

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 97 City Council Regular Meeting, Thursday, September 1, 1982, 8:00 P.M. (E.D.T.)

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IN CITY COUNCIL  
SEP 1 6 1982

APPROVED:

PRESIDING

*Rose M. Mendonca* CLERK

COUNCIL PRESIDENT

ROBERT F. LYNCH

ROLL CALL

Present: Council President Lynch and Councilmen Almagno, Brennan, Cirelli, Cola, Dillon, Easton, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden, Stravato and Xavier—22.

Absent: Councilman Boyle, Councilwoman Brassil, Councilmen Griffin and Salvatore—4.

## INVOCATION

The Invocation is given by COUNCILMAN ANTHONY P. PENNINE.

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

COUNCILMAN MALCOLM FARMER, III 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

On motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN, it is Voted to Take from the Clerk's Desk the Journal of Proceedings No. 95 which was Laid on the Clerk's Desk July 1, 1982.

The Journal of Proceedings No. 95 of the Regular Meeting of the City Council held July 1, 1982, and Posted August 5, 1982 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUN-

CILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

The Journal of Proceedings No. 96 of the Regular Meeting of the City Council held August 5, 1982 and Posted August 31, 1982 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

## APPOINTMENT BY HIS HONOR THE MAYOR

Communication, dated August 20, 1982, Informing the Honorable City Council, that pursuant to Sections 5.1 and 4.1 of the Providence City Charter, that He has this day Appointed Gerard McG. DeCelles as Acting City Solicitor.

*Executive Chamber, City of Providence, R.I.*

Vincent A. Cianci, Jr., Mayor

August 20, 1982

The Honorable Members  
The City Council  
City of Providence  
City Hall  
Providence, R.I. 02903

Dear Honorable Members:

Pursuant to Sections 5.1 and 4.1 of the Providence City Charter, I am this day appointing Gerard McG. DeCelles as Acting City Solicitor.

Respectfully submitted,

VINCENT A. CIANCI, JR.  
Mayor of Providence

Received.

## APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication dated August 12, 1982, Informing the City Clerk of His Appointments to the Special Committee on the Observance of Labor Day, September 6, 1982.

August 12, 1982

Mrs. Rose M. Mendonca  
City Clerk  
City Hall  
Providence, Rhode Island

Dear Mrs. Mendonca:

I am on this day naming the following members to the Special Committee on the Observance of Labor Day, September 6, 1982:

Councilman Robert V. Salvatore  
Councilman Thomas M. Glavin  
Councilman Nicholas W. Easton  
Councilman David G. Dillon and  
Councilman Malcolm Farmer, III

Councilman Salvatore, being the first named member, shall have the authority to call the first meeting for the purpose of organization.

Very truly yours,

ROBERT F. LYNCH  
Council President

Received.

## PRESENTATION OF ORDINANCES

**COUNCILMAN MANSOLILLO (By Request):** An Ordinance Amending the Appropriation Ordinance Chapter 1982-42, Approved July 7, 1982, by transferring the Sum of Fifteen Thousand Dollars (\$15,000.00) from Appropriation Reserve to Providence Public Library.

An Ordinance Granting an Extension of Time for the Issuance of Bonds under Chapter 306 of the Public Laws of 1979.

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An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1982-43, approved July 7, 1982.

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

**The motion to Refer is Sustained.**

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An Ordinance Establishing a Compensation Plan for the Water Supply Board.

## ORDINANCE SECOND READING

**The following Ordinances were in City Council August 5, 1982, Read and Passed the First Time and Are Returned for Passage the Second Time:**

An Ordinance in Amendment of Chapter 22, Article VII of the Code of Ordinances of the City of Providence, by Adding Section 22-15 Entitled "Use of Public School Property for Election Purposes."

*Be it ordained by the City of Providence:*

*Section 1.* Chapter 22, Article VII of the Code of Ordinances of the City of Providence is hereby amended by adding Section 22-15, as follows:

"Section 22-15. Use of Public School Property for election purposes. Upon application of the Board of Canvassers, the School Committee shall allow said board to make use of any public school, building, or property or part thereof, as the board may deem necessary for the conduct of any general, special, primary or referenda election. Upon such application, the School Committee shall designate reasonable space within the above-mentioned locals as the Board of Canvassers may deem necessary."

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

**Read and Passed the Second Time, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.**

**The motion for Passage the Second Time is Sustained.**

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20,

1981, by Transferring Certain Sums of Money within the Department of Public Schools.

*Be it ordained by the City of Providence:*

*Section 1.* Chapter 1981-39, of the Ordinances of the City of Providence, effective July 20, 1981, entitled: An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars and Nine Cents (\$149,862,122.09) as amended, is hereby further amended by transferring certain sums of money within the Department of Public Schools as follows:

					<i>Increase (Decrease)</i>
Item 0	Increase from	\$36,462,286.48	to	\$36,642,286.48	\$180,000.
Item 1	Increase from	5,820,352.00	to	5,895,352.00	75,000.
Item 2	Decrease from	3,522,901.00	to	3,292,901.00	(230,000.)
Item 3	Decrease from	9,016,544.43	to	8,831,455.54	(185,000.)
Item 5	Increase from	284,451.00	to	444,451.00	160,000.
Total	No change	<u>\$55,106,445.91</u>		<u>\$55,106,445.91</u>	-0-

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

An Ordinance Establishing a Special Development District in the City of Providence and Designating the Capital Center Commission, a Commission created by the Rhode Island General Assembly, as a Public Body of the City of Providence to Adopt, Implement and Administer a Plan of Development for such Special Development District Pursuant to Sections 45-24.4 ET SEQ. 'Rhode Island Special Development District Enabling Act.'

*Be it ordained by the City of Providence:*

**ARTICLE I. Purposes**

It has been determined that there exists within

the City of Providence railroad and former railroad properties including the Union Station complex and adjacent lands thereto which are the subject of a railroad relocation project involving the coordination of federal, state, local and private action and which areas are in or contiguous to urban areas of the City of Providence of historical, aesthetic, social, cultural and economic importance which are hereby declared to be important public assets. It has also been determined that there is a need to design the development of such areas for the purposes of preserving for the citizens of Providence and the general public the important historical and aesthetic features of such areas, promoting of commercial and economic development and the

attractiveness of our City for appropriate business, industrial and tourist trade resources and investment, and developing of an attractive environment that fosters the social welfare and health of the public and is harmonious with the social, historic and cultural environment that exists in the City of Providence, and the coordinating of the federal, state, local and private action that influences said railroad relocation project.

It is hereby declared to be an important public goal of the City of Providence to govern in a comprehensive and coordinated manner the development of such areas, including, implementation of special land use controls, proper urban planning, developmental tools and the implementation and administration of the plan of development which sets forth design and development criteria regulation and enforcement procedures.

Finally, it is recognized that the State of Rhode Island has declared it a public purpose and policy of this State to encourage appropriate, comprehensive and coordinated development of railroad and former railroad properties and adjacent lands that are or may be the subject of railroad relocation projects and specifically has authorized creation of special development districts in each of the cities of the State and the creation of special development district commissions to adopt, implement, and administer plans of development that establish and enforce design development criteria and regulations for the development of such areas.

**ARTICLE II.** *Description of the Special Development District.*

In accordance with the procedures established herein, the following described area which is part of or contiguous with a railroad or former railroad property and adjacent lands thereto shall be established, designated, laid out defined as the Capital Center Special Development District:

The Capital Center Special Development District is that tract of land generally bounded by Gaspee Street, Smith Street, Canal Street, West Exchange Street and Interstate Route 95 but is more particularly described in that certain document entitled "Capital Center Project, Providence, Rhode Island" prepared for the City of Providence and the State of Rhode Island by Skidmore, Owings & Merrill, Washington, D.C., dated July, 1980, attached hereto as Exhibit A.

**ARTICLE III.** *Public Hearings Prior to Designation of Special Development District and Amendment of Boundaries of Capital Center Special Development District.*

There shall be a public hearing by the Committee on Urban Redevelopment, Renewal and Planning to investigate and make recommendations to the City Council concerning the proposed Capital Center Special Development District. All interested persons shall be given opportunity to be heard at such public hearing. The city clerk is hereby instructed to give written notice of said hearing, by registered or certified mail, at least seven (7) days before date of said hearing, to all owners of any real property within two hundred (200) feet of the perimeter of the proposed Capital Center Special Development District as described herein and also to give notice, by publication in a newspaper general circulation within this city at least once each week for three (3) successive weeks prior to the date of such hearing. Such newspaper notice containing a description of the proposed Capital Center Special Development District shall be inserted once in its entirety and thereafter a weekly formal legal notice shall be inserted stating that a public hearing will be held, specifying the time and place of such hearing and all such weekly formal notices shall include reference to said original advertisement which gave the full description. Written notice of such public hearing shall similarly contain a description of the proposed Capital Center Special Development District.

The boundaries of the proposed Capital Center

Special Development District which are established, designated, laid out and defined according to provisions of this Article III may be amended only in accordance with the procedures set forth in this Article.

**ARTICLE IV. *Designation of Capital Center Commission.***

The Capital Center Commission, a commission constituted and established as a public corporation by the General Assembly, in the State of Rhode Island, is hereby designated as Capital Center Special Development District Commission for the Capital Center Special Development District. It shall adopt, implement and administer a plan of development for the Capital Center Special Development District. Said Capital Center Commission is hereby designated a public agency of the City of Providence and shall have all of the powers, rights, duties, obligations specified in Title 45, Chapter 24.4 of the Rhode Island General Laws, 1956, as amended.

**ARTICLE V. *Miscellaneous.***

*Section I.* All ordinances, rules, regulations and any part thereof that are in conflict with this ordinance are hereby repealed, provided that nothing herein shall be deemed to impair, amend, repeal or otherwise supersede the jurisdiction of the Zoning Board of Review in the area designated Capital Center Special Development District pursuant to this ordinance.

*Section II.* The invalidity of any article, section, clause, sentence or provisions of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

**ARTICLE VI.** This Ordinance shall take effect upon its passage.

1342 Approved August 5, 1960, entitled, "An Ordinance Amending Chapter 544 of the Ordinances of the City of Providence, Approved September 21, 1951, as Amended by Adding Article VI-A entitled, "Historic District Zoning," Creating the Historic Broadway District in Addition to the Historic College Hill District and the Historic Stimson Avenue District, as Amended.

*Be it ordained by the City of Providence:*

*Section 1.* Chapter 544 of the Ordinances of the City of Providence, entitled, "An Ordinance Zoning the City of Providence and Establishing Use, Height, and Area Regulations" approved September 21, 1951, as amended, by Article VI-A, entitled, "Historic District Zoning," is further amended by inserting the following Paragraphs "5" and "6" in Section C entitled, "Historic Districts."

5. There is hereby created an Historic Broadway District, the boundaries of which are shown on maps A & B entitled, "Historic Broadway District," dated April 13, 1982, which maps are incorporated and made a part of the within ordinance.

6. There is also incorporated and made a part of the within ordinance as appurtenant to said Historic Broadway District, a first priority list, and a second priority list of structures within said Broadway District, said lists being appended hereto.

*Sec. 2.* This Ordinance shall take effect upon its passage by the City Council and its approval by the Mayor.

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

**Ayes: Council President Lynch and Councilmen Almagno, Brennan, Cirelli, Cola,**

An Ordinance Amending Section C of Chapter

Dillon, Easton, Councilwoman Fargnoli, Councilmen Farmer, Flynn, Glavin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden, Stravato and Xavier—22.

Absent: Councilman Boyle, Councilwoman Brassil, Councilmen Griffin and Salvatore—4.

COUNCILMAN MOISE desires to be recorded as "No" relative to "An Ordinance Establishing a Special Development District in the City of Providence and Designating the Capital Center Commission, a Commission created by the Rhode Island General Assembly, as a Public Body of the City of Providence to Adopt, Implement and Administer a Plan of Development for Such Special Development District Pursuant to Sections 45-24.4 ET SEQ. 'Rhode Island Special Development District Enabling Act'."

**Recapitulation of Vote:**

Ayes: 21.

No: 1.

Absent: 4.

COUNCILMAN GLAVIN and COUNCILMAN XAVIER desire to be recorded as "Not Voting" and COUNCILMAN MOISE desires to be recorded as voting "No" relative to "An Ordinance Amending Section C of Chapter 1342 Approved Auguts 5, 1960, entitled, "An Ordinance Amending Chapter 544 of the Ordinances of the City of Providence, Approved September 21, 1951, as Amended, by Adding Article VI-A, entitled, "Historic District Zoning", Creating the Historic Broadway District in Addition to the Historic College Hill District and Historic Stimson Avenue District, as Amended".

Ayes: 19.

Noes: 1.

Not Voting: 2.

Absent: 4.

The motion for Passage the Second Time, is Sustained.

## PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT PRO TEMPORE  
STRAVATO (By Request):**

Resolution Urging the Governor to live up to Executive Order 19 to Mandate all new busses ordered by the Rhode Island Public Transit Authority to be accessible to the Handicapped.

*Whereas*, Historically handicapped persons have been denied fair and equal access to Public Mass Transportation, and

*Whereas*, Our state government bears a unique responsibility in demonstrating to all people the goals and values of our common life, and

*Whereas*, The handicapped, in particular have been especially denied. We request that the Governor live up to the letter and spirit of Executive Order 19,

*Now, Therefore, Be It Resolved*, That this City Council of Providence urge Governor J. Joseph Garrahy to live up to Executive Order 19 to mandate all new busses ordered by the Rhode Island Public Transit Authority to be accessible to the handicapped.

Resolution Requesting the Director of Public Works to cause the curbs to be realigned and sidewalk repaired along 34 Paolino Street.

*Resolved*, That the Director of Public Works is requested to cause the curbs to be realigned and sidewalk repaired along 34 Paolino Street.

Resolution Requesting the City Forester to cause the tree stumps along 34 Paolino Street to be Removed.

*Resolved*, That the City Forester is requested to cause the tree stumps along 34 Paolino Street to be Removed.

**COUNCILMAN ALMAGNO (By Request):**

Resolution Requesting the Superintendent of the Park Department to cause the lights along Daniel Avenue Playground to be extinguished at 11:00 o'clock P.M.

*Resolved*, That the Superintendent of the Park Department is requested to cause the lights along Daniel Avenue Playground to be extinguished at 11:00 o'clock P.M.

**Severally Read and Collectively Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR.**

**The motion for Passage is Sustained.**

**COUNCILWOMAN BRASSIL:**

Resolution Requesting the General Assembly at its 1983 Session to review and reconsider the tax exempt status of the Corporation known as "Heritage Foundation of Rhode Island," and to consider reinstating said Corporation's franchise, income, tangible personal property and real estate taxes on those activities conducted by said Corporation which could be construed as strictly proprietary in nature.

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

**The motion to Refer is Sustained.**

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs along the Southerly Side of Williams Street, from Benefit Street to Thayer Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of "No Parking" signs along the southerly side of Williams Street, from Benefit Street to Thayer Street.

Resolution Requesting the Director of Public Works to give Priority to the First Ward

of Providence in the resurfacing of City Streets.

*Whereas*, Roadways within the First Ward of Providence are in great disrepair causing numerous problems to motorists,

*Now, Therefore, Be It Resolved*, That the Director of Public Works is hereby requested to give priority to the resurfacing of streets within the First Ward and to commence as soon as possible.

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**COUNCILWOMAN BRASSIL (By Request):**

Resolution Requesting the Director of Public Works to cause all Potholes along Thayer Street, from Arnold Street to Transit Street, to be Repaired.

*Resolved*, That the Director of Public Works is requested to cause all potholes along Thayer Street, from Arnold Street to Transit Street, to be repaired.

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**COUNCILMAN BRENNAN (By Request):**

Resolution Requesting the Director of Public Works to Cause Graham Street to be Repaved, due to its deplorable condition.

*Resolved*, That the Director of Public Works is requested to cause Graham Street to be repaved, due to its deplorable condition.

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Resolution Requesting the Director of Public Works to cause the sewer lines along 145-149 Evergreen Street, to be Repaired.

*Resolved*, That the Director of Public Works is requested to cause the sewer lines along 145-149 Evergreen Street, to be repaired, due to its caving in.

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Resolution Requesting the Director of Public Works, and the Narragansett Bay Water Quality Management District Commission to cause all Storm Drains within the Third Ward to be Cleaned.

*Resolved*, That the Director of Public Works and the Narragansett Bay Water Quality Management District Commission is requested to cause all storm drains within the Third Ward to be cleaned, due to the heavy flooding conditions during heavy rain storms.

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**COUNCILWOMAN FARGNOLI:**

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Whitford Avenue, between Smith Street and River Avenue, on Sunday, September 5, 1982, between the hours of 12:00 o'clock Noon and 7:00 o'clock P.M. to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Whitford Avenue, between Smith Street and River Avenue, on Sunday, September 5, 1982, between the hours of 12:00 o'clock Noon and 7:00 o'clock P.M. to accommodate a Neighborhood Block Party. (Rain Date, Monday, September 6, 1982).

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**COUNCILWOMAN FARGNOLI (By Request):**

Resolution Requesting the Chief Electrical Inspector to increase the lighting on Poles numbered 89, 101 and 107, located along Douglas Avenue, from 15,000 Lumen to 22,000 Lumen Mercury Vapor Lights.

*Resolved*, That the Chief Electrical Inspector is requested to increase the lighting on Poles Numbered 89, 101 and 107, located along Douglas Avenue, from 15,000 Lumen to 22,000 Lumen Mercury Vapor Lights.

Resolution Requesting the Director of Public Works to Complete the Cul-de-sac, along Sunrise Drive.

*Resolved*, That the Director of Public Works is requested to complete the Cul-de-sac, along Sunrise Drive.

**Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN O'CONNOR.**

**The motion for Passage is Sustained.**

**COUNCILMAN FLYNN (By Request):**

Resolution in amendment of Resolution No. 1168, approved December 14, 1979, ordering the Abandonment of a portion of Goff Street, from the easterly lines of Lots 144 and 145 easterly, to its termination.

*Resolved*, That Resolution No. 1168, approved December 14, 1979, is hereby amended to read as follows:

*Resolved, Decreed and Ordered*: That the following named highway shown as cross-hatched area on the accompanying plan entitled, "Providence, R.I., P.W. Dept. — Engineering

Office, Street Line Section Plan No. 064100, Dated: November 20, 1979,"

*Viz*: Goff Street, from the easterly lines of Lots 144 and 145, easterly to easterly termination, having ceased to be useful to the public and the same is abandoned as a public highway, subject to utilities currently in place shall continue to have an easement as it now exists through the present highway named Goff Street, and the damage to the abutters is appraised at nothing and so awarded, and it is further

*Ordered*, That the Director of Public Works, be and he is hereby directed to cause a sign to be placed on the above named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered*, That after the entry of this order or decree, the City Clerk shall cause a notice, thereof, to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks, and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within this State.

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

**Ayes: Council President Lynch and Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden, Stravato and Xavier—21.**

**Absent: Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Griffin and Salvatore—5.**

**The motion for Passage is Sustained.**

**COUNCILMAN GLAVIN (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the Installation of a High Pressure Sodium Vapor Light on Pole No. 15, located in front of 153 Camden Avenue.

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of a High Pressure Sodium Vapor Light on Pole No. 15, located in front of 153 Camden Avenue.

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

**The motion for Passage is Sustained.**

**COUNCILMAN MANSOLILLO (By Request):**

Resolution Authorizing the City Collector to Cause the Taxes to be Abated on that Property, under the SWAP Program, located along 98 Comstock Avenue, Lot 570, Plat 45, for the sum of One Thousand Four Hundred Thirty-Two Dollars (\$1,432.00).

**Referred to Committee on Finance on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR.**

**The motion to Refer is Sustained.**

Resolution Rescinding Resolutions No. 736, Approved December 12, 1980, and No. 562, Approved September 25, 1981, authorizing the Mayor to Execute a Lease with P & P Development of Land and Buildings known as the former Weybosset Street Comfort Station.

**Referred Back to Committee on City Property, on motion of COUNCILMAN**

**JOHNSON, seconded by COUNCILMAN O'Connor.**

**The motion to Refer Back to Committee is Sustained.**

**COUNCILMAN MANSOLILLO and COUNCILMAN PAOLINO (By Request):**

Resolution Rescinding Resolution No. 340, of the City Council Approved June 10, 1980, authorizing the Mayor to Execute a Deed of Conveyance to Harry Kashmanian for the former Bridgham Middle School.

**Referred to Committee on City Property, on motion of COUNCILMAN PAOLINO, seconded by COUNCILMAN O'CONNOR.**

**The motion to Refer is Sustained.**

**COUNCILMAN O'CONNOR (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Globe Street, between Eddy Street and Hospital Street, on Saturday, September 4, 1982, between the Hours of 12:00 o'clock M to 12:00 o'clock P.M. to Accommodate a Neighborhood Block Party given by the Concerned Citizens for a Better Community.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Globe Street, between Eddy Street and Hospital Street, on Saturday, September 4, 1982, between the hours of 12:00 o'clock M to 12:00 o'clock P.M. to accommodate a Neighborhood Block Party given by Concerned Citizens for a Better Community.

**Read and Passed, on motion of**

**COUNCILMAN JOHNSON, seconded by  
COUNCILMAN FLYNN.**

**The motion for Passage is Sustained.**

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**COUNCILMAN PAOLINO:**

Resolution Requesting the Director of Public Works to cause all sewers within the City of Providence to be Cleaned and that said Director submit a time schedule to the City Council as soon as practical.

*Whereas*, Numerous streets within the City of Providence are having problems with flooding due to the sewers not being cleaned, and

*Whereas*, Many homeowners have had occurrences of basement flooding as the water overflows onto the sidewalks and into their homes,

*Now, Therefor, Be It Resolved*, That in the best interest of the residents of our City, the Director of Public Works and the Narragansett Bay Water Quality Management District Commission are hereby requested to devise a plan to expedite the cleaning of all sewers within our City, and

*Be It Further Resolved*, That the Director of Public Works submit an estimated cost and a time schedule to the members of the City Council as soon as practical.

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

**The motion for Passage is Sustained.**

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**COUNCILMAN PAOLINO (By Request):**

Resolution Rescinding Resolution No. 270, of the City Council Approved May 3, 1980, authorizing the Mayor to execute a Deed of Conveyance to New Homes for Federal Hill, Inc. for the former Grove Street School.

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

**COUNCILMAN MOISE desires to be  
recorded as "Not Voting."**

**The motion to Refer is Sustained.**

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**COUNCILMAN PEARLMAN and COUN-  
CILMAN FARMER (By Request):**

Resolution 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.

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

**The motion to Refer is Sustained.**

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**COUNCILMAN PETROSINELLI and  
COUNCILMAN SALVATORE (By Re-  
quest):**

Resolution Requesting the Director of Public Works to cause the curbing to be set and one block of cement replaced along 89 Hazel Street.

*Resolved*, That the Director of Public Works is requested to cause curbing to be set and one block of cement replaced along 89 Hazel Street.

Resolution Requesting the City Forester to cause that tree stump to be removed along 89 Hazel Street.

*Resolved*, That the City Forester is requested to cause that tree stump to be removed along 89 Hazel Street.

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Resolution Requesting the City Forester to cause the Tree and Tree Roots along 342 Hawkins Street, to be Removed.

*Resolved*, That the City Forester is requested to cause the Tree and Tree Roots along 342 Hawkins Street, to be removed.

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Resolution Requesting the Director of Public Works to cause Cement Sidewalk along 342 Hawkins Street, to be Replaced.

*Resolved*, That the Director of Public Works is requested to cause the cement sidewalk along 342 Hawkins Street, to be replaced.

\_\_\_\_\_

Resolution Requesting the Director of Public Works to cause Josa Street to be Repaved.

*Resolved*, That the Director of Public Works is requested to cause Josa Street to be Repaved.

\_\_\_\_\_

**COUNCILMAN SNOWDEN (By Request):**

Resolution Requesting the Traffic Engineer to prohibit Motor Vehicle Traffic along Lewis Street, between Hope Street and Morris Avenue, on Saturday, September 25, 1982, between the hours of 1:00 o'clock P.M. to 10:00 o'clock P.M., to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Lewis Street and Morris Avenue, on Saturday, September 25, 1982, between the hours of 1:00 o'clock P.M. to 10:00 o'clock P.M., to accommodate a Neighborhood Block Party.

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

**The motion for Passage is Sustained.**

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**COUNCILMAN XAVIER (By Request):**

Resolution Requesting the Committee on Urban Redevelopment, Renewal and Planning, to assign the address of 99 Kennedy Plaza to that building located on Lot 31, on City Assessor's Plat 20, known as the former Comfort Station at Kennedy Plaza.

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

**The motion to Refer is Sustained.**

## REPORTS FROM COMMITTEES

### COUNCILMAN VINCENT J. CIRELLI, Chairman COMMITTEE ON ORDINANCES

Transmits the following with Recommendation the Same be Adopted:

An Ordinance Amending Chapter 544 of 1951, by Changing from a C-2 General Commercial Zone to a C-4 Heavy Commercial Zone, Lot 359 as Set Out and Delineated on City Assessor's Plat 35, said Lot being located at 1948-1954 Westminster Street.

COUNCILMAN JOHNSON, moves the Ordinance be Read and Passed the First Time.

This motion is seconded by COUNCILMAN GLAVIN.

COUNCILMAN STRAVATO moves the Ordinance be Referred Back to Committee on Ordinances.

This motion being seconded by COUNCILMAN ALMAGNO, COUNCILMAN MANSOLILLO and COUNCILMAN SNOWDEN and having precedence over the

Main motion for Passage is Put to Vote and Passed, by the following Roll Call Vote:

Ayes: Council President Lynch and Councilmen Almagno, Brennan, Cirelli, Cola, Dillon, Councilwoman Fagnoli, Councilmen Farmer, Mansolillo, Paolino, Pennine, Snowden, Stravato and Xavier—14.

Noes: Councilmen Easton, Flynn, Glavin and Johnson—4.

Not Voting: Councilmen Moise, Pearlman and Petrosinelli—3.

Absent: Councilman Boyle, Councilwoman Brassil, Councilmen Griffin, O'Connor and Salvatore—5.

The motion to Refer Back to Committee is Sustained.

**COUNCILMAN LAURENCE K. FLYNN, Chairman**  
**COMMITTEE ON PUBLIC WORKS**

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

Resolution Ordering the Abandonment of a portion of Adie Street, from Cedar Street to Mountain Street and a portion of Jones Street, from Bradford Street to Adie Street.

*Resolved, Decreed and Ordered,* That the following named street shown as cross-hatched area on the accompanying plan entitled "Providence, Rhode Island. Public Works Dept. — Engineering Office, City Property Section Plan No. 064088, Dated July 13, 1979,"

*Viz:*

Adie Street from Cedar Street to Mountain Street and that portion of Jones Street from Bradford Street to Adie Street, shown as cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D-E-F-G-H-A), having ceased to be useful to the public and is proposed to be abandoned as a Public Highway, subject to the City of Providence having a full width sewer easement, and no abutting owners are denied access to their property, and an easement be granted to the Narragansett Electric Company which will permit retention of existing facilities in existing locations on said Adie Street and Jones Street, together with the right to inspect, maintain, operate and replace same, and the damage to the abutters is appraised at nothing and so awarded, and it is further

*Ordered,* That the Director of Public Works be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered,* That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the

County of Providence at least once a week for three successive weeks and a further personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highways which have been abandoned, who is known to reside within the State.

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

**The motion for Passage is Sustained.**

Resolution Ordering the Abandonment of Portions of Plain Street and Pearl Street.

*Resolved, Decreed and Ordered,* That the following named street shown as cross-hatched area on the accompanying plan entitled "Providence, Rhode Island. Public Works Dept. — Engineering Office, City Property Section Plan No. 064206, Dated July 1, 1982,"

*Viz:*

Plain Street and Pearl Street (portions) shown as cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D) & (a-b-c), having ceased to be useful to the public and is proposed to be abandoned as a Public Highway, subject to petitioner being responsible for all costs of relocating the utilities and the work on the water line which will be subject to Water Supply Board inspection and approval; the continuation of the public use and maintenance of the subject portion of Plain Street until the New Plain Street is constructed; the petitioner conveying easements acceptable to the Nar-

ragansett Electric Company and New England telephone which will permit the retention of their facilities in existing locations, together with the right to inspect, maintain, operate and replace same; the proposed relocation of the Providence Gas Company's utilities at petitioner's expense and the relocation of sewers and other utilities to be at the expense of the petitioner, and the damage to the abutters is appraised at nothing and so awarded, and it is further

*Ordered*, That the Director of Public Works be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered*, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which have been abandoned, who is known to reside within the State.

**COUNCILMAN JOHNSON moves the Resolution be Read and Passed. This motion is seconded by COUNCILMAN FLYNN.**

**COUNCILMAN MANSOLILLO presents a communication from John M. Voccolo of 90 Dudley Street, Providence, Rhode Island, dated September 2, 1982, and requests that the same be allowed to become part of the record, this day.**

Gentlemen of the Providence City Council:

I come before you this evening to ask this honorable body to table the recommendation of the Public Works Committee for the abandonment of Plain St. as R.I. Hospital has requested and the plan for re-routing Plain St. I give the following reasons as to why a more comprehensive study should be made:

1) Closing Plain St. will have an adverse effect on several businesses in the area. Testimony was given by myself, Atty. Richard F. Daley and several other property owners who objected.

2) Vanasse Hanger Assoc., Inc. of Boston claims to have made a traffic count, yet, no figures were introduced. I saw the traffic count made and it only lasted several hours for Plain and Dudley Sts.

3) No evidence was furnished to the Public Safety Committee, however the approval was given. This committee will never object if there is no remonstrance. Why was the approval given prior to public hearing?

4) Closing of Plain St. can cause a fire hazard, not only to the hospital, but also to the surrounding properties. It will detour the fire apparatus by taking a longer route.

5) Testimony was given that a feasible study was made in keeping the street open, and an overpass or underpass considered. No figures were submitted as to the cost or plans. Everything presented that evening was "hear-say." We have no objection to the overpass or underpass. We feel it will not hinder us.

6) From the moment the meeting started it was obvious that the committee was in accord as to the final disposition of the hearing. No sooner had the last person testified, one member made a motion to approve, it was seconded immediately and passed. A motion to adjourn was entertained and passed. For these reasons the general public becomes disappointed with public officials, and their general feeling is, "you can't beat City Hall."

I ask you once again, please table the abandonment of Plain St. Have the hospital come forth with the overpass or underpass survey cost and traffic count survey to substantiate the cost between both projects.

Will the expense of road, curbing, storm drains and lighting be paid by the hospital, or will the

city of Providence be paying for all the improvements with the taxpayers' money. We are all aware that the hospital is tax exempt.

Please be advised, gentlemen that the hospital has an office building in the middle of this complexed area, which is competing with other buildings in the area. Rumors have it that this building was sold to a private enterprise. If so, this will land-lock the building. The general assembly years ago passed laws that no property can be land-locked.

What may seem like a simple resolution by the city council today, will cause a tremendous headache tomorrow.

I must make one more comment before I close. Has anyone taken into consideration the nursing home at the fringe of this area? Also the housing for the elderly behind it. They both will become an "Island."

I request once more that this honorable body table the abandonment and consider all the evidence submitted.

Thank you,

John M. Voccola

**COUNCILMAN MANSOLILLO** moves the Resolution be Referred back to Committee on Public Works.

The motion to Refer Back to Committee on Public Works having precedence over the Main Motion is Put to Vote and

Not Passed by the following Roll Call Vote:

**Ayes:** Councilmen Almagno, Cola, Mansolillo, Moise, Paolino, Pearlman, Snowden and Stravato—8.

**Noes:** Council President Lynch and Councilmen Brennan, Farmer, Flynn, Glavin, Johnson, O'Connor, Pennine, Petrosinelli and Xavier—10.

**Not Voting:** Councilmen Cirelli, Dillon, Easton and Councilwoman Fagnoli—4.

**Absent:** Councilman Boyle, Councilwoman Brassil, Councilmen Griffin and Salvatore—4.

The motion to Refer back to Committee on Public Works is Not Sustained.

The motion for Passage is thereupon Put to Vote and Passed by the following Roll Call Vote:

**Ayes:** Council President Lynch and Councilmen Almagno, Brennan, Cola, Farmer, Flynn, Glavin, Johnson, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden, Stravato and Xavier—17.

**Not Voting:** Councilman Cirelli, Dillon, Easton, Councilwoman Fagnoli and Councilman Moise—5.

**Absent:** Councilman Boyle, Councilwoman Brassil, Councilmen Griffin and Salvatore—4.

The motion for Passage is Sustained.

**COUNCILMAN EDWARD W. XAVIER, Chairman  
COMMITTEE ON EMPLOYEE RELATIONS**

**Transmits the following with Recommendation the Same be Approved:**

Resolution Transmitting accompanying Copy of Agreement between the City of Providence and Local 799, International Association of Firefighters, AFL-CIO.

*Resolved*, That the accompanying copy of Agreement, effective July 1, 1982, by and between the City of Providence and Local 799, International Association of Firefighters, AFL-CIO, is hereby transmitted to the City Council for ratification and the City Clerk is directed to cause

the same to be filed in the Department of City Clerk.

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

**COUNCILMAN MOISE desires to be recorded as "Not Voting."**

**The motion for Passage is Sustained.**

**COMMUNICATIONS AND REPORTS**

Agreement between the City of Providence and Rhode Island Laborers' District Council on behalf of Public Service Employees' Local Union 1033 of the Laborers' International Union of North America, AFL-CIO.

**Referred to Committee on Employee Relations, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.**

**The motion to Refer is Sustained.**

Annual Report for 1981-1982.

**Received.**

**FROM THE RETIREMENT BOARD OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF PROVIDENCE:**

Annual Report for the Fiscal Year Ended June 30, 1981.

**Received.**

**FROM THE DIVISION OF ARCHIVES AND RECORDS:**

**FROM THE CITY ASSESSOR:**

Certificates (9-K through 37-K inclusive, 39-K, 40-K and 42-K) Recommending the Same be Severally Cancelled Pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7, of the General Laws of Rhode Island, 1956, as Amended.

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

The motion to Refer is Sustained.

**FROM THE BUREAU OF LICENSES:**

Reports for the Fiscal Year 1981-1982 and the Quarter Ended July 2, 1982.

Severally Received.

**FROM THE PORT DIRECTOR:**

Annual Report for Fiscal Year Ended June 30, 1982.

Received.

**FROM THE CLERK'S DESK**

Petition of Karroo Land Co., Inc., by its Attorney, Patrick J. Conley, Esquire to abandon Vine Street in its Entirety.

Referred to Committee on Public Works, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

**Petitions for Compensation for Injuries, Damages and Refunds for Overpayment of Parking Fines, viz:**

Aetna Life and Casualty as sub. of Robert Bucci

Amica Mutual Ins. Co. as sub. of Ronald Oliver

Lucille R. Belliotti

Deborah Bliss

Mary C. Campana

Florence Carbone

Loretta J. Collins

Marguerite Cunnion

Jose S. DaSilva

David W. Deciantis, p.p.a. David W. Deciantis, Jr.

Nancy A. Donahue

John F. Dwyer

Curtis A. Ermer

Lottie Funaro

Harry L. Gantz

Robert Giuliani

Kathryn Grayson

Helen R. Grimes

Anna M. Hughes

Nancy J. Krikorian

Pedro Martins

Mary Mattatall

Gloria McLain p.p.a. Tanika McLain

Judith McNeil p.p.a. Diona DiLea McNeil

Victor Mourachian, Jr.

Nationwide Mutual Ins. Co., as sub. of  
Howie Louis

Linda Perri

Renate Sandgren

Robert A. Taft

Leola L. Thomas

Diane Walbridge

Joseph H. Warren

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

**The motion to Refer is Sustained.**

## PRESENTATION OF RESOLUTIONS

### "In Congratulations"

#### **COUNCIL PRESIDENT LYNCH and THE MEMBERS OF THE CITY COUNCIL:**

Resolutions Extending Congratulations to the  
following:

Church of the Holy Name of Jesus, Upon the  
Celebration of their One Hundredth Anniversary,  
on November 22, 1982.

Peter Marino, Marino Funeral Home, In  
Recognition of His Dedicated Civic Mindedness  
and Numerous Contributions to our Community.

Anthony P. Toro, In Recognition of becoming a  
Member of the Eagle Scouts.

Gene-Marc Chamalian, In Recognition of  
becoming a Member of the Eagle Scouts.

Smith Hill Branch of the Providence Public  
Library, Upon its celebration of their Fiftieth  
Birthday.

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

The motion for Passage is Sustained.

## PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT LYNCH and THE  
MEMBERS OF THE CITY COUNCIL:**

Resolutions Extending the Sympathy of the  
Members of the City Council to the Families of  
the following Decedents:

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

Margaret L. Dennis

Thomas DiNuccio

Charles W. Thomas, III

Helen G. Montecalvo

Julius M. Licht

Teresa Ursillo

Isaac Horvitz

Virginia Cullati

Margaret M. Matuszek

Lucille M. Centracchio

Anna Martone

John Killian

Francis W. Sicard

Mary E. Sheridan

John J. Mulzer

Louis T. Rochira

Derna D'Orsi

Elizabeth C. Nolan

Maria Tudino

Giuseppe DiClemente

Ursula Bottai

Mary L. Dozier

Gladys Gempp

Thomas F. Black, Jr.

Christina DiBello

Sylvia V. Panciocco

Margaret D. Zagarella

Ralph W. Sewall

Corrine A. Sheridan

Gertrude Courtemanche

Paul P. Testa

Henry E. McCarron

Ernest Luster

Sister Maura O'Rourke

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

Teresa Catuogno

**The motion for Passage is Sustained.**

Carmella Recchia

Theresa Nancy DeFusco

James R. Warrick, Jr.

## **MATTERS NOT APPEARING ON THE PRINTED DOCKET**

**On motion of COUNCILMAN JOHNSON,  
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.**

## REPORT FROM COMMITTEE

### COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with Recommendation the Same be Adopted:

Resolution Providing for the Sale of Bonds Authorized by Chapters 1982-29, 1982-30, 1982-31, 1982-32 and 1982-33, approved June 11, 1982, of the Ordinances of the City of Providence.

*Resolved*, That the \$22,500,000.00 Public Improvement Bonds, authorized by Chapters 1982-29, 1982-30, 1982-31, 1982-32 and 1982-33 of the Ordinances of the City of Providence and approved by the Mayor on June 11, 1982, shall be dated September 15, 1982 and shall be payable September 15, commencing on March 15, 1983, as follows:

<u>Year</u> <u>Maturity</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
1983	\$ 930,000	10.00%
1984	1,045,000	10.00%
1985	1,170,000	10.00%
1986	1,310,000	10.00%
1987	1,465,000	10.00%
1988	1,645,000	10.00%
1989	1,840,000	10.00%
1990	2,060,000	9.40%
1991	2,310,000	9.60%
1992	2,585,000	9.80%
1993	2,895,000	10.00%
1994	3,245,000	10.00%

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

**Ayes:** Council President Lynch and Councilmen Almagno, Cirelli, Cola, Dillon, Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Johnson, Mansolillo, Pearlman, Pennine, Snowden and Stravato—15.

**Noes:** Councilmen Brennan, Flynn and Moise—3.

**Not Voting:** Councilman O'Connor—1.

**Absent:** Councilman Boyle, Councilwoman Brassil Councilmen Griffin, Paolino, Petrosinelli, Salvatore and Xavier—7.

The motion for Passage is Sustained.

## ADJOURNMENT

There being no further business on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN and COUNCILMAN MANSOLILLO, adjournment is taken at 9:55 o'clock P.M. (EDT) to meet again on THURSDAY, SEPTEMBER 16, 1982 at 8:00 o'clock P.M. (EDT).

*Rose M. Mendonca*

*City Clerk*

