

**CITY OF PROVIDENCE
RHODE ISLAND**

IN CITY COUNCIL
JAN 17 1980

APPROVED:

Rose M. Mendonca CLERK



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 27 City Council Regular Meeting, Thursday, January 3, 1980, 8:00 P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Penning, Petrosinelli, Snowden and Stravato—22.

Absent: Councilmen Cirelli, Cola, Salvatore and Xavier—4.

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INVOCATION

The Invocation is given by COUNCILMAN
CHARLES R. MANSOLILLO.

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

COUNCILWOMAN CAROLYN F. BRASSIL
leads the Members of the City Council and the
Assemblage in the Pledge of Allegiance to the
Flag of the United States of America.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President Ralph Fagnoli, Informing the City Clerk of His Appointment of Certain Members of the City Council to the Special Committee for an Appropriate Observance of Saint Patrick's Day, 1980.

December 28, 1979

Mrs. Rose M. Mendonca
City Clerk
City Hall
Providence, RI 02903

Dear Mrs. Mendonca,

In accordance with the provisions of Resolution of the City Council No. 1206, approved December 28, 1979, I hereby appoint the following Members of the City Council to the Special Committee created for the purpose of Planning and Conducting a Proper Observance of Saint Patrick's Day, March 15, 1980, viz:

Councilman Laurence K. Flynn

Councilman David G. Dillon
 Councilman Thomas M. Glavin
 Councilman Thomas C. Boyle
 Councilman Harry A. Johnson
 Councilman Nicholas W. Easton

Councilman Anthony P. Pennine

Sincerely,

RALPH FARGNOLI
 Council President

Received.

ORDINANCE SECOND READING

The following Ordinance was in City Council
 December 20, 1979, Read and Passed the First
 Time, and Is Returned for Passage the Second
 Time:

An Ordinance in Amendment of the Code of Ordinances of the City of Providence, Section 12-54 Entitled: "Permit to Owner to Use Land as Dumping Ground" and Section 12-55 Entitled: "Permits, Regulation of Use of Dumping Ground."

Be it ordained by the City of Providence:

Section 1. Section 12-54 entitled "Permit to owner to use land as dumping ground" and Section 12-55 entitled "Permits, regulation of use of dumping grounds" of the Code of Ordinances of the City of Providence, is hereby amended by deleting the words "Superintendent of Health" and placing in lieu thereof "Director of Public Works."

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

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

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden and Stravato—22.

Absent: Councilmen Cirelli, Cola, Salvatore and Xavier—4.

The motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):

An Ordinance Creating the Department of Maritime Services of the City of Providence and Repealing Sections 11-18 and 11-19 of the Code of Ordinances of the City of Providence.

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN FLYNN and COUNCILMAN DILLON:

Resolution Requesting the City Solicitor to Cause to be Introduced and to Urge Passage at the 1980 Session of the General Assembly of "An Act in Amendment of and In Addition to Title 11, Chapter 34 of the General Laws of the State of Rhode Island Entitled, 'Prostitution and Lewdness'."

COUNCILMAN FLYNN moves the Resolution be Amended by Deleting in Section 11-34-8, fourth line, the word "reportedly" and adding in lieu thereof "repeatedly"; add the words "in all such cases" in line five following the words "motor vehicles".

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

Resolved, That the City Solicitor is requested to cause to be introduced and to urge passage at the 1980 Session of the General Assembly of an Act in amendment of and in addition to Title 11, Chapter 34, of the General Laws of the State of

Rhode Island, entitled "Prostitution and Lewdness", by adding the following:

"Section 11-34-8. It shall be unlawful for any person or persons to stand or wander about any public place, public highway, and/or Street, and repeatedly attempt to engage passerby in conversation, or repeatedly stop or attempt to stop motor vehicles in all such cases for the purpose of prostitution or of patronizing a prostitute, said person or persons shall be guilty of loitering in a public place, and shall be liable to be imprisoned up to one (1) year or fined up to five hundred dollars (\$500.00) or both.

This Act shall take effect upon its passage."

The Resolution is thereupon Read and Passed as Amended, on motion of **COUNCILMAN ADDISON**, seconded by **COUNCILMAN EASTON**.

The motion for Passage as Amended is Sustained.

COUNCILMAN FLYNN and COUNCILMAN DILLON (By Request):

Resolution Requesting the Supervisor of Environmental Control to Cause Those Vacant Lots Located along Dexter Street at Its Intersection with Mawney Street to be Cleaned of All Debris.

Resolved, That the Supervisor of Environmental Control is requested to cause those vacant lots located along Dexter Street, at its intersection with Mawney Street, to be Cleaned of all debris.

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

The motion for Passage is Sustained.

Resolution Requesting the Director of Public Works to Cause the Railroad Bridge Located along Cranston Street to be Closed for the Necessary Repairs and Resurfacing.

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

The motion to Refer is Sustained.

COUNCILMAN JOHNSON:

Resolution Requesting the City Collector to Direct His Tellers Not to Accept Bills for Payment of Taxes in Denominations of More than Twenty Dollars (\$20.00).

Referred to the Committee on Finance, on

motion of COUNCILMAN ADDISON, seconded by COUNCILMEN GLAVIN and FLYNN.

The motion to Refer is Sustained.

COUNCILMAN PENNINE and COUNCILMAN PAOLINO (By Request):

Resolution Requesting the Director of Public Works to Cause Carol Court to be Resurfaced.

Resolved, That the Director of Public Works is requested to cause Carol Court to be resurfaced.

COUNCILMAN SNOWDEN (By Request):

Resolution Requesting the Director of Public Works to Cause Those Sewers Located along Portions of Hope Street, Colonial Road and Dexterdale Road, to be Flushed.

Resolved, That the Director of Public Works is requested to cause those sewers, located along the following streets to be flushed:

Hope Street, from Elgin Street to Hart Street,

Colonial Road, from Summit Avenue to North Main Street, and

Dexterdale Road, from Summit Avenue to North Main Street.

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

The motion for Passage is Sustained.

COUNCIL PRESIDENT FARGNOLI declares the Council Stand at Ease at 8:55 o'clock P.M. (E.S.T.) Until the Call of the Chair.

RECONVENTION

COUNCIL PRESIDENT FARGNOLI Reconvenes the Council at 9:30 o'clock P.M. (E.S.T.) and Directs the Clerk to Call the Roll to Ascertain if there is a Quorum Present:

Brassil, Councilmen Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Penning, Petrosinelli, Snowden and Stravato—22.

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

Absent: Councilmen Cirelli, Cola, Salvatore and Xavier—4.

REPORTS FROM COMMITTEE

**COUNCILMAN HARRY A. JOHNSON, Chairman
COMMITTEE ON CITY PROPERTY**

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Authorizing His Honor the Mayor to Execute a Deed of Conveyance to Peter Colannino of Lot 62 on City Assessor's Plat 95, Situated along Manton Avenue, for the Sum of Five Thousand Dollars (\$5,000.00).

Resolved, That His Honor the Mayor be and he is hereby authorized to execute a deed of conveyance to Peter Colannino, 219 Sisson Street, Providence, Rhode Island, of a tract of land as set out and delineated as Lot 62, on City As-

essor's Plat 95, situated along Manton Avenue in said City of Providence, for the price of Five Thousand Dollars (\$5,000.00).

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

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Flynn, Glav-

in, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden and Stravato—21.

Not Voting: Councilman Farmer—1.

Absent: Councilmen Cirelli, Cola, Salvatore and Xavier—4.

The motion for Passage is Sustained.

Resolution Requesting the Attorney General of the State of Rhode Island to Inform the Committee on City Property as to Whether an Existing Lease Entered Into Beyond Twenty

Years, May be Deemed Excessive and Therefore Rendering It Voidable by the City of Providence and/or Subject to Renegotiation by Said City of Providence.

Resolved, That the Attorney General of the State of Rhode Island review and report to the Committee on City Property, the attached lease to determine whether or not said lease is unconscionable and therefore voidable by the City of Providence or at the City's option, subject to renegotiation by the City of Providence.

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

The motion for Passage is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Raymond DeConcilis

Mr. and Mrs. Domenic DiFalco

Pamela W. Fox

Mary E. Gormly

Shirley Kendall

Lois Nicholson

Kenneth M. Rotella

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT FARGNOLI AND THE MEMBERS OF THE CITY COUNCIL:

Resolutions Extending the Sympathy of the Members of the City Council to the Families of Various Decedents.

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

The motion for Passage is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

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

PRESENTATION OF RESOLUTIONS

COUNCILMAN MOISE, COUNCILMAN GLAVIN, COUNCILMAN EASTON, COUNCILMAN O'CONNOR, COUNCILMAN BOYLE and COUNCILMAN DILLON:

Resolution Requesting His Honor the Mayor Not to Make a Replacement of the Port Director of the Port of Providence Until He Causes Professional Advertisements for the Position of

Port Director in Newspapers and Maritime Publications of National Scope.

Resolved, That His Honor the Mayor is requested not to make a replacement of the Port Director of the Port of Providence until he causes professional advertisements for the position of Port Director in newspapers and maritime publications of National Scope.

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

The motion for Passage is Sustained.

COUNCILMAN LYNCH moves that the Committee on Finance is hereby discharged from further consideration of that proposed Resolution which reads as follows:

Resolution Authorizing the City Solicitor to Prepare the Necessary Documents to Present to the General Assembly to Seek a Referendum to be Held Prior to April 1, 1980 to Seek Borrowing for the Rehabilitation of Berth 3 at the Port of Providence.

This motion being seconded by COUNCILMAN ADDISON, is Put to Vote and Passed by the following Roll Call Vote:

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

Noes: Councilmen Glavin, Moise and Snowden—3.

Absent: Councilmen Cirelli, Cola, Flynn, Salvatore and Xavier—5.

The motion to Discharge the Committee on Finance from further Consideration of the above Resolution is Sustained.

The following Resolution Is Presently before the City Council for Consideration:

Resolution Authorizing the City Solicitor to Prepare the Necessary Documents to Present to the General Assembly to Seek a Referendum to be Held Prior to April 1, 1980 to Seek Borrowing for the Rehabilitation of Berth 3 at the Port of Providence.

The Clerk is Directed to Read the Resolution.

Whereas, The City of Providence is currently under court order to undertake certain repairs at Berth 3 at the Port of Providence; and

Whereas, The cost of such rehabilitation prohibits the appropriation of those repairs out of the general funds of the City;

Now, Therefore, be it Resolved, That the City Solicitor prepare the necessary documents to present to the General Assembly to seek a Referendum to be held prior to April 1, 1980 to seek borrowing for the Rehabilitation of Berth 3 at the Port of Providence.

On motion of COUNCILMAN ADDISON, seconded by COUNCILMAN BOYLE, the Resolution is thereupon Passed by the following Roll Call Vote:

Ayes: Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Farmer, Griffin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli and Stravato—17.

Noes: Council President Fagnoli and Councilmen Glavin, Moise, and Snowden—4.

Absent: Councilmen Cirelli, Cola, Flynn, Salvatore and Xavier—5.

The motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN STRAVATO, the City Council Adjourns at 10:15 o'clock P.M. (E.S.T.) to meet again on THURSDAY, JANUARY 17, 1980, at 8:00 o'clock P.M. (E.S.T.).

Rose M. Mendonca
City Clerk

