

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 124

Approved February 27, 1986

RESOLUTION AUTHORIZING LEASE OF BUILDING  
AND SPACE LOCATED WITHIN THE DEPARTMENT OF  
PUBLIC WORKS COMPLEX AND ADJACENT TO TERMINAL  
ROAD TO THE DOWNTOWN PROVIDENCE IMPROVEMENT  
ASSOCIATION FOR \$1.00 PER YEAR

RESOLVED, that his Honor the Mayor is authorized with the recommendation of the Committee on Public Properties of the City Council to enter into a Lease Agreement with the Downtown Providence Improvement Association of the real estate and buildings situated within the Department of Public Works Complex and located adjacent to Terminal Road in the City of Providence, Rhode Island. Said lease is to be for a term of five (5) years beginning March 1, 1986, at a rental of ONE DOLLAR (\$1.00) per year. Said lease shall be subject to such further terms and conditions as may be approved by His Honor the Mayor and the City Solicitor.

IN CITY COUNCIL  
FEB 20 1986  
READ AND PASSED

Charles W. Lind PRES.  
Robert M. Lind CLERK

APPROVED  
FEB 27 1986  
John W. Lind

9/21/55  
Frank F.  
Chairman  
The City of Providence  
Approves Passage of  
The Within Resolution  
THE COMMITTEE ON  
CITY AFFAIRS

RESOLUTION AUTHORIZING LEASE  
OF BUILDING AND SPACE LOCATED  
WITHIN THE DEPARTMENT OF PUBLIC  
WORKS COMPLEX AND ADJACENT TO  
TERMINAL ROAD TO THE DOWNTOWN  
PROVIDENCE IMPROVEMENT ASSOCIA-  
TION FOR \$1.00 PER YEAR.

L E A S E

THIS INDENTURE OF LEASE made and entered into this day of \_\_\_\_\_, 1986, by and between the CITY OF PROVIDENCE, a municipal corporation, hereinafter referred to as the LESSOR, and the DOWNTOWN PROVIDENCE IMPROVEMENT ASSOCIATION, hereinafter referred to as the LESSEE.

W I T N E S S E T H:

The LESSOR, in consideration of the rents and charges hereinafter reserved, does hereby grant, demise and lease unto the LESSEE, subject to the conditions, reservations and covenants hereinafter specified, certain space and the building located thereon within the Department of Public Works Complex, as is described and set forth in Exhibits A and B annexed hereto and made a part hereof.

To HAVE AND TO HOLD the said premises with all the privileges and appurtenances thereunto belonging for and during a term of five (5) years, beginning March 1, 1986, to and including February 28, 1991, at an annual rental of ONE (\$1.00) DOLLAR.

In consideration of the payment of said rents and the performance of the covenants and agreements on the part of the LESSEE to be kept and performed as herein set forth, the LESSOR hereby covenants to and with the LESSEE as follows:

1. That the LESSEE, paying the rent and performing and observing the covenants of the LESSEE herein contained, may peaceably hold and enjoy said premises during said term without any let or hindrance by the LESSOR or any party claiming by, through, or under said LESSOR.

In consideration of the use and enjoyment of the aforementioned premises and the performance of the covenants and agreements on the part of the LESSOR to be kept and performed as herein set forth, the LESSEE hereby covenants to and with the LESSOR as follows:

1. That it shall pay to the LESSOR a net rental of \$1.00 per annum, said rental to be paid on the anniversary date of the commencement hereof.

2. That it shall be responsible for the payment of all heat and utility bills incurred during the course of its tenancy.

3. Immediately prior to its occupancy of the premises, and throughout the term of this lease, the LESSEE, at its sole cost and expense, will take good care of the demised premises, as well as the sidewalk, curbs and passageways adjoining the

same in a clean and orderly condition, and make all reasonably necessary repairs thereto, interior and exterior, structural and non-structural, ordinary and extraordinary, and unforeseen and foreseen, ordinary wear and tear excepted.

4. That it will make no alterations in the interior of the demised premises without the consent in writing of the LESSOR or its authorized agents, but such consent shall not be unreasonably withheld.

5. That at its sole cost and expense, the LESSEE shall keep the Building insured for the mutual benefit of the LESSOR, during the term of this lease, against loss or damage by fire, and against any other risks which the LESSOR may from time to time reasonably designate. Additionally, the LESSEE shall maintain personal injury and property damage liability insurance against claims for bodily injury, death or property damage, occurring thereon, in or about the demised premises or its sidewalks or passageways.

6. That it will quit and surrender the demised premises at the end of the term aforesaid and extensions thereof in as good a state and condition as received, reasonable wear and tear and damage by fire or by the elements or other causes not within its control excepted; PROVIDED, HOWEVER, that any fixtures, equipment or improvements which may be placed in or upon the demised premises by the LESSEE shall remain its property, and it shall have the right to remove the same at any time during the term hereof or within (30) days after the expiration of this Lease. In case of failure on the part of the LESSEE to remove and restore if so required, the LESSOR shall have the right to do so and charge the cost thereof to the LESSEE. The LESSOR shall also be entitled to charge the LESSEE reasonable compensation for loss of the use of said premises during the time required for said removal and restoration.

IN WITNESS WHEREOF, THE CITY OF PROVIDENCE has caused these presents to be executed, in duplicate, and its corporate seal to be affixed by JOSEPH P. FACILINO, JR. its Mayor, duly authorized.

CITY OF PROVIDENCE

By \_\_\_\_\_ MAYOR

DOWNTOWN PROVIDENCE IMPROVEMENT  
ASSOCIATION

By \_\_\_\_\_

STATE OF RHODE ISLAND  
PROVIDENCE, SC.

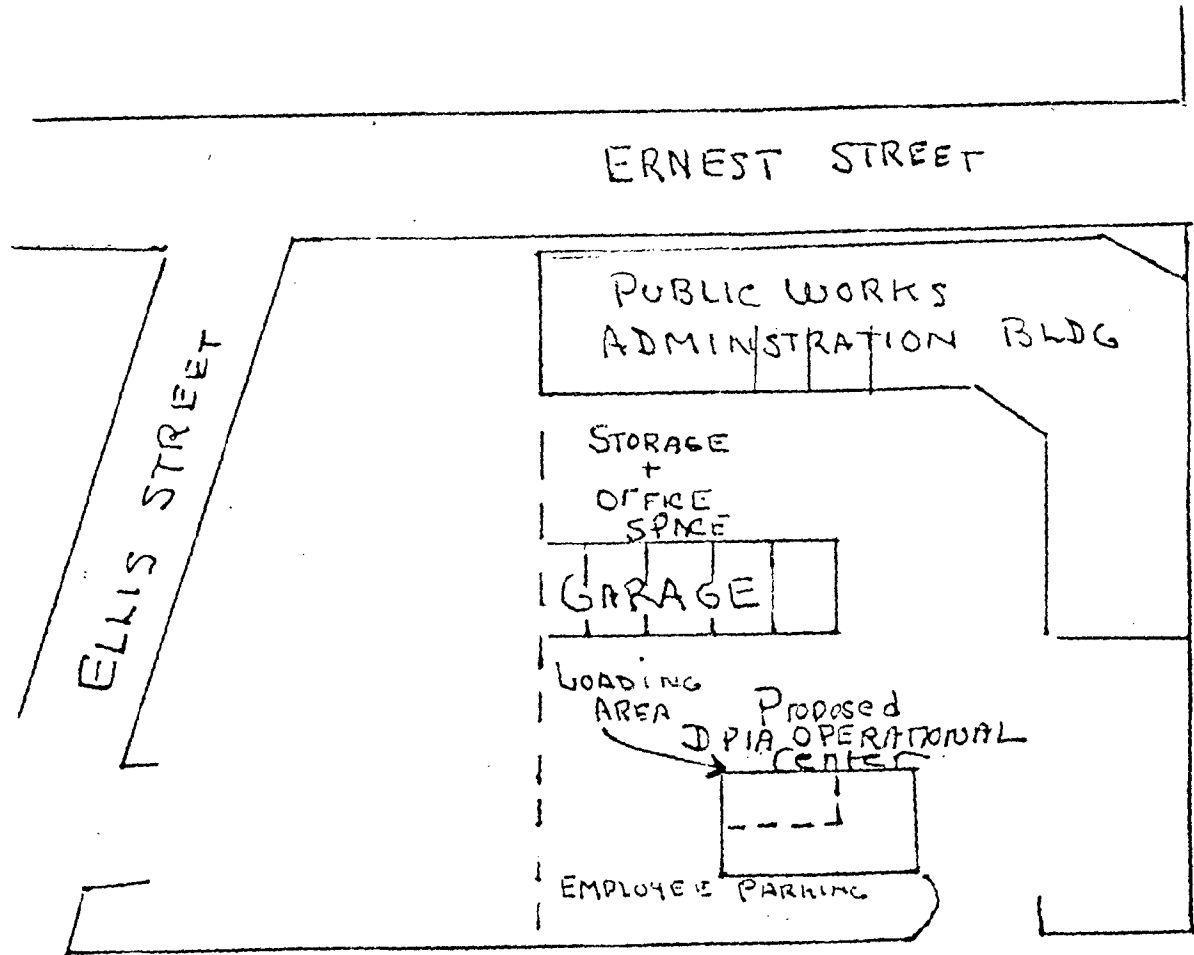
In Providence on the            day of           , 1986,  
then personally appeared before me the above-named JOSEPH R.  
PAOLINO, JR., Mayor, to me known by me to be the party who  
executed the foregoing instrument, and he acknowledged the  
said instrument, by him executed on behalf of the CITY OF  
PROVIDENCE to be his free and voluntary act and deed and the  
free and voluntary act and deed of said CITY.

\_\_\_\_\_  
NOTARY PUBLIC

CORRECT IN FORM AND SATISFACTORY TO ME

\_\_\_\_\_  
CITY SOLICITOR

EXHIBIT A



P1 sed DPJA space occupancy for operational center within  
 P2 Works Department at 700 Allens Avenue.

## RC

TERMINAL ROAD

POSED LEASE  
AND BUILDINGS.

AGE

LOADING PLATFORM

PROPOSED LEASE LAND & BUILDINGS

SCALE 20' = 1"

VINCENT A. CAPUANO  
DIRECTOR



3  
JOSEPH R. FAOLINO, JR.  
MAYOR

## DEPARTMENT OF PUBLIC PROPERTY

January 8, 1986

The Honorable Andrew Annaldo  
Chairman  
Committee on Public Properties  
c/o City Clerk's Office  
City Hall  
Providence, Rhode Island

RE: PROPOSED LEASE DPIA AND CITY OF PROVIDENCE

Dear Councilman Annaldo:

This department recommends that the City enter into a lease with the Downtown Providence Improvement Association involving a certain building and space located within the Department of Public Works Complex.

The term of said lease should be for five (5) years beginning March 1, 1986. All improvements prior to occupancy, all utility bills and heat and all future maintenance and repairs associated with said property would be at the expense of DPIA.

The City should be protected against all liabilities as delineated by the City Solicitor.

Recommended annual rent \$1.00 (One Dollar).

Enclosed please find all documents and correspondence related to this matter.

If you have any questions concerning this recommendation that you would like reviewed, please advise me.

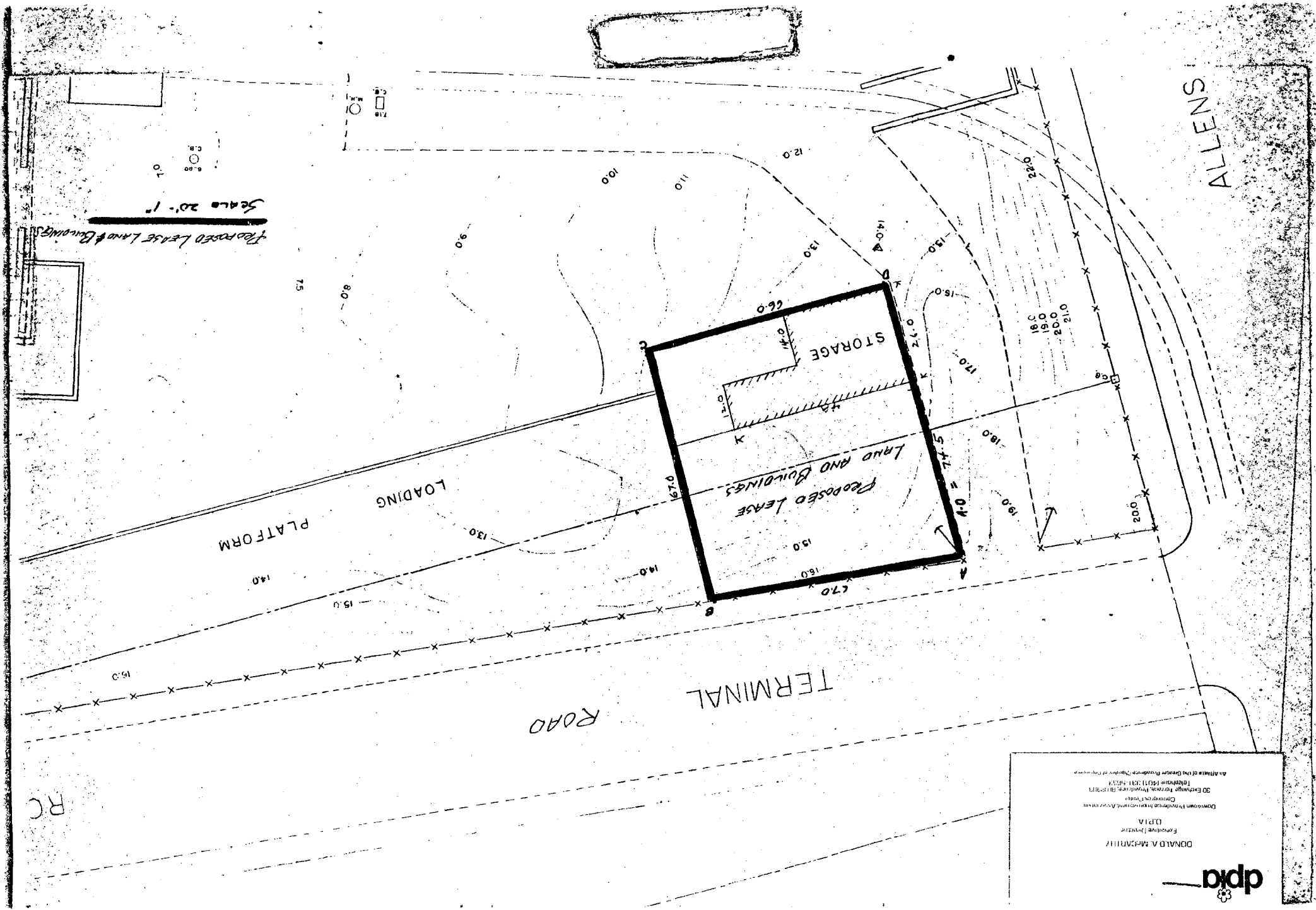
Sincerely,

A handwritten signature in cursive script, reading "Vincent A. Capuano".  
VINCENT A. CAPUANO  
Director, Public Property

VAC

CC: Vincent Pallozzi  
Donald McCarthy  
Edward Clifton  
John D'Antuono







DOWNTOWN PROVIDENCE IMPROVEMENT ASSOCIATION  
An Affiliate of the Greater Providence Chamber of Commerce  
Commerce Center  
30 Exchange Terrace, Providence, R.I. 02093  
Telephone (401) 331-5653

December 23, 1985

Mr. John D'Antuono  
Deputy Director  
Department of Public Works  
700 Allens Avenue  
Providence, RI 02905

Dear John:

In reply to your letter of December 9, 1985 relative to the Downtown Providence Improvement Association utilizing the building and space located within the Public Works Center Complex, I have attached a drawing indicating the location that was suggested for our operational use.

In early August we made an inspection of the site location and determined that the following repairs would be necessary in order to prepare the space as an operational center.

- o Upgrade the electric service to include a separate meter
- o Remove the fuel pumps
- o Remove any fuel from storage tank
- o Insulate the doors and windows
- o Replace two doors - security
- o Install new locking system
- o Alarm system - fire and theft

Both electric service and telephone service will be billed to the Association. The area indicated on the drawing as "parking" will be for DPIA employee parking. The area indicated as loading zone will be utilized for that purpose.

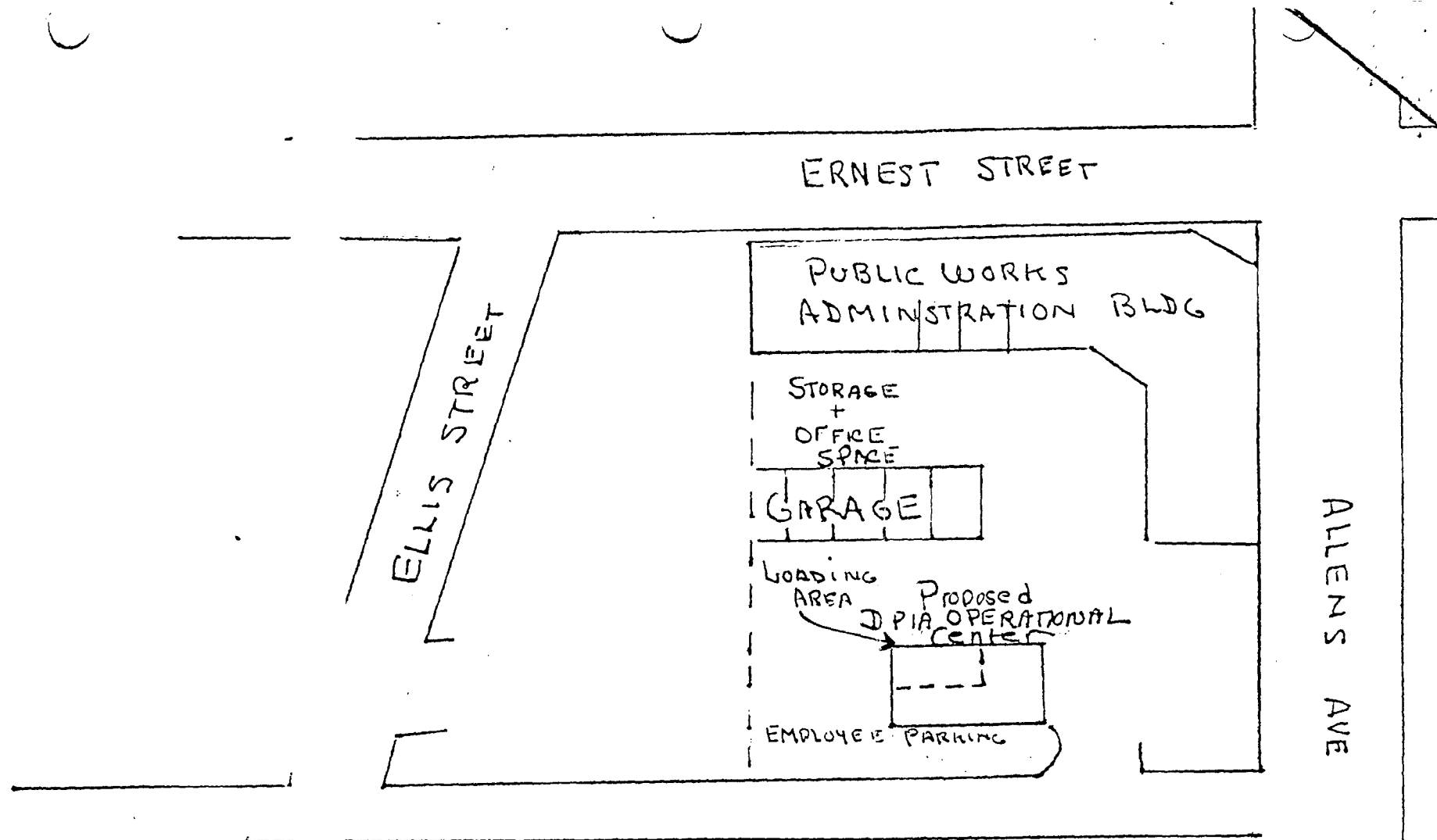
The entire interior of the building would be required for equipment storage and maintenance of machinery as well as fuel and chemical storage.

Very truly yours,

Donald A. McCarthy  
Executive Director

cc: Howard N. Kay

DAM/mcm



P1 sed DPJA space occupancy for operational center within  
Pu Works Department at 700 Allens Avenue.



DOWNTOWN PROVIDENCE IMPROVEMENT ASSOCIATION  
An Affiliate of the Greater Providence Chamber of Commerce  
Commerce Center  
30 Exchange Terrace, Providence, R.I. 02903  
Telephone (401) 331-5653

*is necessary*

*John D  
Lee*

December 10, 1985

The Honorable Joseph R. Paolino, Jr.  
Mayor of Providence  
Executive Chamber  
Providence City Hall  
Providence, RI 02903

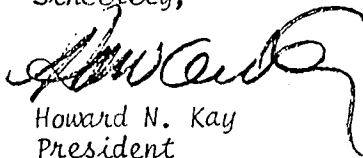
Dear Mayor Paolino:

The Downtown Providence Improvement Association's operation center is now located within Amtrak's Bridge and Building space beneath Union Station. It is expected that the new railroad station in the Capital Center Complex will become operational sometime in March of 1986 and we will be asked to vacate the space we occupy at that time. Mr. McCarthy has met with Mr. Stanzione, Director of the Public Works Department and inspected a building and space that was suggested for our operational use. It is the intention to utilize the facility for storage of sidewalk maintenance equipment, lawnmowers, snow removal machinery, litter receptacles, petrol and miscellaneous consumable products.

It is my understanding that Mr. Stanzione referred our request for the use of the space (attached drawing) to your office on August 9, 1985. Mr. McCarthy advises me that the request was received by Solicitor Clifton's Office and then to the Department of Public Properties, specifically Mr. Capuano. Just recently, Mr. McCarthy discussed this matter with your newly appointed Assistant Director of Public Works, Mr. D'Antuano.

I am confident that the close proximity of our operational people with City of Providence personnel will further strengthen our working relationship for the betterment of Providence, and the Board of Directors of the DPIA would greatly appreciate your support in making this building available.

Sincerely,

  
Howard N. Kay  
President

Enclosure  
HNK/kb

RECEIVED

DEC 13 1985

EXECUTIVE OFFICE



Department of Law  
*"Building Pride In Providence"*

September 5, 1985

Anthony Stanzione, Director  
 Department of Public Works  
 700 Allens Avenue  
 Providence, Rhode Island 02905

RE: REQUEST OF DPIA

Dear Mr. Stanzione:

I am in receipt of a letter addressed to me on August 30, 1985, which contains an enclosure of a letter sent to your on August 21, 1985, from Donald McCarthy, Executive Director of DPIA. The letter concerns the proposed use by the DPIA of space at the Department of Public Works yard located on Ernest Street.

According to the letter from Mr. McCarthy, someone from your department spoke with someone from my department and I have not been able to determine whom in my department was spoken to concerning this matter. At any rate, any agreement with DPIA for the use of this space should be made either with the Department of Public Property or with the Committee on City Property of the City Council under the terms of the Providence Home Rule Charter.

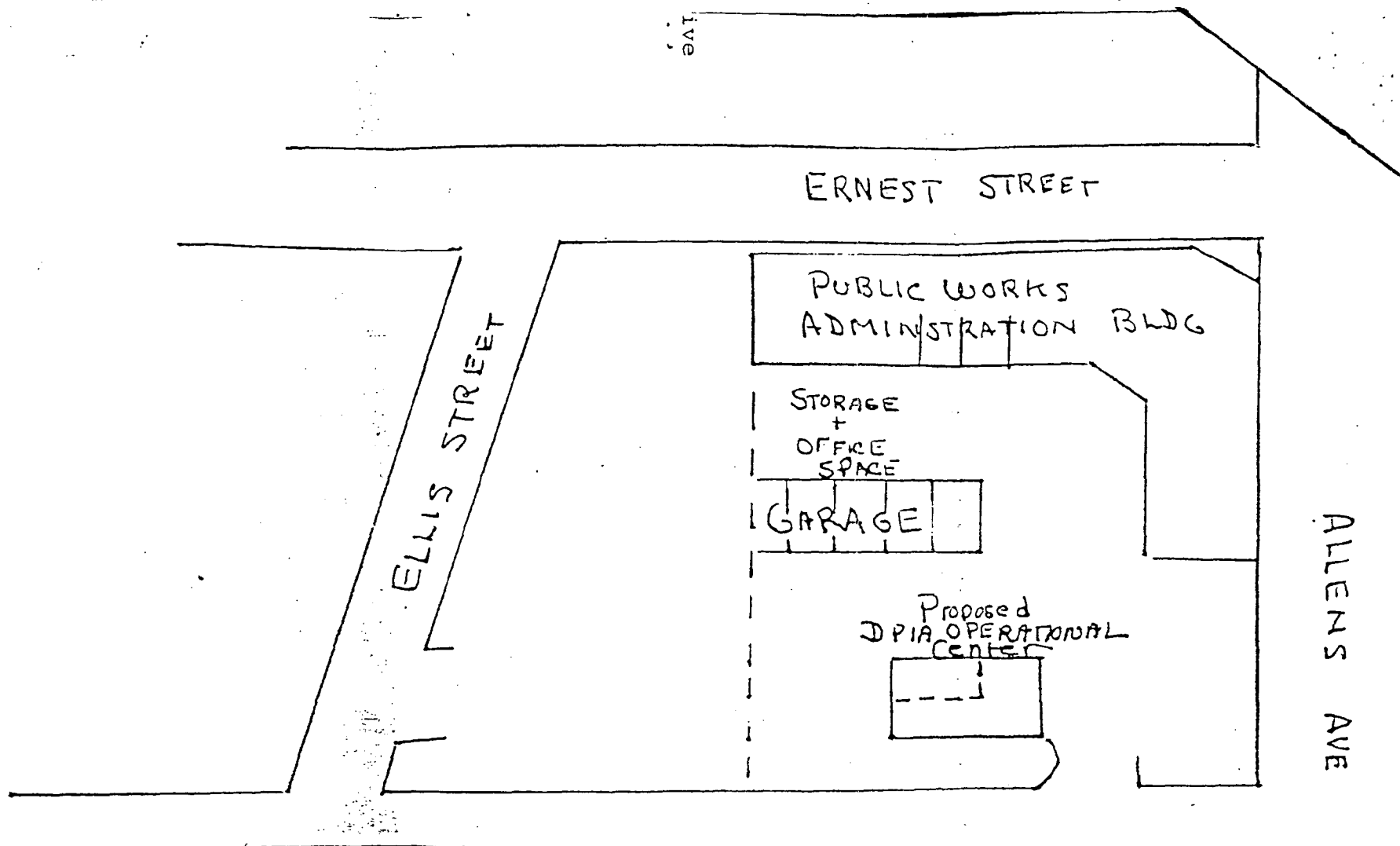
Should there be any additional questions, please feel free to call.

Very truly yours,

*Edward C. Clifton*  
 Edward C. Clifton,  
 City Solicitor

ECC/sms

cc: Donald McCarthy  
 Vincent Pallozzi



Proposed DPIA space occupancy for operational center within  
Public Works Department at 700 Allens Avenue.



## Department of Public Works

*"Building Pride In Providence"*

December 9, 1985

Mr. Don McCarthy  
30 Exchange Terrace  
Providence, RI 02903

Dear Don:

Please submit to me the particulars concerning your request to use  
A DPW building as an operations center for DPIA.

Describe the cost, if any. The utilities required and how they will  
be paid. The total space you need both in and out of the building and what  
it will be used for together with any other pertinent data.

Very truly yours,

John D'Antuono  
Deputy Director

JD:cs



DOWNTOWN PROVIDENCE IMPROVEMENT ASSOCIATION  
An Affiliate of the Greater Providence Chamber of Commerce

August 21, 1985

*officers*

*president*

HOWARD N. KAY  
OUTLET COMMUNICATIONS, INC.

*vice president*

RICHARD A. ZIGAS  
FLEET NATIONAL BANK

*vice president, finance*

LEWIS E. ANTONE  
BLUE CROSS/  
BLUE SHIELD OF RI

*secretary*

CHARLES F. ROGERS, JR.  
EDWARDS & ANGELL

*treasurer*

JAMES D. FAIRCHILD  
GREATER PROVIDENCE  
CHAMBER OF COMMERCE

*directors*

ALAN J. AXELROD  
AXELROD MUSIC, INC.

HERBERT H. BODEN, JR.  
RYAN, ELLIOTT MANAGEMENT, INC.

BETTY BOGOSIAN  
HARWOL PROPERTIES, INC.

LILLIAN CUMMING

DAVID F. DONNELLY, JR.  
COLONY COMMUNICATIONS, INC.

ABRAHAM EHRlich  
MALL LAND CO.

TERRIE GRIFFIN  
WESTMINSTER SENIOR CENTER

RONALD E. KUTRIEB  
PROVIDENCE ADVISORS

WILLIAM H. KELLEY  
NEW ENGLAND TELEPHONE

L. DANIEL LIBUTTI  
REYNOLDS METALS DEV.

GLORIA L. LINCOLN  
CITY OF PROVIDENCE

ALAN G. PASSANTE  
TEXTRON, INC.

RICHARD W. PEARCE, JR.  
AMICA MUTUAL INSURANCE CO.

DIDIER SARTOR  
KATES PROPERTIES, INC.

WILLIAM H. THURBER, SR.  
TILOEN-THURBER

GRAY M. TWOMBLY  
JOHNSON & WALES COLLEGE

DONALD C. WEBSTER  
RI HOSPITAL TRUST NATIONAL BANK

*ex-officio*

ROBERT L. NEWBERT, JR.  
KEEP PROVIDENCE BEAUTIFUL

WENDY NICHOLAS  
PROVIDENCE PRESERVATION SOCIETY

THEODORE F. PARKER  
BOMA

C. WILLIAM MYERS  
INTOWN

*staff*

*executive director*  
DONALD A. MCCARTHY

*administrative assistant*  
MEREDITH SULLIVAN

*maintenance supervisor*  
JEAN RICHARD

*development director*  
ELWOOD A. PALMER

Mr. Anthony Stanzione  
Director  
Department of Public Works  
City of Providence  
700 Allens Avenue  
Providence, RI 02905

Dear Mr. Stanzione:

The Downtown Providence Improvement Association's Operations Center is now located within Amtrak's Bridge and Building space beneath the railroad station. It is anticipated that the railroad station will be relocated to the Capital Center Complex in November, 1985. We will be asked to vacate this space at that time. I have had the opportunity of meeting with Mr. Vincent and Mr. Melvin from your department and inspecting the building and office space that was suggested for our operational use. These spaces are very adequate for our needs.

It is my understanding that the possibility of our using these spaces within your facility were reviewed with Mayor Paolino on August 9, 1985 and referred to the City Solicitor's Office. I have advised Mr. Charles F. Rogers, Jr., our attorney, associated with Edwards & Angell, of this possible site relocation in order that he may be in a position to discuss the matter with the Solicitor's Office.

I am confident that the close proximity of our operational people with your people will further strengthen our working relationship for the betterment of Providence. Your cooperation is very much appreciated and hopefully this site relocation for our operations center will materialize.

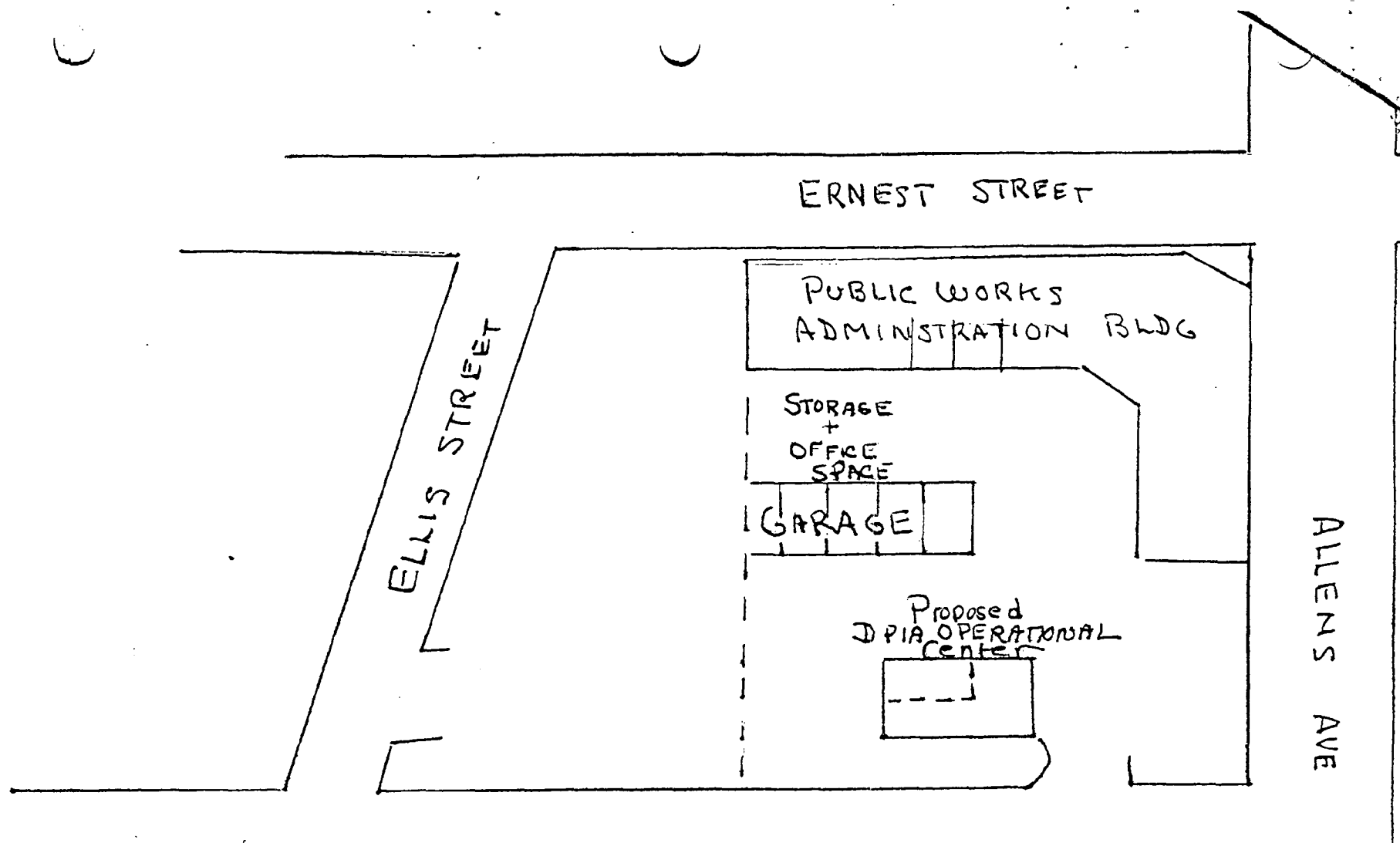
Sincerely,

Donald A. McCarthy  
Executive Director

Enclosure  
DAM/mm

Get facts together  
and hand to  
Caspar  
etc.





Proposed DPIA space occupancy for operational center within  
Public Works Department at 700 Allens Avenue.



## Department of Law

*"Building Pride In Providence"*

September 5, 1985

Anthony Stanzione, Director  
Department of Public Works  
700 Allens Avenue  
Providence, Rhode Island 02905

RE: REQUEST OF DPIA

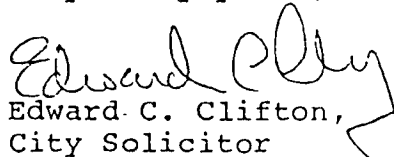
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Should there be any additional questions, please feel free to call.

Very truly yours,

  
Edward C. Clifton,  
City Solicitor

*Call Vin Caff  
301*

ECC/sms

cc: Donald McCarthy  
Vincent Pallozzi



## Department of Public Works

*"Building Pride In Providence"*

### MEMORANDUM

TO: Vincent Capuano  
Public Property

FROM: John D'Antuono  
Deputy Director

DATE: January 2, 1986

RE: DPIA

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All correspondence relative to the proposed use of a DPW building by DPIA as an operations center is enclosed.

Please arrange a meeting with the City Solicitor's office in order to prepare a lease agreement between the City and DPIA.

It is requested that this lease be ready for execution by March of 1986.

AGS:cs

Rose M. Mendonca

City Clerk

Clerk of Council

Clerk of Committees



Michael R. Clement

First Deputy

Grace Nobrega

Second Deputy

DEPARTMENT OF CITY CLERK  
CITY HALL

March 4, 1986

Mr. Donald A. McCarthy, Executive Director  
Downtown Providence Improvement Association  
30 Exchange Terrace  
Providence, Rhode Island 02903

Dear Mr. McCarthy:

Enclosed is a certified copy of Resolution No. 124,  
approved February 27, 1986, the same being self-explanatory.

Will you kindly communicate with the City Solicitor's  
Office so that the lease agreement for said land and buildings  
may be executed.

Very truly yours,

Rose M. Mendonca,  
City Clerk.

RMM/jma  
Enclosure