

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 69 City Council Regular Meeting, July 12, 2001, 7:30 o'clock P.M. (E.D.T.)

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PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

Present: Council President Lombardi,  
Councilmen Allen, Aponte, Clarkin, De-  
Luca, Councilwoman DiRuzzo, Councilmen  
Hassett, Igliozi, Jackson, Mancini, Coun-  
cilwomen Nolan, Romano, Williams and  
Young—14.

Absent: Councilman Butler—1.

IN CITY COUNCIL  
SEP 6 2001

1329

APPROVED:

*Michael R. Clement* CLERK

*[Signature]*

## INVOCATION

The Invocation is given by COUNCILMAN  
KEVIN JACKSON.

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

COUNCILMAN JOHN J. IGLIOZZI leads  
the members of the City Council and the  
Assemblage in the Pledge of Allegiance to  
the Flag of the United States of America.

## APPROVAL OF RECORD

The Journal of Proceedings No. 65 of the  
Special Meeting of the City Council held May  
10, 2001, and Posted June 22, 2001, on that  
Bulletin Board located on the Ground Floor  
Level of City Hall, is approved as printed,  
on motion of COUNCILMAN ALLEN, sec-  
onded by COUNCILWOMAN WILLIAMS.

## COMMUNICATION FROM HIS HONOR THE MAYOR

**COUNCILMAN ALLEN moves to take the following Matter out of Order to be Heard First, seconded by COUNCILWOMAN WILLIAMS.**

Communication from His Honor, Mayor Vincent A. Cianci, Jr., dated June 27, 2001, Informing the Honorable Members of the City Council that pursuant to Section 17-27 of the Code of Ordinances, He hereby transmits and requests ratification of Collective Bargaining Agreement by and between the City of Providence and the Rhode Island Laborers' District Council on behalf of Local Union 1033,

Laborers' International Union of North America (L.I.U.N.A.), with an effective term of July 1, 2001 to June 30, 2004.

**COUNCIL PRESIDENT LOMBARDI Receives the Communication and Refers the Same to the Committee on Finance.**

**The motion to Refer is Sustained.**

## APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated June 19, 2001, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Paul Lewis of 72 Courtland Street, Suite 3, Providence, Rhode Island 02909, as a Member of the

Providence Housing Authority for a term to expire in July 2006.

**Received.**

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## ORDINANCE SECOND READING

The following Ordinance was in City Council June 21, 2001, Read and Passed the First Time and is returned for Passage the Second Time:

An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, Approved June 27, 1994, as Amended.

*Be it Ordained by the City of Providence:*

**Section 1.** Chapter 564 of the Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, shall be further amended as follows:

a) Article I, Section 101.4, Industrial Zoning Districts, add language in the "M-1 Industrial District", to read as follows:

"M-1 — This zone is intended for general industrial uses that accommodate a variety of manufacturing, assembly, storage of durable goods and related activities provided that they do not pose toxic, explosive or environmental hazard in the City; and to support live-work spaces only in those existing underutilized industrial and/or commercial structures that are included in Article V, Section 501, Industrial and Commercial Individual Structure District."

b) Article III, Section 303, Table of Use Regulations, Use Code 14, change the existing M-1 from "S<sup>1</sup>" to "Y<sup>6</sup>, "".

c) Article III, Section 303, Table of Use Regulations, Use Code 14.1, change the existing M-1 from "N" to "Y<sup>6</sup>, "".

d) Article III, Section 303, Table of Use Regulations, Use Code 14.2, change the existing M-1 from "S" to "Y<sup>7</sup>, "".

e) Article III, Section 303, Table of Use Regulations, Residential Use 1.0, add new footnote #6:

"6. Must have a minimum of 5,000 square feet Gross Floor Area required for new construction."

f) Article III, Section 303, Table of Use Regulations, Residential Use 1.0, add new footnote #7:

"7. The owner(s) of a building seeking a conditional use for artist's studio/dwellings must sign and record a covenant and equitable servitude, on a form acceptable to the Director, that acknowledges that the owner(s) and occupants of the building accept the industrial character of the neighborhood and agree that existing or permitted industrial uses do not constitute a nuisance or other inappropriate or unlawful use of land. Such covenant and equitable servitude must state that it is binding on the owner(s)' successors, heirs, and assigns, including any leases of the artist's studio/dwellings."

g) Article III, Section 303, Table of Use Regulations, Residential Use 1.0, add new footnote #8:

"8. Artist's studio/dwellings shall not be located where they may restrict or disrupt industrial activity."

h) Article X, Definitions, add new definition 1000.93:

"1000.93 — *Live-Work Space*: Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work."

i) Article X, Definitions, 1000.94, remove first sentence and new first sentence to read as follows:

"1000.94 — *Loft, Commercial Artist*: A dwelling unit established in an existing non-residential building used or designed to be used by artists or craftspeople to create works of art or crafts and which may also be used by such artists or craftspeople to reside in."

Section 2. Article X, Definitions, renumber

all definitions from 1000.93 to 1000.153 to one number higher to reflect addition of new definition 1000.93, above.

Section 3. This Ordinance shall take effect upon passage.

**Read and Passed the Second Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—14.

**Nays:** None.

**Absent:** Councilman Butler—1.

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

## PRESENTATION OF ORDINANCES

**COUNCILMAN ALLEN and COUNCILMAN APONTE (By Request):**

An Ordinance in Amendment of and in Addition to Chapter 1986-53 of the Ordinance of the City of Providence Approved October 23, 1986, and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan

for the Special Vacant Lot Project" for the Acquisition of Lots 84 and 18 on Plat 66, 74-76 Robin Street and 157-159 Allston Street, respectively.

**COUNCILWOMAN NOLAN (By Request):**

An Ordinance in Amendment of and in Addition to Chapter 1986-53 of the Ordinance of the City of Providence Approved October 23, 1986, and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Special Vacant Lot Project" for the Acquisition of Lot 508 on Plat 49, 98-100 Hamilton Street.

**COUNCILMAN ALLEN** moves to dis

pense with the reading of the foregoing matters.

**COUNCIL PRESIDENT LOMBARDI** Refers the Ordinances to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Sustained.

## PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT LOMBARDI (By Request):**

Resolution Authorizing the Approval of Certain Expenditures of Funds from the Neighborhood Improvement Program.

**COUNCIL PRESIDENT LOMBARDI** Refers the Resolution to the Committee on Finance.

The motion to Refer is Sustained.

the hours of 8:00 a.m. to 3:00 p.m., for Providence Community Safety.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Hollywood Road, from Dexter Street to Parade Street, on Saturday June 23, 2001, between the hours of 8:00 a.m. to 3:00 p.m., for Providence Community Safety.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Hollywood Road, from Dexter Street to Parade Street, on Saturday June 23, 2001, between

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets on various dates and times to accommodate the West Broadway Neighborhood Association's Neighborhood Block Parties.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along various streets on various dates and times to accommodate the West Broadway Neighborhood Association's Neighborhood Block Parties as follows:

Chapin and Wood Street, last block of Sycamore Street, between Wood Street and Chapin Street, on Saturday, July 21, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Willow Street from Parade Street to Sycamore Street, on Saturday, July 28, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Hudson Street from Parade Street to Sycamore Street, on Saturday, July 28, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Bainbridge Street from Westminster Street to Broadway, on Saturday, August 4, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Oak Street from Sycamore Street to Messer Street, on Saturday, August 4, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Hammond Street from Division Street to Gilbert Street, on Saturday, August 11, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Division Street from Dexter Street to Harrison Street, on Saturday, August 11, 2001 from 4:00 o'clock p.m. to 8:00 o'clock p.m.

Carpenter Street from Decateur Square, and Fountain Street from Square to Battey Street from 4:00 o'clock p.m. to 8:00 o'clock p.m.

**COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILWOMAN DiRUZZO and COUNCILWOMAN YOUNG:**

Resolution requesting a Moratorium on building permits for new construction or renovation along Cranston Street, from Westminster Street to the Cranston City Line, for a nine (9) month period.

*Whereas*, The City Council recognizes that Cranston Street is now facing undue commercial development pressures, and

*Whereas*, Existing zoning and development controls on Cranston Street may be inadequate and/or inappropriate to protecting the street from undue development pressures to the extent that neighborhood character is in jeopardy, and

*Whereas*, The City has no available remedy to protect the street through the existing Zoning Ordinance, and

*Whereas*, Council President John Lombardi of the 13th Ward, Councilman Ronald Allen of the 8th Ward, Councilwoman Balbina Young of the 11th Ward and Councilwoman Josephine DiRuzzo of the 15th Ward have been working to address development and traffic issues on Cranston Street and have asked for a remedy to be prepared, and

*Whereas*, The Department of Planning and Development has agreed to assist the aforementioned Council Members in the preparation of said remedy, and

*Whereas*, The Department of Planning and Development will, in the preparation of said

remedy, make specific planning and zoning recommendations to the City Council,

*Now, therefore, be it Resolved*, That the City Council resolves that a moratorium on building permits for new construction or renovation and for demolition permits be imposed immediately upon approval of this Resolution by His Honor the Mayor. The moratorium shall end on a date exactly nine (9) months from the date of such approval. The moratorium is imposed on an area extending along Cranston Street from the intersection at Westminster Street (Canonicus Square) to the Cranston City Line (approximately one and one half miles), one parcel deep on both sides of Cranston Street, excluding all parcels presently contained within the Westminster Street Overlay District.

This Resolution shall take effect immediately.

**COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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**COUNCILMAN ALLEN (By Request):**

Resolution requesting the Personnel Director to present to the City Council, the Official Equal Opportunity Plan for the Providence Police Department and its upcoming Training Academy, on or before August 15, 2001.

*Whereas*, The Director of Personnel and the Equal Employment Opportunity (EEO) Officer have been asked on several occasions over the

past three months to present the Equal Opportunity Plan for the Providence Police Department, and

*Whereas*, To date, this request has not been complied with, and

*Whereas*, A professional planning methodology cannot be implemented to employ an effective "course of action" without knowing the present statistical groupings of our police force, and

*Whereas*, Unless an innovative approach is utilized to improve the minority workforce within our City, then, the City of Providence will surely fail in its attempt to bridge the gap between the Police Department and the community, and

*Now, therefore, be it Resolved*, That the Personnel Department of the City of Providence present to the Providence City Council, the official Equal Opportunity Plan for the Providence Police Department and its upcoming training academy on or before August 15, 2001.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Carlisle Street, from Whitney Street to Elmwood Avenue, on Wednesday, July 4, 2001, from 9:00 o'clock a.m. to 4:30 o'clock p.m. to accommodate a Block Party/Parade.



*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Carlisle Street, from Whitney Street to Elmwood Avenue, on Wednesday, July 4, 2001, from 9:00 o'clock a.m. to 4:30 o'clock p.m. to accommodate a Block Party/Parade.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Bucklin Street, between Princeton Avenue to Daboll Street, on Saturday, October 13, 2001, from 10:00 o'clock a.m. to 2:00 o'clock p.m. to accommodate Safety Day and Car Seat Clinic.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Bucklin Street, between Princeton Avenue to Daboll Street, on Saturday, October 13, 2001, from 10:00 o'clock a.m. to 2:00 o'clock p.m. to accommodate Safety Day and Car Seat Clinic.

**COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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**COUNCILMAN ALLEN, COUNCILMAN APONTE and COUNCILMAN JACKSON:**

Resolution requesting the Director of Personnel, along with the Director of Recreation for the City of Providence, to establish and present

to the City Council a written policy and procedure for collection of application, processing and selection of all summer applicants on or before August 1, 2001.

*Whereas*, Summer applications for Wards Three, Eight and Ten were lost or misplaced five days before the start of the summer program, and

*Whereas*, As a result of the loss, all the summer applicants for the aforementioned Wards had to personally appear at the Alderman's Chambers at a designated hour, only to be subjected to waiting 45 minutes to an hour for the Mayor to have a photo opportunity, and

*Whereas*, The administration has implemented a two tier system for summer youth employment and has politicized it for no apparent reason other than self engrandizement, and

*Whereas*, This new policy by the Mayor's Chief of Staff of having to approve all summer youth employment is an unnecessary political entanglement that only convolutes the process, and

*Whereas*, This new policy has, and/or will, cost the City of Providence additional dollars by paying unnecessary overtime salaries, and

*Whereas*, This new policy has caused swimming pools to close early or not open on certain days due to lack of staff and/or staff being overworked, and

*Whereas*, This new policy penalizes certain inner city youth for residing in certain neighborhoods and analogous to defacto discriminatory practices.

*Now, therefore, be it Resolved,* That the Mayor's Office and the Office of the Personnel Director along with the Director of Recreation for the City of Providence, establish and present

a written policy and procedure for the collection of application, processing and selection of all summer applicants on or before August 1, 2001 to the Providence City Council.

## COUNCIL PRESIDENT LOMBARDI RELINQUISHES THE CHAIR

## COUNCIL PRESIDENT PRO-TEMPORE YOUNG IN CHAIR

## COUNCIL PRESIDENT PRO-TEMPORE YOUNG RELINQUISHES CHAIR

## COUNCIL PRESIDENT LOMBARDI IN CHAIR

COUNCILMAN ALLEN moves for Passage of the foregoing Resolution, seconded by COUNCILWOMAN WILLIAMS.

COUNCILWOMAN NOLAN moves that a Roll Call Vote be taken, seconded by COUNCILMAN HASSETT, as follows:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Jackson, Mancini, Councilwomen Williams and Young—11.

Noes: None.

Not Voting: Councilman Igliozi, Councilwomen Nolan and Romano—3.

Absent: Councilman Butler—1.

The motion for Passage is Sustained.

### COUNCILMAN APONTE (By Request):

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Pavilion Avenue, between Rugby Street to Millard

Street, on Sunday July 15, 2001, from 1:00 o'clock p.m. to 8:00 o'clock p.m. to accommodate a Community Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Pavilion Avenue, between Rugby Street to Millard Street, on Sunday July 15, 2001, from 1:00 o'clock p.m. to 8:00 o'clock p.m. to accommodate a Community Block Party.

**COUNCILMAN ALLEN** moves to dispense with the reading of the foregoing matter and moves passage of the Resolution, seconded by **COUNCILWOMAN WILLIAMS**.

**The motion for Passage is Sustained.**

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**COUNCILMAN CLARKIN (By Request):**

Resolution requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 18, Lot 249, 132 George M. Cohan Boulevard, in the amount of Fourteen Thousand Four Hundred Fifty Six Dollars and Eighty Five Cents (\$14,456.85) and Plat 18, Lot 262, 134 George M. Cohan Boulevard, in the amount of Two Thousand Nine Hundred Thirty Six Dollars and Sixty Cents (\$2,936.60) at the request of Cajacet Project, Inc.

**COUNCIL PRESIDENT LOMBARDI** Refers the Resolution to the Committee on Finance.

**The motion to Refer is Sustained.**

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**COUNCILWOMAN DiRUZZO:**

Resolution requesting the State Department of Environmental Management to cause the clean up of the overgrown brush on and along the sidewalks surrounding the highway along Harris Avenue in its entirety.

*Resolved*, That the State Department of Environmental Management is requested to cause the clean up of the overgrown brush on and along the sidewalks surrounding the highway along Harris Avenue in its entirety.

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Resolution requesting the State Department of Environmental Management to cause the clean up of the overgrown brush in and around Route 10 near 160 Plainfield Street at its intersection with Laban Street.

*Resolved*, That the State Department of Environmental Management is requested to cause the clean up of the overgrown brush in and around Route 10 near 160 Plainfield Street at its intersection with Laban Street.

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Resolution requesting the Director of Public Works to cause the clean up of the city owned property along Route 10 at its intersection with Plainfield Street and Laban Street, across from 160 Plainfield Street, and to also cause the repair of the broken fence at the same location.

*Resolved*, That the Director of Public Works is requested to cause the clean up of the city

owned property along Route 10 at its intersection with Plainfield Street and Laban Street, across from 160 Plainfield Street, and to also cause the repair of the broken fence at the same location.

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**COUNCILMAN HASSETT (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Berkley Street, from Lisbon Street to Robin Street, on Saturday, July 14, 2001, between the hours of 2:00 o'clock p.m. to 6:00 o'clock p.m. to accommodate a Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Berkley Street, from Lisbon Street to Robin Street, on Saturday, July 14, 2001, between the hours of 2:00 o'clock p.m. to 6:00 o'clock p.m. to accommodate a Block Party.

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**COUNCILMAN HASSETT:**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Smith Street, from Chalkstone Avenue to Orms Street, on Saturday, August 25, 2001, between the hours of 7:00 o'clock a.m. to 7:00 o'clock p.m. to accommodate the Smith Hill Jam (Rain date Sunday, August 26, 2001).

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Smith Street, from Chalkstone Avenue to Orms Street, on Saturday, August 25, 2001, between the hours of 7:00 o'clock a.m. to 7:00 o'clock p.m.

to accommodate the Smith Hill Jam (Rain date Sunday, August 26, 2001).

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Ayrault Street, from Chalkstone Avenue to Raymond Street, on Saturday, August 25, 2001, between the hours of 9:00 o'clock a.m. to 7:00 o'clock p.m. to accommodate an Annual Block Party (Rain date Sunday, August 26, 2001).

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Ayrault Street, from Chalkstone Avenue to Raymond Street, on Saturday, August 25, 2001, between the hours of 9:00 o'clock a.m. to 7:00 o'clock p.m. to accommodate an Annual Block Party (Rain date Sunday, August 26, 2001).

**COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution requesting the Traffic Engineer to cause the installation of "Four-Way Stop" Signs at the intersection of Huron Street and Health Avenue.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.**

**The motion to Refer is Sustained.**

Resolution requesting the State of Rhode Island, Department of Transportation to initiate a traffic study and analysis to determine the impact of traffic within the Capital Hill area on the residential area of the Smith Hill and College Hill neighborhoods.

*Resolved*, That the State of Rhode Island, Department of Transportation is requested to initiate a traffic study and analysis to determine the impact of traffic within the Capital Hill area on the residential area of the Smith Hill and College Hill neighborhoods.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution requesting the Providence Redevelopment Agency to acquire that vacant lot located at 105 Bernon Street as part of the City's Vacant Lot Program.

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Resolution requesting the Providence Redevelopment Agency to acquire that property located at 157-159 Allston Street as part of the Twelfth Ward Revitalization Plan.

**COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Refers the Resolutions to the Committee**

**on Urban Redevelopment, Renewal and Planning.**

**The motion to Refer is Sustained.**

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Resolution requesting the Traffic Engineer to cause that portion of Candace Street from Smith Street to Chalkstone Avenue to be designated as a "One-Way".

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.**

**The motion to Refer is Sustained.**

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**COUNCILMAN IGLIOZZI:**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Pocasset Avenue, between Union Avenue to What Cheer Avenue, on Saturday, July 21, 2001, between the hours of 10:00 o'clock a.m. to 3:00 o'clock p.m. for the Dedication of the Silver Lake Family Memorial.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Pocasset Avenue, between Union Avenue to What Cheer Avenue, on Saturday, July 21, 2001, between the hours of 10:00 o'clock a.m. to 3:00 o'clock p.m. for the Dedication of the Silver Lake Family Memorial.

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**COUNCILWOMAN NOLAN (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Broad Street, from Thurbers Avenue to Corinth Street, on Saturday, August 11, 2001, between the hours of 11:00 o'clock a.m. to 9:00 o'clock p.m. to accommodate the 14th Annual Dominican Festival Celebration.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Broad Street, from Thurbers Avenue to Corinth Street, on Saturday, August 11, 2001, between the hours of 11:00 o'clock a.m. to 9:00 o'clock p.m. to accommodate the 14th Annual Dominican Festival Celebration.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Niagara Street, between Atlantic Avenue and Lexington Avenue, on Wednesday, June 27, 2001, between the hours of 4:00 o'clock p.m. to 8:00 o'clock p.m. to accommodate the Elmwood Foundation Street Fair.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Niagara Street, between Atlantic Avenue and Lexington Avenue, on Wednesday, June 27, 2001, between the hours of 4:00 o'clock p.m. to 8:00 o'clock p.m. to accommodate the Elmwood Foundation Street Fair.

**COUNCILMAN ALLEN** moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by **COUNCILWOMAN WILLIAMS**.

**The motion for Passage is Sustained.**

**COUNCILWOMAN WILLIAMS (By Request):**

Resolution requesting the Traffic Engineer to cause the installation of "No Parking to Corner" Signs along Hope Street at Savoy Street and Elmgrove Avenue at Savoy Street.

**COUNCIL PRESIDENT LOMBARDI** Refers the Resolution to the Committee on Public Works.

**The motion to Refer is Sustained.**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along University Avenue, between Cole Avenue and Slater Avenue, on Sunday, July 15, 2001, between the hours of 4:00 o'clock p.m. and 8:30 o'clock p.m. to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along University Avenue, between Cole Avenue and Slater Avenue, on Sunday, July 15, 2001, between the hours of 4:00 o'clock p.m. and 8:30 o'clock p.m. to accommodate a Neighborhood Block Party.

**COUNCILWOMAN WILLIAMS, COUNCIL  
PRESIDENT LOMBARDI, COUNCIL-  
WOMAN NOLAN and COUNCILWO-  
MAN DiRUZZO:**

Resolution Extending Sincere Appreciation to Tina Reagan for her many years of work preserving the Historic Buildings in the City of Providence.

*Whereas*, Tina C. Reagan began her career in community service by chairing the West Broadway Project Area Committee in the 1960's, going door to door in her own neighborhood to educate local residents about the benefits of using preservation as a tool to revitalize urban communities, and

*Whereas*, From the mid-1970's through 2000, Tina C. Reagan dedicated countless hours and boundless energy to the Providence Preservation Society, performing a multitude of roles, including volunteer, docent and tour guide, staff person and member of the Providence Preservation Society's Board of Directors and its Executive Committee, and continues to serve the Preservation's Revolving Fund Board of Directors, of which she has been a member since 1984, and

*Whereas*, Tina C. Reagan also served for eighteen years, from 1981 to 1999, on the Providence Historic District Commission, the last seven years as chairwoman, serving the City of Providence with integrity, honor, consistency, fairness and the courage of her convictions, and

*Whereas*, For nearly four decades, Tina C. Reagan has been a tireless and passionate advocate for neighborhood revitalization, historic preservation and improving the quality

of life in the City of Providence where she has lived all her life and loves so well.

*Now, therefore, be it Resolved*, That the City Council of the City of Providence resolves to thank Tina C. Reagan for her many years of dedicated service to the City and to express its hope that she continue those endeavors for many years to come, by declaring Wednesday, July 18, 2001 as the Tina C. Reagan Appreciation Day in the City of Providence, and encourages all citizens of the City to join in this celebration.

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**COUNCILWOMAN YOUNG (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Marlborough Avenue, between Taylor Street and Broad Street, on Saturday, July 14, 2001, between the hours of 6:00 o'clock p.m. to 10:00 o'clock p.m. to accommodate a Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Marlborough Avenue, between Taylor Street and Broad Street, on Saturday, July 14, 2001, between the hours of 6:00 o'clock p.m. to 10:00 o'clock p.m. to accommodate a Block Party.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Lockwood Street, from Friendship Street to West Clifford Street, on Sunday, August 5, 2001, from 2:00 o'clock p.m. to 6:00 o'clock p.m. to

accommodate the Taste of the Islands Restaurant Caribbean Cookout/Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Lockwood Street, from Friendship Street to West Clifford Street, on Sunday, August 5, 2001,

from 2:00 o'clock p.m. to 6:00 o'clock p.m. to accommodate the Taste of the Islands Restaurant Caribbean Cookout/Block Party.

## REPORTS FROM COMMITTEES

### COUNCILMAN ROBERT M. CLARKIN, Chairman COMMITTEE ON PUBLIC WORKS

**Transmits the following with recommendation the same be Severally Approved:**

Resolution requesting the Abandonment of a portion of the Kennedy Plaza right-of-way.

*Resolved, Decreed and Ordered:*

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064667 dated July 6, 2001.

VIZ: Kennedy Plaza, so-called, (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A, B, C, D, E, A, having ceased to be useful to the public and is proposed to be abandoned as a public highway.

Said abandonment is specifically conditioned precedent upon the following:

1. The petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

2. The petitioner shall convey an easement acceptable to Providence Gas Company which



will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The petitioner shall convey an easement acceptable to Verizon which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within Resolution shall automatically become a nullity.

*Ordered*, That the Traffic Engineer 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 the State.

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Resolution requesting the Abandonment of a portion of Garnet Street between Weybosset and Pine Streets.

*Whereas*, Johnson & Wales University, a corporation established under the laws of the State of Rhode Island, for itself and for its successors and assigns (hereinafter collectively called "Johnson & Wales") has requested that the City of Providence, Rhode Island (hereinafter called the "City") abandon any interest it may have in and to the underground waste disposal system now maintained in, under, through, over and across that portion of the former Garnet Street, between Pine and Weybosset Streets (hereinafter called "Garnet Street") in the City and County of Providence, State of Rhode Island, which was abandoned by said City by virtue of Resolution No. 385 of the City Council of said City of Providence, approved August 10, 1990 (hereinafter called the "Abandonment Resolution"). For purposes of this Resolution, the underground sanitary/combination sewer waste disposal system now maintained in Garnet Street is hereinafter referred to as the "Facilities"; and

*Whereas*, The City has certain rights in and to the Facilities; and

*Whereas*, The Abandonment Resolution indicated, inter alia, that the abandonment of Garnet Street was subject to an easement being granted for such sanitary/combination sewer waste disposal; and

*Whereas*, The City, through the Providence Department of Public Works, maintains certain portions of the sanitary or combination sewer waste disposal system in the City of Providence; and

*Whereas*, The parties hereto have determined that the continued ownership and maintenance of the Facilities by the City is no longer dictated by the public health and safety; and

*Whereas*, Previously existing rights to water service easements have been abandoned through Resolution No. 822, approved November 29, 1993 and a subsequent agreement; and

*Whereas*, That based on the foregoing, the easement hereto referenced is no longer required to promote the health, safety, welfare or convenience of the public and the City wishes to discontinue and extinguish said easement.

*Now, therefore, be it Resolved, That:*

1. Any and all sanitary or combination sewer easements in Garnet Street are hereby discontinued and extinguished and the City hereby abandons any interest it may have in or to the Facilities.

2. Johnson & Wales may, at any time and at its own expenses remove the Facilities provided that said removal is conducted with the foreknowledge and approval of the Providence Department of Public Works (hereinafter called "Public Works"). Prior to removing the Facilities, Johnson & Wales shall notify Public Works and shall comply with such reasonable requirements as may be prescribed by Public Works.

3. In the event Johnson & Wales does not remove the Facilities, then Johnson & Wales shall be responsible for the repair and maintenance of the Facilities at its own expense and shall keep the Facilities in proper operating condition until such time as the Facilities are removed pursuant to the provisions of this Resolution. Further, in the event of such removal, Johnson & Wales covenants for itself and its successors and assigns that it shall assume the whole of the costs of the installation of new or added service(s) to the properties it presently owns or it may acquire which might otherwise have been connected to the Facilities and that such service shall conform to the requirements of Public Works.

4. The obligations of Johnson & Wales set forth herein shall run with the land and shall be binding upon Johnson & Wales and its successors and assigns.

5. This Resolution or a memorandum of the same shall be effective when recorded in the Land Evidence Records of the City by Johnson & Wales and after such recordation the Facilities shall be the exclusive responsibility of Johnson & Wales and any liability of the City of Providence shall cease.

**COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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**COUNCILWOMAN RITA M. WILLIAMS, Chairwoman  
COMMITTEE ON ORDINANCES**

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

An Ordinance Amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, Approved June 27, 1994, as Amended, to change the Zoning Classification of Certain Lots on Zoning District Map 19.

Read and Passed the First Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi,

Councilmen Allen, Aponte, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—14.

Noes: None.

Absent: Councilman Butler—1.

The motion for Passage the First Time, is Sustained.

**COUNCILWOMAN BALBINA A. YOUNG, Chairwoman  
COMMITTEE ON URBAN REDEVELOPMENT,  
RENEWAL AND PLANNING**

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

Resolution requesting the Providence Redevelopment Agency to acquire that property located at 184 Douglas Avenue (Assessor's Plat 68, Lot 67) as part of the vacant lot program.

*Resolved*, That the Providence Redevelopment Agency is requested to acquire that property located at 184 Douglas Avenue

(Assessor's Plat 68, Lot 67) as part of the vacant lot program.

Resolution requesting the Providence Redevelopment Agency to acquire that property located at 40 Alston Street as part of the City Vacant Lot Program.

*Resolved*, That the Providence Redevelopment Agency is requested to acquire that property located at 40 Alston Street as part of the City Vacant Lot Program.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 290 (94 Potters Avenue) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 290 (94 Potters Avenue) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 254 (75 Trask Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 254 (75 Trask Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 253 (79 Trask Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 253 (79 Trask Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 488 (91 Burnside Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 488 (91 Burnside Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 487 (93 Burnside Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 487 (93 Burnside Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 47, Lot 747 (9 Searle Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 47, Lot 747 (9 Searle Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 47, Lot 749 (17 Searle Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 47, Lot 749 (17 Searle Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 47, Lot 754 (133 Oxford Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 47, Lot 754 (133 Oxford Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 385 (63 Ocean Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 385 (63 Ocean Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 48, Lot 928 (62 Saratoga Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 48, Lot 928 (62 Saratoga Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 47, Lot 715 (267 Swan Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 47, Lot 715 (267 Swan Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

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Resolution requesting the transfer of Assessor's Plat No. 47, Lot 382 (336 Plain Street) from the City of Providence to the Providence Redevelopment Agency for Housing Development.

*Resolved*, That Assessor's Plat No. 47, Lot 382 (336 Plain Street) is hereby transferred from the City of Providence to the Providence Redevelopment Agency for Housing Development.

COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

COUNCILMAN CLARKIN moves to Reconsider the Resolution requesting the abandonment of a portion of the Kennedy Plaza right-of-way, seconded by COUNCILWOMAN YOUNG.

On motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG, it is Voted to Amend the foregoing Resolution.

On motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN YOUNG, it is Voted to Approve the Resolution, as Amended.

The motion to Amend the "Resolution requesting the Abandonment of a portion of the Kennedy Plaza right-of-way", is Sustained.

## COMMUNICATIONS AND REPORTS

Communication from Stephen Maiorisi, AIA, Director of Project Management, Brown University, dated July 5, 2001, requesting to Amend Resolution Number 430, dated August 6, 1948, relative to the upgrade, replacement and expanding infrastructure in Fones Alley.

COUNCIL PRESIDENT LOMBARDI Refers the Communication to the Committee on Public Works.

The motion to Refer is Sustained.

Communication from John F. Palmieri, Director, Department of Planning and Development, dated June 15, 2001, submitting the Annual Report for the Year 2000.

Received.

## FROM THE CLERK'S DESK

Petition from Mildred Aharonian, et. al., requesting to change Bolton Avenue from a two-way street to a one-way street from Mount Pleasant Avenue to Kimball Street.

**COUNCIL PRESIDENT LOMBARDI**  
Refers the Petition to the Committee on Public Works.

The motion to Refer is Sustained.

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**Petitions for Compensation for Injuries and Damages, viz:**

Radames Gonzalez (Christopher E. Fay, Esquire)

Dorothy Lopes (Gregory J. Schadone, Esquire)

Teodolinda Jacome (Jeffrey S. Perlow, Esquire)

Mark Donfrancesco (Alfred A. Russo, Jr., Esquire)

Lily C. Wang

Maria Cruz p.p.a. Kassandra Cruz (Robert D. Parrillo, Esquire)

Nancy Court

Rocco Quattrocchi

Grazyna Lopusiewicz (Oleg Nikolyszyn, Esquire)

Iwona Lopusiewicz (Oleg Nikolyszyn, Esquire)

Boleslaw Lopusiewicz (Oleg Nikolyszyn, Esquire)

Francisco Luna and Nazario Express (Robert V. Russo, Esquire)

Stephanie DeAngelis (Robert V. Russo, Esquire)

Anthony Paglia

Joanne Smith

Sheryl L. Black (Edward C. Roy, Esquire)

Antonio and Vincenzina DiManna

**COUNCIL PRESIDENT LOMBARDI**  
Severally Refers the Petitions to the Committee on Claims and Pending Suits.

The motion to Refer is Sustained.

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## PRESENTATION OF CITATIONS

### *"In Congratulations"*

#### **COUNCIL PRESIDENT LOMBARDI and the MEMBERS of the CITY COUNCIL:**

##### **Citations Extending Congratulations.**

*Resolved*, That the Members of the City Council extend their sincere congratulations to the following:

Liz Morancy, in recognition of the celebration of her 60th Birthday on May 12, 2001.

Mr. and Mrs. John Bolvin, in recognition of the celebration of their 50th Wedding Anniversary on June 25, 2001.

Rita C. Michaelson, in recognition of being the recipient of the Frederick C. Williamson and Harry Kizirian 2001 Award.

Tom Russell, in recognition of his dedication, service and loyalty to the youth of Providence and the Hope High School Track Family.

Bill Falk, in recognition of his dedication, service and loyalty to the youth of Providence and the Hope High School Track Family.

Ted McLaughlin, in recognition of his dedication, service and loyalty to the youth of Providence and the Hope High School Track Family.

Reverend Robert W. Hayman, in recognition of the celebration of his 35th Anniversary of his ordination to the priesthood.

Joseph Maguire, in recognition of his dedication to the well being of the children of the City of Providence, for his outstanding record of attendance and high level of responsibility as an administrator during 34 consecutive years of service, for his overwhelming concern on behalf of the minority communities of the City of Providence and for his determination to achieve high levels of performance based on high academic standards.

Gaston Guillen, in recognition of his dedication and determination to achieve academic excellence, for nurturing the cultural values and the self-esteem of our children, for building student's pride encouraging high levels of performance, for his outstanding record as a teacher maintained during 16 consecutive years of service and for being an excellent role model within the Latino Community.

Joseph Scunzio, in recognition of the celebration of his retirement after 16 years of dedicated service to the City of Providence.

Patricia Ann Kelly, in recognition of the celebration of her 60th Birthday on July 13, 2001.

Mr. and Mrs. Michael D'Antuano, in recognition of the celebration of your Marriage on July 14, 2001.

**Severally Read and Collectively Passed,**



on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

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## PRESENTATION OF RESOLUTIONS

*“In Memorium”*

COUNCIL PRESIDENT LOMBARDI and the MEMBERS of the CITY COUNCIL:

Resolutions Extending Sympathy.

*Resolved*, That the Members of the City Council extend their sincere sympathy to the families of the following:

Charles S. Whitehouse

Gennaro Autieri, Jr.

Rose Zompa

Joseph P. Marciano

Vincent M. Calise

Rebecca Gleckman

Ann C. Marcaccio

Carmella W. Nieratko

John T. Brady

Florinda E. Lanni

David T. Kenney, III

Virginia M. Cerullo

Gerald L. Catelli

Patrick J. Fallon

Frances Marcello

Maria Casasanta

Pio A. Romano, Sr.

**Severally Read and Collectively Passed, by a Unanimous Rising Vote, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

The motion for Passage is Sustained.

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## ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:40 o'clock P.M. (E.D.T.) to meet again on THURSDAY, AUGUST 2, 2001 at 7:30 o'clock P.M. (E.D.T.).

*Michael R. Clement*

City Clerk



