

**CITY OF PROVIDENCE
RHODE ISLAND**



**IN CITY COUNCIL
SEP 20 1973**

APPROVED:

Robert J. Haxton

**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 60 City Council Regular Meeting, Thursday, September 6, 1973, 8:00 P.M. (EDT)

**PRESIDING
COUNCIL PRESIDENT
ROBERT J. HAXTON**

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Crowley, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, McKiernan, J. Murphy, W. Murphy, Payne, Pearlman, and Xavier—19.

Absent: Councilmen Ahern, Cola, Moran and Pisaturo—4.

INVOCATION

The Invocation is given by COUNCILMAN
WILLIAM G. BRADSHAW.

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

COUNCILMAN EDWARD S. GOLDIN leads
the Members of the City Council and the Assem-
blage in the Pledge of Allegiance to the Flag of
the United States of America.

COUNCIL PRESIDENT HAXTON Announces
the presence of COUNCILMAN-ELECT RALPH
R. FRAGNOLI from Ward Five and COUNCIL-
MAN-ELECT VINCENT J. CIRELLI from Ward
Six and Invites them to be seated upon the
Rostrum.

APPROVAL OF RECORD

The Journal of Proceedings No. 59 of the Regular Meeting of the City Council held August 2, 1973, and Posted August 17, 1973, on that Bulletin Board located on the ground floor of the City Hall, is approved as printed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

APPOINTMENTS BY HIS HONOR THE MAYOR

MEMBERS OF THE PROVIDENCE CIVIC CENTER AUTHORITY

In accordance with the provisions of Chapter 3, Section 2 of the Public Laws of 1969, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing that he has on August 1, 1973, Reappointed the following:

Elwood A. Palmer of 60 Broadway, for a term to expire in May of 1976;

Santi Campanella of 500 Angell Street, for a term to expire in May of 1974;

Lloyd E. Bliss of 110 Lincoln Avenue, for a term to expire in May of 1974; and

John J. Cummings of 40 Roslyn Avenue, for a term to expire in May of 1975,

as members of the Providence Civic Center Authority, and Respectfully Submitting the Same for Approval.

Communication Read and Appointments Ap-

proved, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

MEMBER OF THE PROVIDENCE CIVIC CENTER AUTHORITY

In accordance with the provisions of Chapter 3, Section 2 of the Public Laws of 1969, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing that he has on August 1, 1973 appointed Martin T. Bryne, Jr. of 145 Nelson Street for a term to expire in May of 1976 to replace Richard Zorabedian who has become a member of the State of Rhode Island Board of Regents for Education, as a member of the Providence Civic Center Authority, and Respectfully Submitting the Same for Approval.

Communication Read and Appointment Approved, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

MEMBERS OF THE PROVIDENCE HISTORIC DISTRICT COMMISSION

In accordance with the Provisions of Chapter 221 of the Public Laws of 1972, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on July 23, 1973 Appointed the following:

Mrs. Antoninette Downing of 144 Power Street, for a term to expire in September 1975;

Aaron H. Roitman of 310 Grotto Avenue, for a term to expire in September 1974;

Steven B. Nicholson, Jr. of 528 Lloyd Avenue, for a term to expire in September of 1974; and

Lloyd Kent of 10 Cooke Street, for a term to expire in September 1975,

as members of the Providence Historic District Commission, and Respectfully Submits the Same for Approval.

In accordance with the provisions of Chapter 221 of the Public Laws of 1972, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on September 1, 1973 Appointed:

Lee A. Worrell of 88 University Avenue, for a term to expire in September of 1976; and

Mrs. Elizabeth Gifford of 24 Elton Street, for a term to expire in September of 1976;

as members of the Providence Historic District Commission, and Respectfully Submits the Same for Approval.

MEMBER OF BUILDING BOARD OF REVIEW

In accordance with the provisions of Section 128-2 of Chapter 1079 of the Providence Ordinances, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on August 22, 1973, appointed ROBERT E.

STRUCK, JR., of 28 Lois Avenue, Providence as a member of the Building Board of Review, to fill the unexpired term of Henry V. Collins who passed away, which term will expire on March of 1977, and Respectfully Submits the Same for Approval.

MEMBERS OF THE PROVIDENCE HUMAN RELATIONS COMMISSION

In accordance with the provisions of Article 16, Section 2-264 of the Providence Code of Ordinances, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on August 28, 1973, Reappointed

LYNN H. SMITH of 247 Lenox Avenue;

FRANCIS B. BROWN of 25 Lauriston Street, and

HARRY KIZIRIAN of 134 Chad Brown Street,

as members of the Providence Human Relations Commission, for terms to expire in September of 1976, and Respectfully Submits the Same for Approval.

Communications Severally Read and Appointments Collectively Approved, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

COMMISSIONER OF THE PROVIDENCE HOUSING AUTHORITY

In accordance with the provisions of Chapter 218 of the Public Laws of 1972, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on August 16, 1973, Reappointed MRS. ENA ROWLEY of 100 Broad Street as a Commissioner of the Providence Housing Authority for a term to expire in July of 1978.

Received.

ELECTION OF CITY TREASURER

CITY TREASURER

COUNCIL PRESIDENT HAXTON calls for nominations for the Office of City Treasurer for the Remainder of the Term ending on the First Monday in January, 1975, caused by the resignation of David R. McGovern.

COUNCILMAN LYNCH, nominates **VINCENT T. IZZO** of Providence; this nomination is seconded by **COUNCILMAN DARIGAN**.

COUNCIL PRESIDENT HAXTON calls for further nominations and there are none.

There being no further nominations, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**, it is voted that nominations be closed and the Clerk be directed to cast one ballot for **VINCENT T. IZZO** as City Treasurer.

The Clerk casts one ballot for **VINCENT T. IZZO**, as directed.

COUNCIL PRESIDENT HAXTON thereupon declares **VINCENT T. IZZO** duly elected as City Treasurer for the Remainder of the Term ending on the First Monday in January, 1975.

SCHEDULE OF BILLS

FROM ACTING PUBLIC SERVICE ENGINEER

Street Lighting Bill for the Month of July in the Amount of \$78,987.91.

Approved, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**, by the following Roll Call vote:

Ayes: Council President Haxton and Council-

men Addison, Beatini, Bradshaw, Brown, Crowley, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, McKiernan, J. Murphy, W. Murphy, Payne, Pearlman and Xavier—19.

Noes: None.

Absent: Councilmen Ahern, Cola, Moran and Pisaturo—4.

RECESS

On motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**, it is voted that the City Council be in Recess at 8:40 o'clock P.M. (EDT).

RECONVENTION

COUNCIL PRESIDENT HAXTON Reconvenes the City Council at 9:10 o'clock P.M. (EDT) and directs the Clerk to call the Roll to ascertain if there is a quorum present.

Present: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown,

Crowley, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, McKiernan, Payne, Pearlman and Xavier—17.

Absent: Councilmen Ahern, Cola, Moran, J. Murphy, W. Murphy and Pisaturo—6.

ORDINANCE SECOND READING

The following Ordinance was in City Council August 2, 1973, Read and Passed the First Time and is Returned for Passage the Second Time:

An Ordinance Amending Chapter 544 of 1951 by Changing from an R-1 One Family Zone to an R-4 Multiple Dwelling Zone, that Portion of Lot 331, Presently Zoned R-1 One Family Zone, and All of Lots 179, 180, 181, 182, 183, 184, 214, 215 and 236, as Set Out and Delineated on City Assessor's Plat 73; Said Lots Bounding Along Highland Avenue, Second Street and Stanton Avenue.

Be it ordained by the City of Providence:

Section 1. The Zoning Map, accompanying and made part of Chapter 544 of the Ordinances of the City of Providence, approved September 21, 1951, entitled: "An Ordinance Zoning the City of Providence and Establishing Use, Height, and Area Regulations, as heretofore amended, it is hereby further amended by changing from an R-1 One Family Zone to an R-4 Multiple Dwelling Zone, that portion of Lot 331, presently zoned R-1 One Family Zone, and all of Lots 179, 180, 181, 182, 183, 184, 214, 215 and 236, as set out and delineated on City Assessor's Plat 73; said

Lots bounding along and upon Highland Avenue, Second Street and Stanton Avenue.

Beginning on the south line of Highland Avenue at the northwest corner of Lot 236, on City Assessor's Plat 73, and continuing along the south line of Highland Avenue to the northeast corner of Lot 179; thence easterly along the north line of Lots 179, 181, 182, 183 and 184 to the northeast corner of Lot 184; thence westerly along the southerly line of Lots 184 and 214, to the southeasterly corner of Lot 214; thence westerly along the northerly line of Lot 390 to an angle in the Zoning Division Line and continuing along the Zoning Division Line to the south line of Highland Avenue and the northwest corner of Lot 236; said point being the point and place of beginning, and

Beginning at a point on the range of the center line of Highland Avenue and the north line of Lot 331, thence easterly along the north line of Lot 331, to the northwesterly corner of Lot 390, then making an interior angle of 90°, and

continuing to the north line of Stanton Avenue; thence westerly along the north line of Stanton Avenue to the intersection with the range of the center line of Highland Avenue; thence westerly along the center line of Highland Avenue to the north line of Lot 331.

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

Read and Passed, the Second Time, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

PRESENTATION OF EMERGENCY ORDINANCE

COUNCILMAN LYNCH and COUNCILMAN DARIGAN (By Request):

An Emergency Ordinance in Amendment of the Code of Ordinances of the City of Providence, Rhode Island, approved October 21, 1968 as amended by Chapter 68-41, approved June 10, 1968, Regulating the Control of Dogs and Other Animals.

Be it ordained by the City of Providence:

Whereas, The City of Providence is besieged by stray dogs which endanger the public peace, property, health and safety of its citizens. The City Council desires to take all necessary measures for the relief of said emergency situation.

Now, Therefore, Be it ordained by the City of Providence:

Section 1. Section 4-33 "Restraint of Dogs Required": The owner shall keep his dog under restraint at all times and shall not permit such dog to be at large, off the premises or property of the owner, unless under the control of a competent person by means of voice command or leash or similar restraint.

Sec. 2. Section 4-34 "Impoundment of Dogs and Other Animals": Any dog, or dogs, found running at large shall be taken up by the Dog

Officer or any Police Officer and impounded in the shelter designated as the City Dog Pound, and there confined in a humane manner for a period of not less than five (5) days unless first claimed by the owner thereof in accordance with Section 5, and may thereafter be disposed of in a humane manner if not claimed by their owners.

Sec. 3. Section 4-35 "Redemption of Impounded Dogs or other Animals": Any dog or other animal impounded under the provisions of this Ordinance and not reclaimed by its owner within five (5) days, may be humanely destroyed by the Dog Officer, have its possession transferred to the Society of the Prevention of Cruelty to Animals as provided for in Section 4(b), or placed in the custody of some person deemed to be a responsible person who will agree to comply with the provisions of this Ordinance and such other regulations as shall be fixed by the Dog Officer.

Sec. 4. Section 4-36 "Impoundment Fees": Any animal impounded hereunder may be reclaimed as herein provided upon payment by the owner to the dog officer of \$5.00 and the additional sum of \$2.00 per day for each day such dog is retained. Such fees shall be collected by the Dog Officer and turned over to the City Collector, every month along with a monthly report concerning the number of dogs retained, an ac-

counting of the fees collected and a copy of the paid receipt given to each owner upon redemption of an animal.

Sec. 5. Section 4-52 "Penalty for Violation of Article": Except as otherwise provided herein, any person convicted of violating any provision of this Ordinance may be punished by the payment of a fine not exceeding \$10.00 to be recovered for the use of the City and if such

violation be continued, each day's violation shall constitute a separate offense.

Sec. 6. This Ordinance shall take effect upon its passage.

Read and Passed as an Emergency Ordinance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

PRESENTATION OF ORDINANCES

COUNCILMAN LYNCH and COUNCILMAN DARIGAN (By Request):

An Ordinance in Addition to Section 16-13 of the Code of Ordinances of the City of Providence 1968, as Amended, Entitled, "Obstruction or Disturbance of Any Public School Session."

Referred to the Committee on Ordinances, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN BEATINI.

An Ordinance Accepting Gift of Money to the City of Providence from the Rhode Island Hospital Trust National Bank, Trustee under the Will of Edward F. Ely, Formerly Chairman of the Board of Park Commissioners of the City of Providence, to be Permanently Invested and its Income Used to Pay Necessary Costs of Financing Public Concerts in the Parks of the City of Providence, Rhode Island.

Referred to the Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT HAXTON, COUNCILMAN GOLDIN and COUNCILMAN DARIGAN:

Resolution Requesting the Director of the De-

partment of Public Property to Cause the Tennis Courts within Roger Williams Park to be Refurbished.

Whereas, The sport of Tennis playing is fast

becoming one in which more of our citizens are participating and enjoying, and

Whereas, The opportunity to play on Tennis courts in Providence is noticeably curtailed due to the number of such courts which are in a state of disrepair, and

Whereas, All such Tennis courts, to be properly utilized and enjoyed, should be groomed and maintained in good condition.

Now, Therefore, Be it Resolved, That the Director of the Department of Public Property is urgently requested to cause those Tennis courts in Roger Williams Park that are in need of re-grooming to undertake such improvements so as to offer this sport's facility in proper condition for the use and enjoyment of our burgeoning enthusiasts.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN DARIGAN and GOLDIN**.

COUNCIL PRESIDENT HAXTON and COUNCILMAN PAYNE:

Resolution Requesting "No Parking to Corner" Sign along Althea Street at Cranston Street.

Resolved, That the Traffic Engineer is requested to cause "No Parking to Corner" sign to be erected along the easterly side of Althea Street, from No. 151 to its intersection with Cranston Street.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN DARIGAN and PAYNE**.

COUNCIL PRESIDENT HAXTON and COUNCILMAN PAYNE (By Request):

Resolution Authorizing the Director of the Department of Public Works to Condemn, for Highway Purposes, that Portion of Benedict Street from the State Service Road to a Point Near Sorrento Street and Portions of Lots 50 and 431, on City Assessor's Plat 42.

Resolved, That the Director of the Department of Public Works is authorized to condemn for highway purposes, that portion of Benedict Street, from the State Service Road to a point near Sorrento Street, and also portions of Lots 50 and 431, on City Assessor's Plat 42; all in accordance with accompanying Plan Number 063791 dated September 5, 1973.

Resolution Authorizing the City of Providence to accept from the United States Investment and Development Corporation, Providence, a Portion of Lot 429, on City Assessor's Plat 42 for Highway Purposes.

Resolved, That the City of Providence is hereby authorized to accept for Highway Purposes from United States Investment and Development Corporation of Providence, a portion of Lot 429 on City Assessor's Plat 42; all in accordance with accompanying Plan Number 063564, dated July 24, 1972.

Severally Read and Collectively Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN DARIGAN and PAYNE**.

COUNCILMAN BROWN and COUNCILMAN ADDISON for Themselves and COUNCILMAN MORAN, In Absentia:

Resolution Recommending that the Comstock Urban Renewal Project, so-called, be Named as a Memorial to Doctor George A. Wiley, Late Executive Director of the National Welfare Rights Organization.

Referred to the Committee on Naming Buildings, Expressways, Bridges, Edifices, and Other City Constructions by a Unanimous Rising Vote, in Respect to the Memory of Dr. George A. Wiley, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON, BROWN and DARIGAN**.

COUNCILMAN DeVITO for COUNCILMAN COLA, In Absentia (By Request):

Resolution Requesting that a Portion of Brinkley Street be Resurfaced.

Resolved, That the Director of Public Works is requested to cause that area located at the immediate vicinity of Number 34 Brinkley Street to be resurfaced.

Resolution Requesting Street Light along Maynard Street.

Resolved, That the Acting Public Service Engineer is requested to cause the Installation of an electric street light on Pole No. 1 located along Maynard Street.

COUNCILMAN CROWLEY for Himself and COUNCILMAN AHERN, in Absentia (By Request):

Resolution Requesting Traffic Control Signs and Radar Patrol along Oakland Avenue, from Smith Street to Eaton Street.

Resolved, That the Traffic Engineer cause "Slow-Children" signs be erected along Oakland Avenue, and

The Chief of the Police Department cause a radar patrol to be instituted along Oakland Avenue from Smith Street to Eaton Street.

Resolution Requesting that Audrey Street, from Delaine Street to Appleton Street, be Resurfaced.

Resolved, That the Director of Public Works is requested to cause Audrey Street, from Delaine Street to Appleton Street, be resurfaced.

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN BEATINI, CROWLEY, DARIGAN and DeVITO.

COUNCILMAN LORENZO:

Resolution Requesting the Committee on Finance to Investigate the Recent Approval by the State Director of Business Regulation that a Dental Care Insurance Program be Made Available, between the Rhode Island Dental Service Corp. and Employee Groups, for the Purpose of Providing such Program for City Employees.

Referred to the Committee on Finance, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**.

COUNCILMAN LORENZO and COUNCILMAN DeVITO:

Resolution Requesting the Providence School Committee to Select the Barton Street Site, So-called, for a Proposed New Middle School.

Whereas, The Providence School Committee is presently studying several locations in the West Broadway Project area for the proposed construction of a new Middle School, and

Whereas, It is the consensus of the residents of the West Broadway area that the most equitable site for such a new Middle School is the "Barton Street Site," so-called,

Now, Therefore, Be it Resolved, That the Providence School Committee is requested to designate the said Barton Street Site as the proposed location for the construction of a new Middle School building.

Resolution Requesting the Director of the Department of Planning and Urban Development to Submit a List of All Structures Proposed for Acquisition for Redevelopment Purposes within the Thirteenth Ward.

Resolved, That the Director of the Department of Planning and Urban Development is requested to submit a list to Councilman Jerry Lorenzo and Councilman Rudolph DeVito of all structures proposed for acquisition for redevelopment purposes within the Thirteenth Ward, listing also the same by plat, lot, and street number.

Resolution Requesting the Director of the Department of Building Inspection to Submit a List of All Properties within the Thirteenth Ward in which Civil Action is Now Pending.

Resolved, That the Director of the Department of Building Inspection is requested to submit a list to Councilman Jerry Lorenzo and Councilman Rudolph DeVito of all properties within the Thirteenth Ward in which civil action is now pending, listing also the same by plat, lot, and street number.

Severally Read and Collectively Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN DARIGAN, DeVITO and LORENZO**.

COUNCILMAN LYNCH and COUNCILMAN DARIGAN (By Request):

Resolution Conveying a Parcel of Land along the Northerly Side of Mawney Street, by Bernard and Marion Levy, to the City of Providence.

Referred to the Committee on City Property, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**.

Resolution Refunding to Certain Taxpayers Sums of Money Representing Overpayment of City Taxes to the City Collector for the Years 1967, 1968, 1969, 1970, 1971, 1972 and 1973.

Referred to the Committee on Finance, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**.

**COUNCILMAN W. MURPHY for Himself and
COUNCILMAN PISATURO, In Absentia:**

Resolution Requesting an Appropriation of Thirty Five Thousand Dollars (\$35,000) for the Department of Public Works, to Construct Fencing and Provide Land Fill at the Former Dump Site Situated off Hartford Avenue, in the Vicinity of Killingly Street.

Referred to the Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

**COUNCILMAN XAVIER, COUNCILMAN
KELLY and COUNCILMAN JOHNSON:**

Resolution of Congratulations to Councilman and Mrs. John M. Murphy Upon the Birth of their Second Son, Kevin Barry Murphy.

Whereas, Mrs. John M. Murphy presented her husband, and our personable Council colleague, with a healthy baby boy, whom they named Kevin Barry Murphy, who weighed in at Seven Pounds, Eleven Ounces, and

Whereas, Baby Kevin joins the happy household of Grace and John, and his older brother John Michael,

Now, Therefore, Be It Resolved, That His Honor, Mayor Joseph A. Doorley, Jr., and the Members of the City Council express their best wishes for continued good health, happiness and pray that John Michael and Kevin Barry Murphy be blessed with many more brothers, or sisters as the good Lord shall ordain.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN DARIGAN, JOHNSON, KELLY and XAVIER.

COUNCILMAN XAVIER:

Resolution Requesting the Providence Civic Center Authority to File with the City Council its Annual Report of Operations During the Previous Fiscal Year.

Resolved, That the Providence Civic Center Authority is requested to file with the City Council its Annual Report of Operations during the previous fiscal year, in accordance with Sec. 2-27, entitled, "Annual Reports to Council" of the Code of Ordinances of the City of Providence, approved, October 21, 1968, as amended.

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

**COUNCILMAN XAVIER and COUNCILMAN J.
MURPHY:**

Resolution Requesting the Director of Public Works to Cause a Clean Up of Debris to be Undertaken within the First Ward.

Resolved, That the Director of Public Works is requested to cause a clean up of debris within the First Ward.

Resolution Requesting the Commissioner of Public Safety to Cause a Radar Patrol Be Assigned along Ives Street, from 6:00 o'clock P.M. to 11:00 o'clock P.M.

Resolved, That the Commissioner of Public Safety is requested to cause a radar patrol to be assigned along Ives Street from the hours of 6:00 o'clock P.M. to 11:00 o'clock P.M.

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

REPORTS FROM COMMITTEES

COUNCILMAN MICHAEL E. KELLY, Chairman

COMMITTEE ON CITY PROPERTY

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

Resolution Authorizing the City Treasurer to Sell to Joseph Della Grotta of 18 Penn Street, Lot 888 on City Assessor's Plat 28, Located at 22 Tell Street, for the Sum of Eight Hundred, Seventy Three Dollars and Seventy Four Cents (\$873.74) subject to any subsequent assessments, interests and penalties.

Resolved, That the City Treasurer may give notification in writing addressed to the owner of Lot 888 on Plat No. 28 (located on 22 Tell Street) made for the use of the Board of Assessor's as said plat appeared in the office of the said Board on December 31, 1968, said lot having been sold to the City of Providence at tax sale held May 20, 1971, said notice in writing addressed to the owner of record at the time of the sale, his heirs, assigns or devisees at their last usual place of abode, and notifying them that real estate will be offered for sale unless redeemed within thirty days of said notification.

The City Treasurer has received an offer made by Joseph Della Grotta of 18 Penn Street, of Eight Hundred Seventy Three Dollars and Seventy Four Cents (\$873.74) for Lot 888 on Plat No. 28 and as the period for the redemption of this property has expired, this offer is hereby approved in accordance to the law thereto appertaining.

If said real estate shall not be redeemed within said thirty days, the City Treasurer is hereby authorized to sell and convey to the said Joseph Della Grotta for the price herein approved, subject to any subsequent assessments, interests and penalties.

Resolution Authorizing the City Treasurer to Sell to Raymond Mandarelli of 34 Bancroft Street, Providence, Lot 328 on City Assessor's Plat 115, Located along Ophelia Street, for the Sum of Two Hundred Seventy One Dollars and Sixty-Six Cents (\$271.66), subject to any subsequent assessments, interests and penalties.

Resolved, That the City Treasurer may give notification in writing addressed to the owner of Lot No. 328 on Plat No. 115 (located on Ophelia Street) made for the use of the Board of Assessor's as said plat appeared in the office of the said Board on June 15, 1946, said Lot having been sold to the City of Providence at tax sale held March 25, 1948, said notice in writing addressed to the owner of record at the time of the sale, his heirs, assigns or devisees at their last usual place of abode, and notifying them that said real estate will be offered for sale unless redeemed within thirty days of said notification.

The City Treasurer has received an offer made by Raymond Mandarelli of 34 Bancroft Street, Providence, Rhode Island of Two Hundred Seventy One Dollars and Sixty-Six Cents (\$271.66) for Lot No. 328 on Plat No. 115 and as the period for the redemption of this property has expired this offer is hereby approved in accordance to the law thereto appertaining.

If said real estate shall not be redeemed within said thirty days, the City Treasurer is hereby authorized to sell and convey to the said Raymond Mandarelli or nominees, for the price herein approved. subject to any subsequent assessments, interests and penalties.

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Crow-

ley, Darigan, DeVito, Goldin, Johnson, Kelly, Lynch, McKiernan, Pearlman and Xavier—15.

Noes: None.

Absent: Councilmen Ahern, Cola, Lorenzo, Moran, J. Murphy, W. Murphy, Payne and Pisaturo—8.

ACKNOWLEDGEMENT

COUNCIL PRESIDENT HAXTON acknowledges and welcomes the presence of Members of the Providence Fire Department in the Council Chamber.

COUNCILMAN ROBERT F. LYNCH, Chairman COMMITTEE ON FINANCE

Transmits the following with Recommendation
the Same be Severally Adopted:

An Ordinance Amending the Appropriation Ordinance Chapter 1973-28, Approved June 25, 1973, by Transferring Certain Sums of Money within the Public Works—Waste Collection and Processing Division.

An Ordinance Amending Section 34 of Chapter 1973-30, approved June 25, 1973, 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" relative to Public Works Department—Waste Collection and Processing.

An Ordinance Amending Chapter 1973-29, entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence," as approved June 25, 1973, Relative to the Department of Public Works.

An Ordinance Amending Section 15 of Chapter 1973-30, approved June 25, 1973, entitled: "An Ordinance Establishing the Classes of Po-

sitions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments" relative to Department of Commissioner of Public Safety.

Severally Read and Collectively Passed the First Time, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Crowley, Darigan, DeVito, Goldin, Johnson, Kelly, Lynch, McKiernan, Pearlman and Xavier—15.

Noes: None.

Absent: Councilmen Ahern, Cola, Lorenzo, Moran, J. Murphy, W. Murphy, Payne and Pisaturo—8.

Resolution Refunding to Certain Taxpayers Sums of Money Representing Overpayment of Taxes for the Year 1972.

Resolved, That the accompanying certificates Nos. 1645 thru 1659 (except No. 1658) representing overpayment of taxes for the year 1972 are hereby refunded in the amounts overpaid. (For list of certificates, See files of City Council.)

Resolution Authorizing the Reimbursement to John E. Carroll, an Employee of the City Collector's Office, the sum of Twenty Dollars (\$20.00), representing his payment for Accepting Counterfeit Currency.

Resolved, That the City Treasurer and the City Controller are authorized and directed to

reimburse John E. Carroll, an employee of the City Collector's Office, the sum of \$20.00 representing his reimbursement to the Industrial National Bank on April 18, 1973 of said sum; a copy of the receipt issued by the Industrial National Bank is attached hereto.

Be It Further Resolved, That the City Council orders, with the approval of His Honor the Mayor, that the sum of \$20.00 to be paid to John E. Carroll be charged to the Contingencies Appropriation.

Resolutions Accepting Gifts of Money for 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. (For names and sums of money incorporated in subject Resolutions, See files of the City Council.)

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Beatini, Bradshaw, Brown, Crowley, Darigan, DeVito, Goldin, Johnson, Kelly, Lynch, McKiernan, Pearlman and Xavier—15.

Noes: None.

Absent: Councilmen Ahern, Cola, Lorenzo, Moran, J. Murphy, W. Murphy, Payne and Pisaturo—8.

COUNCILMAN PETER C. MORAN, Chairman
COMMITTEE ON LICENSES

Transmits the following with Recommendation
the Same be Severally Adopted:

Resolutions Granting Applications for Permission to Construct or Install Petroleum Products Storage Tanks and Filling Pumps, viz;

Sun Oil Co. of Pennsylvania, Lessee, City of Providence, R.I., Owner, Terminal Road, Plat 56, Lot 2; One 840,000 Gallon Storage Tank Additional, Making a Total of 7,317,164 Gallons Total Capacity of Storage upon the Premises.

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Building Inspection may authorize minor changes in the structural detail of plans on file, viz:

Sun Oil Co of Pennsylvania, Lessee, City of Providence, R. I., Owner, Terminal Road, Plat 56, Lot 2; One 840,000 Gallon Storage Tank, Additional, Making a Total of 7,317,164 Gallons Total Capacity of Storage upon the Premises.

The erection or location of any buildings or structures not shown on the original plat on file

with the Director of the Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

Merit Oil Company, Lessee, City of Providence, Owner, 396 Elmwood Avenue, Plat 49, Lots 364 and 568; One 5,000 Gallon Tank, Making a Total Storage Capacity upon the Premises of 18,000 Gallons.

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil of their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Building Inspection may authorize minor changes in the structural detail of plans on file, viz:

Merit Oil Company, Lessee, City of Providence, Owner, 396 Elmwood Avenue, Plat 49, Lots 364 and 568; One 5,000 Gallon Tank, Mak-

ing a Total Storage Capacity upon the Premises of 18,000 Gallons.

The erection or location of any buildings or structures not shown on the original plat on file with the Director of the Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

Mobil Oil Corporation, 283 Allens Avenue, Plat 47, Lot 150; One Additional Pump, Making a Total of Four Filling Pumps upon the Premises.

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions

as are hereby enumerated and further provided that the Director of the Department of Building Inspection may authorize minor changes in the structural detail of plans on file, viz:

Mobil Oil Corporation, 283 Allens Avenue, Plat 47, Lot 150; One Additional Pump, Making a Total of Four Filling Pumps upon the Premises.

The erection or location of any buildings or structures not shown on the original plat on file with the Director of the Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

Resolution Granting Application for Permission to Construct or Install Petroleum Products Storage Tanks, for

Merit Oil Company of Providence, Inc., 1219-1221 North Main Street, Plat 91, Lots 226 and 344; One 4,000 and One 2,500 Gallon Tanks, Making a Total Storage Capacity upon the Premises of 18,000 Gallons.

Referred Back to the Committee on Licenses, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

COUNCILMAN THOMAS L. PAYNE, Chairman
COMMITTEE ON PUBLIC WORKS

Transmits the following with Recommendation
the Same be Adopted:

Resolution Ordering the Abandonment as a Public Highway of Clara Street from Smith Street to its Northeasterly Termination.

Resolved, Decreed and Ordered, That that portion of Clara Street from Smith Street to its northeasterly termination, as shown on cross-hatched area and designated by the letters A-B-C-D-E-F-A, on accompanying Plan No. 063588, date: November 29, 1972, has ceased to be useful to the public and is hereby abandoned as a public highway and the damage to the abutters is appraised at nothing and so awarded, and subject to that agreement dated August 16th A.D., 1973, between Alice and Berch Stepanian and Angelo and Donata Giarusso, all of Providence, a copy of which is hereto attached, 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 portion of Clara Street, from Smith Street to its northeasterly termination, 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 and personal notice shall be served by the City Sergeant upon every owner of land abutting the portion of Clara Street, from Smith Street to its northeasterly termination, which has been abandoned, who is known to reside within this State.

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

COMMUNICATION AND REPORTS

FROM PORT MANAGER

Annual Report for the Period July 1, 1972 to June 30, 1973.

Received.

FROM STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF COASTAL RESOURCES:

Notice informing of Application of Brown University for State Assent to Maintain Existing Docks Located on the Seekonk River, West of the Washington Bridge in Providence.

Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

30-J) Recommending the Same be 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 the Committee on Claims and Pending Suits, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

FROM CITY ASSESSOR

Certificates (5-J, 7-J, 8-J, 9-J, 11-J, 18-J and

PETITIONS

COUNCILMAN JOHNSON and COUNCILMAN McKIERNAN (By Request):

Petition of J. L. Anthony & Company, 115 Baker Street, Providence, for Permission to Encroach upon a Public Highway a Distance of Three (3) Inches±, More or Less, along Lots 201, 202, 203, 204 and 219, as Set Out and Delineated on City Assessor's Plat 58; the Subject Lots being also Designated as 115 Baker Street.

COUNCILMAN J. MURPHY and COUNCILMAN XAVIER (By Request):

Petition of Clark & Coombs Realty Company for Permission to Clean by Sandblast Process Exterior of Building Located at 162 Clifford Street.

FROM THE CLERK'S DESK

Petition of U. S. Industries, Inc., Rau Fasteners Division, to Abandon as a Public Highway a Portion of Westfield Street between Dexter Street and Harrison Street.

Severally Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

Petition of Four A's Enterprises, Inc., to Change from a C-2 General Commercial Zone to an M-1 General Industrial Zone, All of Lots 135, 134, 133, 136, 137, 139 and 140, as Set Out and Delineated on City Assessor's Plat 30, Said Lots being Situated along the Northerly Side of Lester Street from Bridgham Street, being also Designated as 151, 153 (8 Gilmore) 157, 163-165, and 169 Lester Street, 88-92 Bridgham Street, and 250-256 Cranston Street (15 Gilmore Street).

Referred to the Committee on Ordinances, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

Petitions for Compensation for Injuries and Damages, viz:

Mrs. Louisa Anderson

Theodore W. Barnes

Mrs. Frances Cardillo

Ann F. Contant

Irene C. Dube

Kenneth A. Dupere

Nicholas Gianquitti

Walter N. Godfrey

Holinmar Realty, Inc.

Shirley Jeffreys

Lumbermans Mutual Casualty Co.

Manual Mendonca

James Misto

Richard A. Muckle

Edward Peoples, p.p.a. Tracy Peoples

Renee Ramos

Severally Referred to the Committee on Public Claims and Pending Suits, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

PRESENTATION OF RESOLUTIONS

In Memoriam

COUNCILMAN ADDISON, COUNCILMAN KELLY and COUNCILMAN BROWN:

Resolution Noting the Death of the Reverend F. Milton Smith, Late Pastor of Olney Street Baptist Church of Providence.

Whereas, The Reverend F. Milton Smith, late Pastor of the Olney Street Baptist Church of Providence, met an untimely death, with his wife and son, in an automobile accident while vacationing in the State of Alabama, and

Whereas, The Reverend Smith, whose spiritual, social and civic leadership within our community included the Vice-Presidency of the Mount Hope Day Care Center; membership on the Board of Opportunities of the Industrial Corporation; Voter Educational Drives; membership of the Ministers Alliance, and various programs involving the elderly and youth at his Church, which included membership on many boards and community organizations, and

Whereas, The good Pastor invoked meetings of this City Council on more than one occasion at the invitation of that Body,

Now, Therefore, Be It Resolved, That in the passing of the Reverend F. Milton Smith, late Pastor of the Olney Street Baptist Church in Providence, His Honor, Mayor Joseph A. Doorley, Jr., joins the Members of the City Council in expressing their sympathy to his survivors and the congregation of his Church in his untimely passing, and that of his wife and son.

Read and Passed by a Unanimous Rising Vote, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, BROWN, DARIGAN and KELLY.

COUNCILMAN CROWLEY:

Resolution of Sympathy in Noting the Death of Mrs. Mary M. Ahern, Beloved Mother of our

Distinguished Colleague, Councilman Timothy J. Ahern.

Whereas, Almighty God, in His Divine Wisdom, has taken unto Himself, the Soul of Mrs. Mary M. Ahern, wife of the late James Ahern and mother of our distinguished colleague Councilman Timothy J. Ahern, and

Whereas, The late lamented Mrs. Ahern, a native of County Cork, Ireland, mother of a fine family of five children, twelve grandchildren, and twenty-five great-grandchildren contributed much to the religious and civic life of the Smith Hill community, where she lived for sixty-two years, until the time of her passing, and

Whereas, A religious wife and mother, she was a communicant of St. Patrick's Roman Catholic Church and a member of its Alter Society,

Now, Therefore, Be It Resolved, That in noting the passing of Mrs. Mary M. Ahern, His Honor, Mayor Joseph A. Doorley, Jr., joins with the City Council of the City of Providence in expressing their heartfelt sympathy to their colleague, Councilman Timothy J. Ahern, and to the members of the family in this, their period of bereavement, following the irreplaceable loss of a devoted and venerated mother.

Read and Passed by a Unanimous Rising Vote, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN CROWLEY and DARIGAN.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, the City Council adjourns at 9:40 o'clock P.M. (EDT), to meet again on THURSDAY, SEPTEMBER 20, 1973, at 8:00 o'clock P.M. (EDT).

Vincent Vespia

City Clerk

September 6]

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[1973
