

CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 25 City Council Regular Meeting, Thursday, October 19, 2006, 7:30 o'clock P.M. (E.D.T.)

PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT
LOMBARDI, COUNCILMEN APONTE,
BUTLER, DeLUCA, HASSETT, IGLIOZZI,
JACKSON, MANCINI, COUNCILWOMAN
ROMANO, COUNCILMAN SEGAL,
COUNCILWOMEN WILLIAMS and
YOUNG -12.

Absent: COUNCILMEN ALLEN, COUNCIL-
WOMEN DiRUZZO and LUNA - 3.

(SUBSEQUENTLY COUNCILWOMAN
DiRUZZO JOINS THE MEETING)

Also Present: Anna M. Stetson, City
Clerk, Claire E. Bestwick, First Deputy
City Clerk, Sheri A. Petronio, Assistant
Clerk, Adrienne G. Southgate, Deputy
City Solicitor and Vincent J. Berarducci,
City Sergeant.

FILED
2007 JAN 17 A 10:59
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL

JAN 25 2007

APPROVED:

Anna M. Stetson CLERK

INVOCATION

The Invocation is given by COUNCILMAN JOHN J. IGLIOZZI.

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

HALEY A. BUTLER 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 RECORDS

Journal of Proceedings No. 18 of the Special Meeting of the City Council held July 13, 2006 and Journal of Proceedings No. 19 of the Special Meeting of the City Council held August 1, 2006 and Posted on October 16, 2006 on that Bulletin Board located on the Ground Level of City Hall, are approved, as printed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

COUNCILWOMAN DiRUZZO JOINS THE MEETING.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated September 25, 2006, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Section 42-63.1-11 of the Rhode Island General Laws, he is this day appointing Mr. Sam Guedouar, General Manager, The Westin Hotel, Providence, Rhode Island 02903, to the Greater Providence-Warwick Convention and Visitors Bureau for a term to expire on June 30, 2007. (Mr. Guedouar will be replacing Mr. Daniel Peterson who has resigned)

Communication dated October 2, 2006, Informing the Honorable Members of the City Council that pursuant to Section 2 of Article IV of the By-Laws of ProvPort, Inc., he is this day appointing Mr. Michael Mello, of 310 Atwells Avenue, Apartment #1, Providence, Rhode Island 02903, to the ProPort Board of Directors. (Mr. Mello will be replacing Ms. Sandra Carlson)

APPOINTMENT BY THE PRESIDENT OF THE CITY COUNCIL

Communication dated October 12, 2006, Informing the City Clerk that in accordance with Chapter 2006-25, Number 184 of the Code of Ordinances which establishes a Committee on Sweatfree Purchases for the City of Providence, he is this day appointing Jaime Salinas of 9 Parkis Avenue, Apartment 8C, Providence, Rhode Island 02907; Shane LaChance of 102 Mt. Pleasant Avenue, Providence, Rhode Island 02908; and Madeleine Lipshie-Williams of 123 Brook

Street, Providence, Rhode Island 02906, as members of the Committee.

**COUNCILMAN APONTE Moves to
Dispense with the Reading of the
foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI
Receives the Several Communications.**

PRESENTATION OF ORDINANCES

COUNCILMAN DeLUCA:

An Ordinance in Amendment of Chapter 2002-3, Number 45, Approved February 13, 2002, Entitled: "An Ordinance Relating to Garbage, Trash and Debris, As Amended.

COUNCILMAN LUNA:

An Ordinance Relating to the Use of Large Containers.

COUNCIL PRESIDENT LOMBARDI
Refers the Several Ordinances to the
Committee on Ordinances.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:

Resolution Extending Sincere Congratulations to Alex D. Prignano on his retirement after 29 years of dedicated service to the City of Providence.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Congratulations to Alex D. Prignano on his retirement after 29 years of dedicated service to the City of Providence.

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution Requesting the Tax Assessor to apply the Homestead Exemption to the property located on Assessor's Plat 28, Lot 852 (229 Federal Street), for the years 2003 and 2004.

Resolved, That the Tax Assessor is requested to apply the Homestead Exemption to the property located on Assessor's Plat 28, Lot 852 (229 Federal Street), for the years 2003 and 2004.

MUNICIPAL LIEN CERTIFICATE CITY OF PROVIDENCE - OFFICE OF THE COLLECTOR CITY HALL PROVIDENCE, R.I. 02903 (401)-331-3252

| DATE | PLAT | LOT | UNIT | LOCATION | CERT # | PAGE |
|------------------|------|------|------|----------------|--------|------|
| October 03, 2006 | 028 | 0152 | 0000 | 229 Federal St | 48,802 | 1 |

ASSESSED FLORENCE MILANO
OWNER

| STATUS OF REAL ESTATE BILL AS OF DATE PRINTED | | | | | | | | | |
|---|------|--------------|--------|----------------------|----------|-------------|----------|-----------|-----------------|
| YR | TYPE | ORIGINAL TAX | CHARGE | ADJUSTMENT ABATEMENT | PAID | BALANCE DUE | INTEREST | TOTAL DUE | BILL NAME |
| 06 | RE | \$3,093.08 | \$0.00 | (\$1,800.36) | \$773.77 | \$520.73 | \$0.00 | \$520.73 | FLORENCE MILANO |
| | | \$3,093.08 | \$0.00 | (\$1,800.36) | \$773.77 | \$520.73 | \$0.00 | \$520.73 | |

NOTE - INTEREST SHOWN IS VALID FOR 30 DAYS FROM DATE ISSUED. ADDITIONAL CHARGES MAY APPLY IF PAYMENT IS RECEIVED LATER THAN 30 DAYS FROM DATE.
NOTE - PLEASE BE AWARE THAT UNPAID TAXES MAY BE SUBJECT TO TAX SALE.

PLEASE CONTACT THE WATER SUPPLY BOARD AT 321-6300
PLEASE CONTACT THE HARRAGANSETT DAY COMMISSION AT 461-8828

CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE IS TRUE AND CORRECT. SAID CERTIFICATION BEING GIVEN IN ACCORDANCE WITH 44-7-11 OF THE GENERAL LAWS OF RHODE ISLAND 1956, AS OF THE DATE PRINTED ABOVE.

MAILED TO: City Council
City of Providence

ROBERT P. CEPANO
TAX COLLECTOR
MARC CASTALDI
DEPUTY COLLECTOR

Webster-Gilbert, Revised 02-04-02

COUNCILMAN APONTE 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 DeLUCA (By Request):

Resolution Requesting the Director of Public Works to cause the sewers to be baited on Academy Avenue from Atwells Avenue to Dover Street.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk in front of 239 Gray Street.

Resolution Requesting the Director of Public Works to cause Amsterdam Street to be paved in its entirety.

Resolution Requesting the Director of Public Works to cause the repair of the dead end portion of Bel Air Drive.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk in front of 97 Mount Pleasant Avenue.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk in front 8 Pemberton Street.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk at Pemberton Street and Fairview Street.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk in front of 206 Manton Avenue, as it is a dangerous trip hazard.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk at Belmont and Claremont Avenue to make it passable.

Resolution Requesting the Director of Public Works to cause the repair of the sidewalk in front of 66 Chaucer Street to make it passable.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

Resolution Requesting the Chief Electrical Inspector to cause the installation of street lights on Pole Numbers 1, 2 and 3, located on Case Lane (formerly Bullock Avenue).

Resolved, That the Chief Electrical Inspector is requested to cause the installation of street lights on Pole Numbers 1, 2 and 3, located on Case Lane (formerly Bullock Avenue).

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting to 27,500 lumen along Academy Avenue from Atwells Avenue to Chalkstone Avenue in its entirety.

Resolved, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting to 27,500 lumen along Academy Avenue from Atwells Avenue to Chalkstone Avenue in its entirety.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCIL WOMAN WILLIAMS.

The Motion for Passage is Sustained.

Resolution Requesting the Traffic Engineer to cause the re-striping of the crosswalk at Manton Avenue and Fruit Hill Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of "Four-Way Stop" Signs at Unit Street and Almira Avenue.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting to abate the taxes on the property located on Assessor's Plat 63, Lot 577 (25 Aleppo Street), for the years 2004, 2005 and 2006, on behalf of Hive Archive, Inc.

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

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting to apply the Homestead Exemption to the property located on Assessor's Plat 115, Lot 467 (290 Killingly Street), for the 2004 tax year.

Resolved, That the Homestead Exemption be applied to the property located on Assessor's Plat 115, Lot 467 (290 Killingly Street), for the 2004 tax year.

Summary Report Card generated on 10/19/2006 2:13:07 PM by the Assessor

City of Providence
Tax Map # 115-0467-0000
290 Killingly St, Providence
ROSEANNA EVANS Since Mar 2003
290 KILLINGLY ST
PROVIDENCE, RI 02909-5924

| | | | |
|--------------|-------------------|---------------|---------------|
| Class | 01 Single Family | Full Section | 1 Yr. Rate |
| Block No | 3704/203 3704/203 | Property Type | 1 Residential |
| Sheet | 1203 1203 | Zone | RI RI-1 |
| District No. | 3 | Uniting Units | 1 |
| Tax Code | 801 801 | 3.0x Total | 0.00 Acres |
| PT | 2006 | | |

RE Assessment

| CURRENT YEAR INFO 2006 - ESTIMATED | | True Taxes | Total Taxes |
|------------------------------------|--------------|------------|-------------|
| Land Value | Improvements | | |
| \$28,100 | \$126,000 | \$3,809.00 | \$1,632.44 |
| | Total Value | | |
| | \$154,100 | | |
| PRIOR YEAR INFO 2005 | | | Total Taxes |
| Land Value | Improvements | | |
| \$28,100 | \$126,000 | | \$1,632.44 |
| | Total Value | | |
| | \$154,100 | | |

RE Exemptions

| Exempt Info | Exempt Desc | Start Date | End Date | Amount | Tax Rate | Net Amount |
|-------------|------------------------|------------|----------|----------|----------|------------|
| HSD 00 | 00 Homestead Exemption | | | \$401.77 | 50.00 | \$1,904.48 |
| SD | Service Disability | | | \$2,000 | | \$272.87 |

MUNICIPAL LIEN CERTIFICATE
CITY OF PROVIDENCE - OFFICE OF THE COLLECTOR
CITY HALL PROVIDENCE, R.I. 02903 (401) 331-5732

| DATE | PLAT | LOT | UNIT | LOCATION | CERT # | PAGE |
|------------------|------|-----|------|------------------|--------|------|
| October 03, 2006 | 115 | 467 | 0000 | 290 Killingly St | 48,842 | 1 |

ASSESSED ROSEANNA EVANS
OWNER

STATUS OF REAL ESTATE BILL AS OF DATE PRINTED

| YR | TYPE | ORIGINAL TAX | CHARGE | ADJUSTMENT | PAID | BALANCE DUE | INTEREST | TOTAL DUE | DR. NAME |
|----|------|--------------|--------|------------|------------|-------------|----------|-----------|----------------|
| 06 | RE | \$1,632.44 | \$0.00 | \$0.00 | \$1,230.67 | \$401.77 | \$0.00 | \$401.77 | ROSEANNA EVANS |
| | | \$1,632.44 | \$0.00 | \$0.00 | \$1,230.67 | \$401.77 | \$0.00 | \$401.77 | |

NOTE - INTEREST SHOWN IS VALID FOR 30 DAYS FROM DATE ISSUED. ADDITIONAL CHARGES MAY APPLY IF PAYMENT IS RECEIVED LATER THAN 30 DAYS FROM DATE.
NOTE - PLEASE BE AWARE THAT UNPAID TAXES MAY BE SUBJECT TO TAX SALE

PLEASE CONTACT THE WATER SUPPLY BOARD AT 371-5300
PLEASE CONTACT THE HARRAGANSETT BAY COMMISSION AT 461-8878

CERTIFICATION

THIS IS TO CERTIFY THAT THE ABOVE IS TRUE AND CORRECT. SAID CERTIFICATION BEING GIVEN IN ACCORDANCE WITH 44-7-11 OF THE GENERAL LAWS OF RHODE ISLAND 1956, AS OF THE DATE PRINTED ABOVE.

MAILED TO: City Council
City of Providence

Robert P. Cyranos
ROBERT P. CYRANOS
TAX COLLECTOR
MARIE CASTALDI
DEPUTY COLLECTOR

11/01

Webster County Register

Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COUNCILMAN MANÇINI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "No Turn on Red" Sign at the intersection of Douglas Avenue and Admiral Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "No Thru Truck" Sign on Cumberland Street at its intersection with Admiral Street.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign at the intersection of Wayland Avenue and Laurel Avenue.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

REPORTS FROM COMMITTEE

COMMITTEE ON FINANCE

COUNCILMAN KEVIN JACKSON, Chairman

**Transmits the Following with
Recommendation the Same be Adopted,
As Amended:**

An Ordinance in Accordance with Chapter 21, Section 19 of the Code of Ordinances of

the City of Providence Entitled: "Capital Equipment Budget, As Amended.

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

An Ordinance Making an Appropriation of Three Hundred Eleven Million Two Hundred Seventeen Thousand Six Hundred Three Dollars (\$311,217,603) for the support of the Providence School Department for the fiscal year ending June 30, 2007, and repealing Ordinance Chapter 2005-50 approved November 23, 2005.

An Ordinance Amending a Compensation Plan for the Providence School Department and Repealing Ordinance Chapter 2005-51, Approved November 23, 2005.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Employees in Certain Classes in the Providence School Department and Repealing Ordinance Chapter 2005-49, Approved November 23, 2005.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Ordinances, the First Time, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG - 13.

NAYES: NONE.

ABSENT: COUNCILMEN ALLEN and LUNA - 2.

The Motion for Passage the First Time, is Sustained.

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

Resolution Establishing a Payment Plan between the City of Providence and the Providence Public Library.

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

of all outstanding taxes and any taxes which will accrue while in PRA ownership.

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

Resolution Requesting the transfer of property located on Assessor's Plat 23, Lot 111 (402 Pine Street), to the Providence Redevelopment Agency, and the abatement

Communication from His Honor the Mayor dated September 13, 2006, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing

Bishop Robert Farrow of 20 Legion Memorial Drive, Providence, Rhode Island 02909, as a member of the Human Relations Commission for a term to expire in January 2009, and respectfully submits the same for your approval.

COUNCILMAN APONTE Moves to Receive and Approve the foregoing Communication, seconded by COUNCILWOMAN WILLIAMS.

COMMUNICATIONS AND REPORTS

Communication from Anna M. Stetson, City Clerk, dated October 2, 2006, of all monies received, transmitted to and credited by the City Collector for the fiscal quarter of July 1, 2006 to and including September 30, 2006.

Communication from Chris Wilhite, Chairman of the Providence Clean Energy Task Force, dated June 21, 2006, submitting his resignation from the Providence Clean Energy Task Force.

Report of the Providence Public Building Authority, submitted by Prescott, Chatellier, Fontaine, Wilkinson, LLP, relative to the financial statements and supplementary information along with the independent Auditor's Report for year ending June 30, 2006.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Receives the foregoing Communications and Report.

FROM THE CLERK'S DESK

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

Jeffrey L. Erickson

Nancy Audette

Richard Aparicio

Pasco Picano
(John S. Coughlin, Esquire)

Lettesha D. Johnson-Rogers

Liberty Mutual Fire Insurance Company
a/s/o Richard Caldarone

Marlene Monroe
(John S. Coughlin, Esquire)

Patricia Pezzullo
(Christopher L. Russo, Esquire)

Cheryl Enright

Walter A. Wesolowski

Michael Vargas

Dawn A. Correira

David M. Blais

Domenic Izzi
(George L. Santopietro, Esquire)

Christopher Sabitoni
(George L. Santopietro, Esquire)

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

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT LOMBARDI and MEMBERS OF THE CITY COUNCIL:

Resolution Extending Congratulations.

Resolved, That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

Bill and Lynn Eastdrige, in recognition of The Special Celebration of their 35th Wedding Anniversary.

St Ann Church, in recognition of their 69th Annual Parish Re-Union.

Superior Court Judge Stephen J. Fortunato, Jr., in recognition of his compassion for the poor, demonstrated by his recent ruling to discontinue the co-payment requirement on prescription medication for Rhode Islanders receiving Medicaid.

Armand Batastini, in recognition of the celebration of his induction into the New England Basketball Hall of Fame.

Mr. and Mrs. Dorian Constantinou, in recognition of the celebration of the birth of their son, Noah, born at 5:05 in the evening on Friday, September 15, 2006.

Alberto and Piera Tedeschi, in recognition of the celebration of the happy occasion of their fiftieth wedding anniversary, joined in marital bliss on October 14, 1956.

Severally Read and Collectively Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolution Extending Sympathy.

Resolved, That the Members of the City Council hereby extend their sincere sympathy to the families of the following.

Christopher Alves Golini

Leodore J. Langlais

Carl E. Hultine

"Blackie"

Julio Tandredi

Mr. Mann Mam

Francis William "Frank" Caswell

Vincent C., Jr. "PAPA"

Victoria SantoPietro

Carmella (Macri) Natale

Joseph Pagano

Alice "Arshaloyce" Markarian

Jack B. Sebastiao

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

The Motion for Passage is Sustained.

MATTER NOT APPEARING ON THE PRINTED DOCKET

On Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to Suspend Rule 16-B of the City Council Rules in order to allow the introduction of the following Matter Not Appearing on the Printed Docket.

PRESENTATION OF ORDINANCE

COUNCIL PRESIDENT LOMBARDI:

An Ordinance in Amendment of Chapter 06-36, Number 329, Approved July 14, 2006, Entitled: "An Ordinance in Amendment of Chapter 2005-35, No. 343, Approved July 27, 2005 of the Ordinances of the City of Providence making an Appropriation of Six Hundred Ten Million, Three Hundred Sixteen Thousand, Seven Hundred Sixty Two

Dollars (\$610,316,762) for the fiscal year ending June 30, 2007, As Amended.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matter.

COUNCIL PRESIDENT LOMBARDI Refers the Ordinance to the Committee on Finance.

ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 7:45 o'clock P.M. (E.D.T.), to meet again on THURSDAY, NOVEMBER 2, 2006 at 7:30 o'clock P.M. (E.D.T.)



ANNA M. STETSON
CITY CLERK



