resolution Creating a Special Committee for the Purpose of Observing the 203rd Anniversary of the Declaration of Independence on July 4, 1979.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the 203rd Anniversary of the Declaration of Independence, 1979, by the United States of America, on July 4, 1979.

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of Labor Day, September 3, 1979.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Labor Day, September 3, 1979.

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of the 487th Anniversary on October 8, 1979, of the Discovery of America.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting the municipal observance of the 487th Anniversary of the Discovery of America by the Italian Navigator, Cristofaro Colombo, on October 8, 1979.

Resolution Creating a Special Committee for the Municipal Observance of Armistice Day, November 11, 1979.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Armistice Day, November 11, 1979.

Resolution Creating a Special Committee for the Purpose of Observing Christmas Day, December 25, 1979.

Resolved, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 1979.

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

The motion for Passage is Sustained.

Resolution Authorizing the Abandonment, as Uncollectible, Certain Property Taxes Assessed to Talbot House for the Years 1973, 1974 and 1975 in the Total Sum of \$11,070.83.

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

The motion to Refer is Sustained.

COUNCILMAN ADDISON:**Resolution Noting the Fiftieth Anniversary of the Birth of Dr. Martin Luther King, Jr.**

Whereas, January 15, 1979 was the fiftieth anniversary of the Birth of Dr. Martin Luther King, Jr., and

Whereas, The late lamented Dr. King, Spiritual Head of the Southern Christian Leader Conference, whose untimely death at the hands of an assassin on April 4, 1968, saddened the civilized world,

Now, Therefore, be it Resolved, That in noting the anniversary of the birth of this great American, His Honor, Mayor Vincent A. Cianci, Jr., and the Members of the City Council pause in their deliberations that his memory be perpetuated.

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

The motion for Passage is Sustained.

Resolution Requesting the Committee on Finance to Conduct an Investigation as to the Feasibility of Generating New Revenues for the City of Providence Through the Use of a Commuter Tax for Non-Resident Workers.

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

The motion to Refer is Sustained.

COUNCILMAN ADDISON, COUNCILMAN FLYNN and COUNCILMAN GLAVIN (By Request):

Resolution Directing the City Clerk to Prepare Ordinances and Related City Council Matters for the Years 1979-1982.

Resolved, That the City Clerk, as Clerk of Council, is directed to prepare and index, or cause to be prepared and indexed, all Ordinances, Resolutions and Finished Business of the City Council for the Municipal Years 1979-1982 A.D., and

Be it further Resolved, That such Ordinances, Resolutions and Finished Business be suitably bound and distributed as said Clerk may direct.

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

The motion for Passage is Sustained.

COUNCILMAN ALMAGNO and COUNCILMAN STRAVATO (By Request):

Resolution Requesting the Mayor's Office of Community Development to Fund Census Tracts 16, 17 and 18, Located within the Silver Lake Annex Section of the City for Social Service Funding.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

COUNCILWOMAN BRASSIL:

Resolution Requesting Moody's Investor Service to Inform the City Council as to the Guidelines Necessary to Improve the Financial Structure of the City of Providence.

Whereas, It has been recently reported by Moody's Investor Service, that the Bond Rating of the City of Providence has been reduced from Aa to A1, and

Whereas, The City of Providence has enjoyed the second highest rank, since 1972, and is desirous of returning to the Aa Bond Rating to said City as soon as feasible.

Now, Therefore, be it Resolved, That Moody's Investor Service inform the City Council, in writing, as to the guidelines they will seek in order to improve the financial structure of the City of Providence to return to its former status of Aa Bond Rating.

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

The motion for Passage is Sustained.

COUNCILMAN CIRELLI, COUNCIL PRESIDENT FARGNOLI, COUNCILMAN FLYNN, COUNCILMAN ADDISON, COUNCILMAN ALMAGNO, COUNCILMAN BOYLE, COUNCILWOMAN BRASSIL, COUNCILMAN COLA, COUNCILMAN DILLON, COUNCILMAN EASTON, COUNCILMAN FARMER, COUNCILMAN GLAVIN, COUNCILMAN GRIFFIN, COUNCILMAN JOHNSON, COUNCILMAN LYNCH, COUNCILMAN MANSOLILLO, COUNCILMAN MOISE, COUNCILMAN O'CONNOR, COUNCILMAN PAOLINO, COUNCILMAN PEARLMAN, COUNCILMAN PENNINE, COUNCILMAN PETROSINELLI, COUNCILMAN SALVATORE, COUNCILMAN SNOWDEN, COUNCILMAN STRAVATO and COUNCILMAN XAVIER:

Resolution Congratulating Former Mayor Walter H. Reynolds Upon the Celebration of His Seventy-Eighth Birthday.

Whereas, Walter H. Reynolds commenced employment with the City of Providence on January 6, 1941 as Secretary to Former Mayor, Dennis J. Roberts; was elevated to Budget Director March 9, 1943, and on June 5, 1947, became Finance Director of said City, and

Whereas, Duly elected as Mayor of this City, he took office January 2, 1951 and served in that capacity until his selected retirement on January 4, 1965, and

Whereas, Mayor Reynolds always held in high esteem by all who came in contact with him, known for his humble and friendly nature, was regarded by all as a gentle man, and

Whereas, On January 12, 1979, he attained the age of Seventy-Eight and in appearance is by far that of a much younger man,

Now, Therefore, be it Resolved, That the Members of this City Council hereby extend their best wishes to Former Mayor Walter H. Reynolds upon the occasion of his Seventy-Eighth Birthday and wish for him many, many years of future celebrations to honor his Birth Date.

COUNCILMAN COLA:

Resolution Congratulating Mr. and Mrs. Thomas DiNuccio Upon the Recent Observance of their Fiftieth Wedding Anniversary.

Whereas, Mr. and Mrs. Thomas DiNuccio, residents of 95 Gray Street, Providence, have recently been feted at a Dinner Party in observance of their Golden Wedding Anniversary,

Now, Therefore, be it Resolved, That the congratulations of this City Council are hereby tendered to Mr. and Mrs. Thomas DiNuccio upon

that memorable anniversary of fifty years of marital bliss.

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

The motion for Passage is Sustained.

COUNCILMAN DILLON and COUNCILMAN FLYNN (By Request):

Resolution Requesting the Traffic Engineer to Invoke "No Parking" Regulations along the Westerly Side of Swanton Street.

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

The motion to Refer is Sustained.

COUNCILMAN DILLON, COUNCILMAN FLYNN and COUNCILMAN MOISE (By Request):

Resolution Requesting the Director of Finance to Expedite Payment of Bills Rendered for Services to Injured Firefighters.

Whereas, There has been great delay in the payment of medical bills incurred by Firefighters of the City of Providence, injured in the line of duty, which has caused difficulty in obtaining Doctors to render their services,

Now, Therefore, be it Resolved, That the Director of Finance is hereby requested to expedite payments of medical bills for services rendered to Firefighters injured in the line of duty.

COUNCILMAN DILLON and COUNCILMAN FLYNN (By Request):

Resolution Requesting the Superintendent of the Park Department to Order the Area Residents to Refrain from Parking of Vehicles in Mansion Park.

Resolved, That the Superintendent of the Park Department is hereby requested to order the area residents to refrain from parking automobiles in Mansion Park.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to Invoke "No Parking" Regulations along the Southerly Side of Superior Street.

Resolution Requesting the Traffic Engineer Invoke "25 Miles Per Hour" Speed Limit Regulations along Superior Street.

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

The motion to Refer is Sustained.

Resolution Requesting the Director of Public Works Cause the Removal of Snow along Sterling Avenue, from Cumerford Street to Its Termination.

Resolved, That the Director of Public Works is requested to cause Sterling Avenue, from Cumer-

ford Street to its termination, to be plowed during snow removal.

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

The motion for Passage is Sustained.

COUNCILMAN JOHNSON:

Resolution Creating a Standing Committee of the City Council for the Hearing of the Problems of the Citizens of the City of Providence, to be Known as a Grievance Committee.

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

The motion to Refer is Sustained.

COUNCILMAN LYNCH (By Request):

Resolution Requesting the Traffic Engineer to Establish Iona Street as a Two-Way Street.

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

The motion to Refer is Sustained.

COUNCILMAN MOISE:

Resolution Requesting the Traffic Engineer to Cause the Erection of and/or Replacement of the Existing Stop Signs at Certain Streets Intersecting with Eddy Street.

Resolved, That the Traffic Engineer is hereby requested to cause the erection of and/or replacement of "Stop" signs along the following streets, at their intersections with Eddy Street;

Broom Street
Jillson Street
Porter Street
Johnson Street
Byfield Street

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

The motion for Passage is Sustained.

COUNCILMAN O'CONNOR (By Request):

Resolution Recommending to the Committee on Naming of Buildings, Expressways, Bridges, Edifices and Other City Constructions to Change the Name of Prairie Avenue to Martin Luther King, Jr., Boulevard.

Referred to the Committee on Naming of Buildings, Expressways, Bridges, Edifices and Other City Constructions, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to Cause the Installation of Four-Way Stop Signs at the Intersections of Prairie Avenue and Dudley Street.

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

The motion to Refer is Sustained.

COUNCILMAN PAOLINO and COUNCILMAN PENNINE (By Request):

Resolution Requesting the Acting Public Service Engineer to Cause the Installation of a Street Light on that Pole located along Vinton Street, Near the Northeasterly Side of Broadway.

Resolved, That the Acting Public Service Engineer is requested to cause the installation of a street light on that pole located along Vinton Street, approximately ten feet from the north-erly side of Broadway.

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

The motion for Passage is Sustained.

COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):

Resolution Authorizing the Department of Planning and Urban Development on Behalf of the City of Providence to Prepare and Submit an Application for Third Year Activities Under Section 302(a) of the Public Works and Economic Development Act as Amended in 1974.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

Resolution Authorizing and Directing the City Treasurer and City Controller to Reimburse Cesare Santoro the Sum of Fifty Dollars (\$50.) for Reimbursement of His Payment of a Counterfeit Bill to Industrial National Bank.

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

The motion to Refer is Sustained.

COUNCILMAN PENNINE and COUNCILMAN PAOLINO:

Resolution Congratulating the Newly Installed Officers of the Federal Hill Businessmen's Association for the Year 1979.

Resolved, That the Members of the City Council extend their best wishes to the newly elected Officers of the Federal Hill Businessmen's Association, that they will continue the fine work that has been conducted by said Association in the past to foster pride in the Community, and to promote civic awareness.

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

The motion for Passage is Sustained.

COUNCILMAN XAVIER:

Resolution Requesting the Acting City Solicitor to Notify the City Council of the Status of the Litigation Relative to the Shredder Located at Fields Point Leased to Francis P. Davis.

Resolved, That the Acting City Solicitor is hereby requested to furnish the City Council, in writing, with a status report of the pending litigation as it pertains to the Shredder located at Fields Point, leased to Francis P. Davis.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

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

An Ordinance Amending the Appropriation Ordinance Chapter 1978-18, by Appropriating the Sum of One Hundred Sixty Thousand Dollars (\$160,000.00) to the Providence Public Library Special Items Account (1-14-09-347).

Read and Passed the First Time, 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, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, *Pearlman, Penine, Snowden and Stravato—22.

Noes: Councilmen Petrosinelli and Salvatore—2.

Absent: Councilmen Glavin and Xavier—2.

***With Reservation.**

The motion for Passage is Sustained.

Resolutions Reporting Receipts of Certain Gifts of Monies by the Board of Park Commissioners for the Preservation and Care of Specified Burial Lots in North Burial Ground.

Resolved, That the following gifts of the following sums of money, to the Board of Park Commissioners, in trust, the income thereof to be applied, under the provisions of Chapter 367 of

the Public Laws, January Session 1861, to the preservation and care of the following specified burial lots in said ground be and the same are hereby respectively accepted.

Resolution Requesting the Acting City Solicitor to Prepare, Cause to be Introduced and to Urge Passage, at the Present Session of the General Assembly of An Act to Refrain from Granting Any Tax Exemptions on Newly Acquired Real Property by Tax Exempt Entities.

Resolved, That the Acting City Solicitor is requested to prepare, cause to be introduced, and to urge passage, at the present session of the General Assembly, of an Act to refrain from granting any tax exemptions on newly acquired real property by tax exempt entities.

Severally Read and Collectively 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 Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Penine, Petrosinelli, Salvatore and Stravato—23.

Not Voting: Councilman Snowden—1.

Absent: Councilmen Glavin and Xavier—2.

The motion for Passage is Sustained.

Resolution that the Insurance Services Organization be Requested to Evaluate the Providence Fire Department.

Whereas, Providence Fire Fighters Local 799, International Association of Fire Fighters AFL-CIO have requested the City Council to undertake an investigation of the condition of fire fighting equipment of the Fire Department, which the fire fighters have informed the City Council are in a deplorable state and dangerous condition, effecting the people of the City as well as the Fire Fighters,

Now, Therefore, be it Resolved, That the Insurance Services Organization is hereby respectfully requested to evaluate the condition of the Providence Fire Department Apparatus, which is deemed inadequate by said Fire Fighters and ineffective for the purpose intended.

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

The motion for Passage is Sustained.

The following is Transmitted with Recommendation the Same be Adopted, as Amended:

Resolution Requesting the Acting City Solicitor to Prepare, Cause to be Introduced and to Urge Passage, at the January, 1979 Session of the General Assembly of An Act to Allow the City of Providence to Assess Ten Percent (10%) from All Tax Exempt Properties in Lieu of Taxes for City Services Rendered.

COUNCILMAN ADDISON moves the Resolution be Passed.

This motion is seconded by COUNCILMAN FLYNN.

COUNCILMAN PEARLMAN moves the Resolution be Referred Back to the Committee on Finance.

This motion being seconded by COUNCILMEN JOHNSON and ALMAGNO and having precedence over the previous motion is Put to Vote and Passed.

The motion to Refer Back to the Committee on Finance is Sustained.

COUNCILMAN NICHOLAS W. EASTON, Chairman
COMMITTEE ON LICENSES

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Granting the Accompanying Petition of John J. Lewis, 571 Hope Street, Providence, for Appointment as a Weigher of Coal and Other Merchandise, for the Ensuing Term of Two (2) Years, Ending on the First Monday in January, 1981.

Resolved, That the Petition of John J. Lewis, 571 Hope Street, Providence, Rhode Island, for appointment as a Weigher of Coal and Other Merchandise, having been certified as a qualified elector of the City of Providence by a member of the Board of Canvassers and Registration, is

hereby appointed as a Weigher of Coal and Other Merchandise in the City of Providence, Rhode Island, for the ensuing term of Two (2) Years, ending on the First Monday in January, 1981; the fee for said appointment shall be Two Dollars (\$2.00).

Island, for appointment as a Weigher of Coal and Other Merchandise, having been certified as a qualified elector of the City of Providence by a Member of the Board of Canvassers and Registration, is hereby appointed as a Weigher of Coal and Other Merchandise in the City of Providence, Rhode Island, for the ensuing term of Two (2) Years, ending on the First Monday in January, 1981; the fee for said appointment shall be Two Dollars (\$2.00).

Resolution Granting the Accompanying Petition of William J. Lovett, 45 Warrington Street, Providence, for Appointment as a Weigher of Coal and Other Merchandise, for the Ensuing Term of Two (2) Years Ending on the First Monday in January, 1981.

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

The motion for Passage is Sustained.

Resolved, That the Petition of William J. Lovett, 45 Warrington Street, Providence, Rhode

COUNCILMAN LAURENCE K. FLYNN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with Recommendation
the Same be Severally Adopted:

Resolution Ordering the Abandonment as a Public Highway of Cabot Street, from Angell Street to Meeting Street.

Resolved, Decreed and Ordered, That Cabot Street, from Angell Street to Meeting Street, shown as cross-hatched area and designated by the letters A-B-C-D-A on the accompanying plan entitled, "Providence, R.I., P.W. Dept. Engineering Office, Street Line Section Plan No. 064074, date December 15, 1978," 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 Superintendent of Street Signs and Numbers be and he is hereby directed to cause a sign to be placed on Cabot Street, from Angell Street to Meeting 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 personal notice shall be served by the City Sergeant upon every owner of land abutting Cabot Street, from Angell Street to Meeting Street, which has been

abandoned, who is known to reside within this State.

Resolution Ordering that Curbstones be Set and Gutters be Paved on Lakeview Drive, from a Point 40 Feet South of the Southerly Line of Westmore Street, Southerly to the Northwest-erly Corner of Molter Street.

Resolved, Decreed and Ordered, That curb-stones be set and gutters be paved on Lakeview Drive, from a point 40' South of the southerly line of Westmore Street, southerly to the north-westerly corner of Molter Street, at the expense of the abutting owners thereof.

Resolution Ordering that Lakeview Drive, from a Point 40 Feet South of the Southerly Line of Westmore Street, Southerly to the Northwest-erly Corner of Molter Street, be Brought to the Established or Defined Grade.

Resolved, Decreed and Ordered, That the Di-rector of Public Works is hereby directed to cause Lakeview Drive, from a point 40' south of the southerly line of Westmore Street, southerly to the Northwesterly corner of Molter Street, be brought to the established or defined grade at the expense of the abutting owners thereof.

Resolution Ordering that Lakeview Drive, from a Point 40 Feet South of the Southerly Line of Westmore Street, Southerly to the Northwest-erly Corner of Molter Street, be Laid Out as a Public Highway.

Resolved, Decreed and Ordered, That Lakeview Drive, from a point 40' south of the southerly

line of Westmore Street, southerly to the north-westerly corner of Molter Street, which has been dedicated for highway purposes under the pro-visions of Chapter 987 of the Public Laws of 1913 is hereby declared a public highway to be re-paired at the expense of the City.

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

The motion for Passage is Sustained.

The following is Returned with Recommendation the Same be Adopted, as Amended:

Resolution Requesting the Traffic Engineer to Cause Fricker Street, from Cranston Street to Broad Street, to be Closed for a Period of One Week, on a Trial Basis, on School Days, Dur-ing Certain Hours.

COUNCILMAN EASTON moves the Resolution be amended by deleting the word in the Fifth Line of the Resolution "One Week" and inserting in lieu thereof "One Month" and following the word "Trial Basis" a Coma be inserted in lieu of the Period, followed by "said period to begin within thirty days following approval of Resolu-tion, and

BE IT FURTHER RESOLVED, That at the end of said period, the Traffic Engineer will make an evaluation to determine whether the closing of said Fricker Street should continue indefinitely or be rescinded."

This motion being seconded by COUNCILMAN O'CONNOR and FLYNN is Put to Vote and Passed.

Resolved, That the Traffic Engineer is hereby requested to cause Fricker Street, from Cranston Street, to Broad Street, to be Closed on all school days to vehicular traffic, between the hours of 8:00 o'clock A.M. to 3:00 o'clock P.M., for a

period of one month on a trial basis, said period to begin within thirty days following approval of Resolution, and

Be it further Resolved, That at the end of said period, the Traffic Engineer will make an evaluation to determine whether the closing of said Fricker Street should continue indefinitely or be rescinded.

On motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, the Resolution is Read and Passed, as Amended.

COUNCILMEN ALMAGNO, GRIFFIN, MAN-SOLILLO and SNOWDEN desire to be Recorded as Voting "No."

The motion for Passage, as Amended, is Sustained.

Petition that Grade be Defined along Houghton Street, from Veazie Street to the End of the Property Line of Lot 396, Plat 78.

Petition that Houghton Street, from Veazie Street to the End of the Property Line of Lot 396, Plat 78, be Laid Out as a Public Highway.

Petition that Curbstones be Set and Gutters be Paved along Houghton Street, from Veazie Street to the End of the Property Line of Lot 396, Plat 78.

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

Resolution Requesting the Abandonment of a Portion of Prescott Street.

Petition that a Main Drain or Common Sewer be Built in along Houghton Street, from Veazie Street to the End of the Property Line of Lot 396, Plat 78.

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

The motion for Denial is Sustained.

COUNCILMAN EDWARD W. XAVIER, Chairman COMMITTEE ON EMPLOYEE RELATIONS

Transmits the following with Recommendation
the Same be Severally Approved:

Communication from His Honor the Mayor, Informing the City Council of His Appointment of

Joseph C. DiSanto, 30 Batcheller Avenue, Providence, as Director of the Department of Public

Property, Pursuant to the Provisions of Chapter 104 of the Public Laws of the State of Rhode Island 1963 and Section 2-102 of the Code of Ordinances of the City of Providence, Respectfully Submitting the Same for Approval.

January 3, 1979

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

Honorable Lady and Gentlemen:

Pursuant to Chapter 104 of the Public Laws of the State of Rhode Island 1963 and Section 2-102 of the Code of Ordinances of the City of Providence, I am this day appointing Joseph C. DiSanto of 30 Batcheller Avenue, Providence, the Director of the Department of Public Property to serve at my pleasure, and respectfully submit the same for your approval. Mr. DiSanto replaces Michael J. Farina.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Appointment Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN FLYNN, FARMER and PEARLMAN.

The Appointment is thereupon Approved.

Communication from His Honor the Mayor, Informing the City Council of His Appointment of Clement Cesaro, 15 Southwick Drive, Lincoln, as Director of Department of Public Works, Pursuant to the Provisions of Chapter 2308, Section 1, of the Public Laws of the State of Rhode Island 1949, Respectfully Submitting the Same for Approval.

January 3, 1979

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

Honorable Lady and Gentlemen:

Pursuant to Chapter 2308, Section 1, of the Public Laws of the State of Rhode Island 1949, I am this day appointing Clement Cesaro of 15 Southwick Drive, Lincoln, the Director of Public Works for a term to expire on the first Monday in January, 1981, and respectfully submit the same for your approval. Mr. Cesaro replaces Daniel E. Healy whose term has expired.

Respectfully

VINCENT A. CIANCI, JR.
Mayor of Providence

Appointment Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The Appointment is thereupon Approved.

Communication from His Honor the Mayor, Informing the City Council of His Re-Appointment of Richard D. Worrell, 54 Irving Avenue, Providence, as a Member of the Bureau of Licenses, Pursuant to Chapter 207, Section 1 of the Public Laws of the State of Rhode Island 1975, Respectfully Submitting the Same for Approval.

January 3, 1979

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

Honorable Lady and Gentlemen:

Pursuant to Chapter 207, Section 1 of the Pub-

lic Laws of the State of Rhode Island 1975, I am this day reappointing Richard D. Worrell of 54 Irving Avenue, Providence, a member of the Bureau of Licenses for a term to expire on the first Monday of January, 1981.

Respectfully

VINCENT A. CIANCI, JR.
Mayor of Providence

Appointment Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN FLYNN, ALMAGNO and PEARLMAN.

The appointment is thereupon Approved.

Communication from His Honor the Mayor, Informing the City Council of His Appointment of Raymond Dettore, Jr., 1177 Smith Street, Providence, as a Member of the Bureau of Licenses, to Replace John J. Sheehan, Whose Term has Expired, Pursuant to Chapter 207, Section 1 of the Public Laws of the State of Rhode Island 1975, Respectfully Submitting the Same for Approval.

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

Honorable Lady and Gentlemen:

Pursuant to Chapter 207, Section 1 of the Public Laws of the State of Rhode Island 1975, I am this day appointing Raymond Dettore, Jr., of 1177 Smith Street, Providence, a member of the Bureau of Licenses for a term to expire on the first Monday of January 1981. Mr. Dettore replaces John J. Sheehan, whose term has expired.

Respectfully

VINCENT A. CIANCI, JR.
Mayor of Providence

Appointment Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN FLYNN, ALMAGNO, COLA, MANSOLILLO, MOISE, PAOLINO, PEARLMAN and STRAVATO.

The Appointment is thereupon Approved.

COMMUNICATIONS AND REPORTS

FROM CITY CLERK

Communication Informing the Honorable City Council of Her Appointments of Michael Clement of Providence as First Deputy City Clerk, Grace Nobrega of Providence as Second Deputy City Clerk, and Designating Helen G. Gibbons

of Providence as Stenographic Reporter of the City Council.

Received.

**FROM CHIEF JUDGE OF THE PROVIDENCE
MUNICIPAL COURT**

Communication, dated January 5, 1979, Informing the Honorable City Council of His Appointment of John S. Ziegelmayer, as Clerk of the Said Court for the Ensuing Term, Ending on the First Monday in January 1981, and the Approval of the Clerks Appointments of Stephen V. Ryan and Robert E. Joyce, as Deputy Clerks of that Court for the Same Term.

Received.

District Which was Approved for Nomination to the National Register of Historic Places in September of 1977.

Received.

FROM PROVIDENCE MUNICIPAL COURT

Annual Report from the First Day of January A.D., 1978 to the First Day of January A.D., 1979.

Received.

**FROM CLERK OF THE PROVIDENCE
MUNICIPAL COURT**

Communication, dated January 5, 1979, Informing the Honorable City Council of His Appointments of Stephen V. Ryan and Robert E. Joyce as Deputy Clerks of the Said Court for the Ensuing Term Ending on the First Monday in January, 1981.

Received.

FROM PORT DIRECTOR

Report for the Month of November, 1978.

Received.

**FROM HISTORIC PRESERVATION
COMMISSION**

Communication Informing the City Council that Its Review Board has Eliminated a Considerable Portion of the Wesleyan Avenue Historic

FROM ACTING CITY CONTROLLER

Monthly Statement for Capital, General and School Funds for the Five Months Ended November 30, 1978.

Received.

FROM THE CLERK'S DESK.

Petitions for Compensation for Injuries and Damages, viz:

Robert A. Anderson

Miss Veturia Brooks

Donald Carr

Sara Casparian

Elaine Crum

Cumberland Auto Sales

Avishai Davie

Ralph DeSantis

Evelyn Downing

Linda Duhamel

Jon Dunaj

Irene D. Farnesi

Mary Farrell

Fireman's Fund Insurance Company as subrogee of John Lisi

Patricia A. Flori

Giuliana Izzi

Marlene H. Kirshenbaum

Robert W. Laissle

Manual Martin, Jr.

James McManus

Merchants Insurance Group as subrogee of Jamie M. Linhares

James R. Morrison

Winifred C. Nichols

Grace Parness

Louis Michael Ponte

Christine M. Salvatore

Gregory G. Shea

Wilhelmina Simoni

Marion Wonlah

Severally Referred to the 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 Memoriam"

COUNCILMAN COLA and COUNCILMAN BOYLE:

Resolution of Sympathy Upon the Death of Richard L. Emmott.

Whereas, Death has taken from our midst, Richard L. Emmott, in his fifty-third year, and

Whereas, A native of Providence, he was a Member of the American Right-of-Way Association International, Associate Member of the Snug Harbor Fire Association, and an employee of the New England Telephone and Telegraph Company for thirty-five years,

Now, Therefore, be it Resolved, That the Members of the City Council pause in its deliberations in respect to his memory and offer to his wife Annette and to their family its heartfelt sympathy in the great loss they have sustained.

COUNCILMAN COLA and COUNCILMAN MANSOLILLO:

Resolution Noting the Death of Nancy Mansolillo.

Whereas, Almighty God, in His Divine Wisdom, has called to her eternal reward, the soul of Nancy Mansolillo, native of Italy.

Now, Therefore, be it Resolved, That the Members of this City Council extend to her bereaved family their heartfelt sympathy in their great loss.

Resolution of Sympathy Upon the Untimely Death of William Lanna.

Whereas, William Lanna native of the City of Providence has passed from this life at the age of twenty-four, and

Whereas, A graduate of Mount Pleasant High School, he attended Rhode Island College, was a communicant of the Church of the Blessed Sacrament and prior to his untimely death, was employed at the State Medical Center in Cranston,

Now, Therefore, be it Resolved, That to the bereaved mother and family of William Lanna, the most heartfelt sympathy of the City Council is hereby expressed with a fervent prayer for the eternal peace of his soul, and

Be it further Resolved, That upon the adoption of this Resolution by the City Council and its approval by His Honor the Mayor, the City Clerk is directed to transmit a duly engrossed copy to his mother Josephine E. Lanna-Giarrusso.

COUNCILMAN MOISE and COUNCILMAN LYNCH:

Resolution of Sympathy Upon the Death of Retired Firefighter Alfred Leach.

Whereas, Alfred Leach, late retired Firefighter with the Providence Fire Department for more than one quarter of a century has been called to his eternal reward, and

Whereas, Active and renowned in the sports world, he was an amateur baseball player having

played for I.C.I.'s Universal Winding Company, the Public Works Department, a pitcher for the Fire Department's baseball team of which he rose to team coach, he played semi-professional baseball in several Massachusetts leagues, and gained further popularity having pitched against Babe Ruth at Kingsley Park,

Now, Therefore, be it Resolved, That in memory of Alfred Leach, respected citizen of our City, the Members of this City Council, by the adoption of this Resolution reflect in the contributions he made for the betterment of our Community, and express their heartfelt sympathy to his bereaved wife Eva and his children upon their loss.

COUNCILMAN MOISE and COUNCILMAN GRIFFIN:

Resolution Noting the Death of Anthony M. Iervolino Following a Lengthy Illness.

Whereas, Anthony M. Iervolino, late retired employee of the City of Providence has been taken from this life in his forty-third year,

Now, Therefore, be it Resolved, That in noting the untimely passing of Anthony M. Iervolino, the Members of this City Council of the City of Providence convey to his bereaved wife Phyllis and to their family their sincere expression of sympathy and offer its prayers for his eternal repose.

COUNCILMAN MOISE, COUNCILMAN DILLON and COUNCILMAN FLYNN:

Resolution Extending the Sincere Sympathy of the City Council Upon the Death of Patrick F. Moran at the Age of Twenty-Six.

Whereas, Death has taken from our midst, Patrick F. Moran, in a most unfortunate tragedy, and

Whereas, A graduate of Central High School he attended Rhode Island Junior College, and until his demise was employed by Health Tex, of Pawtucket.

Now, Therefore, be it Resolved, That the Members of this City Council, mindful of the sorrow the family of Patrick F. Moran has sustained, hereby express to his parents, brothers and sister their sincere sympathy in their great loss.

COUNCILMAN PAOLINO, COUNCILMAN PENNINE, COUNCILMAN ALMAGNO and COUNCILMAN MOISE:

Resolution of Sympathy Upon the Death of Rosaria Gianquitti, Late Octogenarian of Our Community.

Whereas, Rosaria Gianquitti, late octogenarian of our Community has passed from this life, and

Whereas, A native of Italy, she resided in Providence for near three-quarters of a century, and recognized in the community in which she lived, Rosaria gained the respect of all for the fine family she has reared,

Now, Therefore, be it Resolved, That in noting the death of Rosaria Gianquitti, the Members of this City Council express their sincere sympathy to her survivors in their great loss.

COUNCILMAN PENNINE and COUNCILMAN PAOLINO:

Resolution of Sympathy Upon the Death of An-

gela Bocciarelli, Mother of Reverend John Bocciarelli, C.S., Pastor of Holy Ghost Church.

Whereas, On January 2, 1979, Angela Bocciarelli, beloved mother of Reverend John Bocciarelli, C.S., Pastor of Holy Ghost Church, passed from this life,

Whereas, Born in Centinaro Piacenza, Italy on January 17, 1893, she was the widow of the late Luigi Bocciarelli, they being the parents of five sons and two daughters, which they reared with pride,

Now, Therefore, be it Resolved, That the Mem-

bers of this City Council express to Reverend John Bocciarelli, C.S., and other family members their sincere sympathy in the great loss they have sustained and take this moment to pause in their deliberations in offering prayers for the repose of the soul of Angela Bocciarelli.

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.

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 Introduction of the following Matter Not Appearing on the Printed Docket.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication, dated January 17, 1979, informing the City Council of His Appointment of Cleveland Winfield Kurtz, 356 Potters Avenue, Providence, as a Member of the Providence

School Committee to Replace Thomas F. O'Connor, Jr. for a Term to Expire on the First Monday in January, 1985 and Respectfully Submits the Same for Approval.

January 17, 1979 Kurtz replaces Mr. Thomas F. O'Connor, Jr.,
whose term has expired.

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

Respectfully,

VINCENT A. CIANCI, JR.,
Mayor of Providence

Honorable Lady and Gentlemen:

Pursuant to Chapter 203, Section 7, of the Public Laws of the State of Rhode Island 1968, I am this day appointing Cleveland Winfield Kurtz of 356 Potters Avenue, Providence, to the Providence School Committee for a term to expire on the first Monday in January, 1985 and respectfully submit the same for your approval. Mr.

Communication Read and Received and Appointment Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN FLYNN, O'CONNOR and GRIFFIN.

The Communication is thereupon Received and the Appointment Approved.

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.S.T.), to meet again on THURSDAY, FEBRUARY 1, 1979 at 8:00 o'clock P.M. (E.S.T.).

Rose M. Mendonca
City Clerk

January 18]

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[1979

January 18]

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[1979
